

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, April 25, 2012.
4

Members Present: Mr. Tommy Branin, Chairman (Three Chopt)
Mrs. Bonnie-Leigh Jones, Vice-Chairperson, C.P.C. (Tuckahoe)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Eric Leabough (Varina)
Mr. Robert H. Witte, Jr. (Brookland)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mr. Frank J. Thornton,
Board of Supervisors' Representative

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

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6 **Mr. Frank J. Thornton, the Board of Supervisors' representative, abstains from**
7 **voting on all cases unless otherwise noted.**
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9 Mr. Branin - Good morning, and welcome to the April 25, 2012,
10 Subdivision and Plans of Development meeting for Henrico County. I would like to take a
11 moment to welcome the Honorable Frank Thornton who's our supervisor with us this
12 year. I don't believe there is anyone from the media in the room. As a courtesy, we ask
13 at the beginning of every meeting to please turn your cell phones off or to vibrate. If they
14 do go off, I'm going to ask you to take a message if it's for me, which is kind of
15 embarrassing in the middle of a meeting. With that, I'd like everybody to stand for the
16 Pledge of Allegiance.
17

18 Mr. Secretary?
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20 Mr. Emerson - Thank you, Mr. Chairman. The first item on your agenda this
21 morning is the requests for deferrals and withdrawals. Those will be presented by Ms.
22 Leslie News.
23

24 Ms. News - Good morning, Mr. Chairman, members of the Commission.
25 We have 4 requests for deferrals this morning. The first is found on page 4 of your
26 agenda and is located in the Fairfield District. This is transfer of approval for POD-02-00
27 (Part) for Park Central III. The applicant is requesting deferral to May 23, 2012.

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TRANSFER OF APPROVAL (*Deferred from the March 28, 2012 Meeting*)

POD-02-00 (Part) POD2011-00433 Park Central III – 8831 Park Central Drive	CB Richard Ellis for C.S. Richmond Corporation: Request for transfer of approval of a portion of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code from Park Central Associates, LC and Robinson Development Group, Inc. to C.S. Richmond Corporation. The 6.37-acre site is located on the east line of Park Central Drive, approximately 2000 feet north of the intersection of Park Central Drive and East Parham Road, on parcel 789-760-7494. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. (Fairfield)
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32 Mr. Branin - Is there anyone in opposition to transfer of approval for POD-
33 02-00, Park Central III? No one.

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35 Mr. Archer - Mr. Chairman, I move deferral of transfer of approval for
36 POD-02-00, Park Central III, to the May 23, 2012 meeting, at the applicant's request.

37
38 Mrs. Jones - Second.

39
40 Mr. Branin - That motion was made by Mr. Archer, seconded by Mrs.
41 Jones. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

42
43 At the request of the applicant, the Planning Commission deferred POD-02-00 (Part),
44 Park Central III, to its May 23, 2012 meeting.

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46 Ms. News - Next, on page 10 of your agenda and located in the Three
47 Chopt District, is SUB2012-00043, Pouncey Place (April 2012 Plan). The applicant is
48 requesting a deferral to the May 23, 2012 meeting.

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50

51 **SUBDIVISION**

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SUB2012-00043
Pouncey Place (April 2012
Plan) – 4521 Pouncey
Tract Road (State Route
271)

Bay Companies, Inc. for Pouncey Tract Company of Virginia, LLC and the Commonwealth of Virginia: The 12.72-acre site proposed for a public road dedication is located on the east line of Pouncey Tract Road (State Route 271), approximately 580 feet south of the intersection of Pouncey Tract Road and Twin Hickory Lake Drive, on part of parcels 740-765-2150 and 7333. The zoning is A-1, Agricultural District, B-2C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt) 0 Lot**

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54 Mr. Branin - Is anyone in opposition to deferral of SUB2012-00043,
55 Pouncey Place (April 2012 Plan)? No one. Then, I would like to move that SUB2012-
56 00043, Pouncey Place (April 2012 Plan), be deferred to the May 23, 2012 meeting, per
57 the applicant's request.

58

59 Mrs. Jones - Second.

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

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64 At the request of the applicant, the Planning Commission deferred SUB2012-00043,
65 Pouncey Place (April 2012 Plan), to its May 23, 2012 meeting.

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67 Ms. News - Next, on page 16 of your agenda and located in the
68 Brookland District, is SUB-07-11, The Townes at Hunton Park (July 2011 Plan), for 12
69 lots. The applicant is requesting a deferral to the May 23, 2012 meeting.

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71 **SUBDIVISION**

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SUB-07-11
SUB2011-00055
The Townes at Hunton
Park (July 2011 Plan) –
Hunton Park Boulevard

Burgess & Niple for Hunton Park Land Partners, LC: The 3.38-acre site proposed for a subdivision of 12 residential townhouses for sale is located on the north line of Hunton Park Boulevard, approximately 150 feet west of the intersection of Hunton Park Boulevard and Abbots Cross Lane, on parcel 763-774-5187. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Brookland) 12 Lots**

73

74 Mr. Branin - Is anyone in opposition to the deferral of SUB-07-11, The
75 Townes at Hunton Park (July 2011 Plan)? No one.

76

77 Mr. Witte - I'd like to move that SUB-07-11, The Townes at Hunton Park
78 (July 2011 Plan) be deferred to the May 23, 2012 meeting.

79
80 Mr. Archer - Second.

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

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85 At the request of the applicant, the Planning Commission deferred SUB-07-11, The
86 Townes at Hunton Park (July 2011 Plan), to its May 23, 2012 meeting.

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88 Ms. News - The next item is on page 17 of your agenda and is located in
89 the Brookland District. This is POD-25-11, The Townes at Hunton Park, Section E. The
90 applicant is requesting deferral to the May 23, 2012 meeting.

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92 **PLAN OF DEVELOPMENT**

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POD-25-11 POD2011-00230 The Townes at Hunton Park, Section E – Hunton Park Boulevard	Burgess & Niple for Hunton Park Land Partners, LC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 12 residential townhouses for sale. The 3.38-acre site is located on the north line of Hunton Park Boulevard, approximately 150 feet west of the intersection of Hunton Park Boulevard and Abbots Cross Lane, on parcel 763-774-5187. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. (Brookland)
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109 Mr. Branin - Is anyone in opposition to the deferral of POD-25-11, The
110 Townes at Hunton Park, Section E? No one.

101 Mr. Witte - Mr. Chairman, I'd like to move that POD-25-11, The Townes
102 at Hunton Park, Section E, be deferred to the May 23, 2012 meeting.

103 Mr. Leabough - Second.

104 Mr. Branin - Motion by Mr. Witte, seconded by Mr. Leabough. All in favor
105 say aye. All opposed say no. The ayes have it; the motion passes.

106 At the request of the applicant, the Planning Commission deferred POD-25-11, The
107 Townes at Hunton Park, Section E, to its May 23, 2012 meeting.

108 Ms. News - Staff is not aware of any further requests for deferral.

111 Mr. Emerson - Mr. Chairman, if the Commission does not have any
112 additional deferrals, the next item on your agenda is the expedited items, and those will
113 also be presented by Ms. Leslie News.

114
115 Ms. News - Yes, sir. We have 4 items on our expedited agenda this
116 morning. The first item is found on page 3 of your agenda and is located in the Fairfield
117 District. This is a transfer of approval for POD-40-71, Raceway Plaza. Staff recommends
118 approval.

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120 **TRANSFER OF APPROVAL**
121

POD-40-71 **Nathan Shor for WB Enterprises, LLC:** Request for
POD2011-00453 transfer of approval as required by Chapter 24, Section 24-
Raceway Plaza – 500 E. 106 of the Henrico County Code from Gregg Realty
Laburnum Avenue Corporation and Safeway Stores, Inc. to WB Enterprises,
LLC. The 2.56-acre site is located on the north line of E.
Laburnum Avenue, approximately 380 feet west of the
intersection of E. Laburnum Avenue and Richmond
Henrico Turnpike, on parcel 794-738-1874. The zoning is
B-2, Business District. County water and sewer. **(Fairfield)**

122
123 Mr. Branin - Is anyone in opposition to transfer of approval for POD-40-71,
124 Raceway Plaza? No one.

125
126 Mr. Archer - Mr. Chairman, I move for approval of this transfer of approval
127 for POD-40-71, Raceway Plaza, on the expedited agenda.

128
129 Mrs. Jones - Second.

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

133
134 The Planning Commission approved the transfer of approval request for POD-40-71,
135 Raceway Plaza, subject to the standard and added conditions previously approved.

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137 Ms. News - The next item is on page 5 of your agenda and is located in
138 the Tuckahoe District. This is POD2012-00065, Richmond Montessori School: North
139 Campus – Phase One. Staff recommends approval.

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142 **PLAN OF DEVELOPMENT**

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POD2012-00065 **Vanasse Hangen Brustlin, Inc. for Richmond Montessori School, Inc.:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish a two-story, 12,287 square-foot building and to construct a one-story, 7,400 square-foot classroom building and 2 future buildings. The 10.2-acre site is located on the east side of N. Parham Road, approximately 785 feet south of the intersection of Derbyshire Road and N. Parham Road, on parcel 752-737-6676. The zoning is R-2, One-Family Residential District, and R-3, One-Family Residential District. County water and sewer. **(Tuckahoe)**

144

145 Mr. Branin - Is anyone in opposition to POD2012-00065, Richmond
146 Montessori School: North Campus – Phase One? No one.

147

148 Mrs. Jones - Then, I'll move for approval of POD2012-00065, Richmond
149 Montessori School: North Campus – Phase One. I recommend this POD for approval
150 subject to the annotations on the plans, the standard conditions for developments of this
151 type, and the additional Conditions #29 through #37.

152

153 Mr. Archer - Second.

154

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

157

158 The Planning Commission approved POD2012-00065, Richmond Montessori School:
159 North Campus – Phase One, subject to the annotations on the plans, the standard
160 conditions attached to these minutes for developments of this type, and the following
161 additional conditions:

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163 29. The right-of-way for widening of N. Parham Road as shown on approved plans
164 shall be dedicated to the County prior to any occupancy permits being issued. The
165 right-of-way dedication plat and any other required information shall be submitted
166 to the County Real Property Agent at least sixty (60) days prior to requesting
167 occupancy permits.

168 30. The required building setback shall be measured from the proposed right-of-way
169 line and the parking shall be located behind the proposed right-of-way line.

170 31. Details for the gate and locking device at the existing southern entrance road
171 (only to be used as an emergency access road) shall be submitted for review by
172 the Traffic Engineer and Police, and approved by the County Fire Marshall. The
173 owner or owner's contractor shall contact the County Fire Marshall prior to
174 completion of the fence installation to test and inspect the operations of the gates.

- 175 Evidence of the Fire Marshall's approval shall be provided to the Department of
 176 Planning by the owner prior to issuance of occupancy permits.
- 177 32. A construction staging plan which includes details for traffic control, fire protection,
 178 stockpile locations, construction fencing and hours of construction shall be
 179 submitted for County review and prior to the approval of any final construction
 180 plans.
- 181 33. Approval of the construction plans by the Department of Public Works does not
 182 establish the curb and gutter elevations along the Henrico County maintained
 183 right-of-way. The elevations will be set by Henrico County.
- 184 34. The conceptual master plan, as submitted with this application, is for planning and
 185 information purposes only.
- 186 35. The location of all existing and proposed utility and mechanical equipment
 187 (including HVAC units, electric meters, junction and accessory boxes,
 188 transformers, and generators) shall be identified on the landscape plans. All
 189 equipment shall be screened by such measures as determined appropriate by the
 190 Director of Planning or the Planning Commission at the time of plan approval.
- 191 36. Except for junction boxes, meters, and existing overhead utility lines, and for
 192 technical or environmental reasons, all utility lines shall be underground.
- 193 37. Construction plans shall not be approved until the developer provides a water line
 194 extension in accordance with DPU Standards that will provide the needed fire
 195 flow necessary to satisfy required fire protection requirements

196
 197 Ms. News - The next item is on page 9 of your agenda and located in the
 198 Brookland District. This is POD2012-00136 for the architectural plans for Chipotle at Staples
 199 Mill Square Shopping Center. Staff recommends approval.

200
 201 **PLAN OF DEVELOPMENT – Architecturals Only**
 202 *(Deferred from the March 28, 2012 Meeting)*
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204 205 206 207	POD2012-00136 Chipotle at Staples Mill Square Shopping Center – Staples Mill Road (U.S. Route 33) (POD-09-06 Rev.)	Bowman Consulting Group, LLC for Staples Mill Square Holding and H231 Partners, LLC: Request for approval of architectural plans for a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story 2,215 square foot restaurant with convenience outdoor seating. The 1.26- acre site is located on an outparcel in an existing shopping center along the north line of Staples Mill Road (U.S. Route 33), approximately 980 feet west of Old Staples Mill Road, on part of parcel 769-757-3208. The zoning is B-2C, Business District (Conditional). County water and sewer. (Brookland)
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 205 Mr. Branin - Is there any opposition to POD2012-00136, Chipotle at
 206 Staples Mill Square Shopping Center? No one.
 207

246 Mr. Leabough - Mr. Chairman, I would request that we add an additional item
17 to the expedited agenda.

248
249 Mr. Branin - Okay.

250
251 Mr. Leabough - That would be the—bear with me one second please. Let me
252 find it on my agenda.

253
254 Mr. Emerson - It's on page 7, Mr. Leabough.

255
256 Mr. Leabough - Page 7. Thank you, sir. That would be POD2012-00105,
257 Panera Bread – The Shops at White Oak Village.

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259 **PLAN OF DEVELOPMENT**

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POD2012-00105
Panera Bread – The
Shops at White Oak
Village
(POD-58-06 Rev.)
**Vanasse, Hangen, Brustlin, Inc. for Laburnum
Investments, LLC and Panera, LLC:** 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 5,601 square-foot restaurant with
outdoor patio seating and drive-through facilities. The 1.2-
acre site is located on an outparcel in an existing shopping
center along the east line of S. Laburnum Avenue,
approximately 300 feet north of Audubon Drive, on part of
parcel 815-718-5710. The zoning is B-3C, Business
District (Conditional) and ASO, Airport Safety Overlay
District. County water and sewer. **(Varina)**

261
262 Mr. Branin - Okay. Mr. Leabough, you have no issues? No problems with
263 it?

264
265 Mr. Leabough - No issues. No problems.

266
267 Mr. Branin - And staff has no issues and no problems with it?

268
269 Ms. News - Staff can recommend approval.

270
271 Mr. Branin - Staff can recommend approval.

272
273 Mr. Emerson - Mr. Chairman, the request was received in accordance with
274 the rules and regulations of the Commission from the applicant for the expedited agenda.

275
276 Mr. Branin - Okay. Is anyone in opposition to POD2012-00105, Panera
277 Bread – The Shops at White Oak Village, on the expedited agenda? No one. Mr.
278 Leabough?

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280 Mr. Leabough - Mr. Chairman, I'd like to move that we approve POD2012-
281 00105, Panera Bread – The Shops at White Oak Village, subject to the standard
282 conditions for developments of this type, the annotations on the plan, and additional
283 Conditions #29 through #35.

284

285 Mrs. Jones - Second.

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

289

290 The Planning Commission approved POD2012-00105, Panera Bread – The Shops at
291 White Oak Village, subject to the annotations on the plans, the standard conditions
292 attached to these minutes for developments of this type, and the following additional
293 conditions:

294

295 29 The proffers approved as a part of zoning case C-29C-06 shall be incorporated in
296 this approval.

297 30. The developer shall install an adequate restaurant ventilating and exhaust system
298 to minimize smoke, odors, and grease vapors. The plans and specifications shall
299 be included with the building permit application for review and approval. If, in the
300 opinion of the County, the type system provided is not effective, the Commission
301 retains the rights to review and direct the type of system to be used.

302 31. Evidence of a joint ingress/egress and maintenance agreement must be
303 submitted to the Department of Planning and approved prior to issuance of a
304 certificate of occupancy for this development.

305 32. The location of all existing and proposed utility and mechanical equipment
306 (including HVAC units, electric meters, junction and accessory boxes,
307 transformers, and generators) shall be identified on the landscape plans. All
308 equipment shall be screened by such measures as determined appropriate by the
309 Director of Planning or the Planning Commission at the time of plan approval.

310 33. Only retail business establishments permitted in a B-3 district may be located in
311 this center.

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

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

316

317 Ms. News - That completes our expedited agenda.

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319 Mr. Emerson - Mr. Chairman, that completes all of your expedited items and
320 now takes us to Subdivision Extensions of Conditional Approval, which will be presented
321 by Mr. Lee Pambid.

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SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL

FOR INFORMATIONAL PURPOSES ONLY

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2011-00024 (SUB-04-11) Broaddus Glen (April 2011 Plan)	34	34	0	Fairfield	4/24/2013
SUB2010-00025 (SUB-03-10) Inglenook Cottages (Formerly Maybeury) (April 2010 Plan)	30	30	1	Tuckahoe	4/24/2013
SUB2011-00026 (SUB-03-11) New Market Village (April 2011 Plan)	93	61	0	Varina	4/24/2013
SUB2009-00041 (SUB-05-09) Riverview Green Phase I (April 2009 Plan)	47	6	2	Brookland	4/24/2013

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Mr. Branin - Good morning, Mr. Pambid.

Mr. Pambid - Good morning, Mr. Chairman, members of the Planning Commission.

Mr. Branin - What do you have for us this morning?

Mr. Pambid - I have 4 subdivisions for you this morning that are presented for extensions of conditional approval. They're eligible for a one-year extension to April 24, 2013. These are for informational purposes only and do not require Commission action at this time.

This concludes my presentation. Staff can now field any questions that you may have regarding these items.

Mr. Branin - Does anyone have any questions for Mr. Pambid this morning?

Mrs. Jones - No, sir.

Mr. Branin - No? Well, thank you, sir.

351 Mr. Pambid - You're welcome.

352

353 Mr. Emerson - Mr. Chairman, that now takes us to page 12 of your regular
354 agenda and your amended agenda on pages 1 and 2 for POD2012-00107, Balzer and
355 Associates, Incorporated for the Islamic Center of Richmond.

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357 **PLAN OF DEVELOPMENT**

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POD2012-00107 **Balzer and Associates, Inc. for the Islamic Center of**
Islamic Center of **Richmond:** Request for approval of a plan of
Richmond – Hungary development, as required by Chapter 24, Section 24-106
Road – 8481 Hungary of the Henrico County Code, to construct a two-story
Road 30,277 square-foot place of worship with a daycare and a
school. The 5.235-acre site is located along the south line
of Hungary Road, opposite its intersection with Wilshire
Drive, on parcels 764-760-6048 and 7639. The zoning is
A-1, Agricultural District. County water and sewer.
(Brookland)

359

360 Mr. Branin - Good morning, Mr. Wilhite.

361

362 Mr. Wilhite - Good morning, Mr. Chairman and Commission members.

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364 Mr. Branin - How are you this morning?

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366 Mr. Wilhite - I'm fine.

367

368 Mr. Branin - Good. Is anyone in opposition to POD2012-00107, Islamic
369 Center of Richmond? One, two, three, four, five, six, seven. Okay, we have 7 people. Mr.
370 Secretary, if you would please review the rules for the Planning Commission.

371

372 Mr. Emerson - Yes, sir, Mr. Chairman. The public hearing rules of the
373 Planning Commission are as follows: The applicant is allowed 10 minutes to present the
374 request, and time may be reserved for response to testimony. Opposition is allowed 10
375 minutes to present its concerns, and that's cumulative. Commission questions do not
376 count into the time limits, and the Commission may waive the time limits for either party
377 at its discretion.

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379 Mr. Branin - Okay. Mr. Wilhite?

380

381 Mr. Wilhite - In the packet you received today, there was a revised site
382 plan included for this project. The changes from the original site plan are fairly minor;
383 they were done at staff's request. The primary changes address parking lot layout.
384 Originally, the plan in the front of the building in this location showed 4 parking spaces.
385 That has been reduced to 1 parking space for a hearse and 1 turnaround space. Staff
386 had really tried to get them to revise that to eliminate the parking in front; however, it is

387 related to the funerary procession, and staff was okay with the revision that's shown on
38 the plans.

389
390 They also made the parking lot in the rear more efficient in this area. They had 6 spaces
391 here. That additional row of parking was taken out—6 spaces added to the end in this
392 location here. The effect was to bring the paved area further away from the Hungary
393 Woods neighborhood along the western property line.

394
395 In addition, the playground area that was proposed in the front yard setback has been
396 taken out. The 50-foot required front-yard setback is provided; that is going to be a
397 fenced-in area—a 4-foot-high wood fence for privacy. It meets the setback requirements
398 for this zoning district.

399
400 There was a slight revision. It shows up as an annotation on the plan, as far as the
401 location of the turn lane. We've requested that they shorten the taper to bring more of a
402 separation between the turning lane and Honey Lane at this location here. That was
403 based on the Traffic Engineer's assessment.

404
405 Staff has received quite a bit of citizen interest on this project, both people coming into
406 the office to look at the plans and also from the numerous e-mails sent to the County. I'm
407 going to try to address a lot of them as pertinent issues that they have brought up.

408
409 One is related to traffic itself. We have looked at traffic counts for this development and
10 along Hungary Road. One of the comments that staff originally had, had to do with the
411 intersection where the entrance is proposed—and this is at the intersection of Hungary
412 Road and Wilshire Drive—whether a traffic signal is warranted in this location. We've
413 looked at that. The counts don't support a traffic signal being added here.

414
415 There were concerns about the number of entrances into the site. Staff feels that the one
416 entrance proposed is sufficient to handle this type of development, and there's not a
417 need for a second entrance off Hungary Road to serve this. We've looked at the turn
418 lanes. We did have the one comment about it being tapered, but the applicant is
419 providing both right and left turn lanes into this development, so it should handle the
420 amount of stacking and cars coming to the site.

421
422 Parking was brought up as an issue. The proposal meets the requirement of 1 space for
423 every 50 feet of worship area that is required by the ordinance. Ninety-three spaces are
424 required for this building as proposed; 128 are being provided on the site. This
425 accommodates 4,660 square feet of worship area. This project also includes a school.
426 Typically schools aren't counted separately for parking requirements. They are proposing
427 16 classrooms, but if you factored in our requirement of 2 spaces per classroom, they
428 would still meet parking requirements.

429
430 I would point out that there are some standard conditions that dictate if additional parking
431 is needed. Standard Condition #5 for Plans of Development states that sufficient,
32 effectively usable parking shall be provided, but if experience indicates a need, additional

433 parking shall be provided. Condition #21 states that vehicles shall be parked in only
434 approved and constructed parking spaces. We feel that what is being proposed by the
435 applicant here can sufficiently handle parking and that we have sufficient conditions on
436 this that will address the need for additional parking if there is any overflow on adjacent
437 sites.

438
439 The building size and location was brought up as an issue. The building as proposed
440 does meet the 50-foot front and rear setbacks in an Agricultural District, as well as the
441 40-foot side yard requirements. The height of the building is going to be 33 feet, and
442 that's to the top of roof, where our ordinance requires buildings to be no more than 45
443 feet to the midpoint of the roof. The minaret that is proposed on this structure is
444 approximately 50 feet in height; 100 would be allowed for these types of structures in an
445 Agricultural District.

446
447 Outfall has been noted as an issue. There is a stormwater basin proposed in the rear of
448 the site, here, with a pipe coming out on the property adjacent to this. We have the
449 signature from the adjacent property owner who will allow this to occur. The applicant still
450 has to demonstrate to the design engineer that the outfall is adequate for this
451 development. That is typically done with construction plans and not prior to POD
452 approval by the Planning Commission. If this is not going to work, there are some other
453 options that the applicant can explore.

454
455 Landscape and lighting was also brought up. We do have our standard conditions that
456 require separate landscape and lighting plan approval. That will be done at a later time,
457 separate from this plan. This has to be done prior to occupancy. The applicant is, at this
458 point, willing to commit to constructing a fence around the basin in the back, plus
459 providing landscaping as well. That will show up on the landscape plan.

460
461 There was a question of whether there would be outdoor speaker systems as part of this
462 development. I have confirmation from the applicant that no outdoor speaker system will
463 be installed. Call to prayer will be done with internal speakers.

464
465 Other issues involved questions about clear title on this property and also the use of
466 Hoehns Road, which is a private access easement that runs along this property here.
467 Hoehns is outside the boundary of this development. Use and who has authority to use
468 that road—it's a private matter that the County can't get into. Clear title would have to be
469 resolved as well. The real estate records do show Islamic Center of Richmond as the
470 owner of the property.

471
472 In summary, the plan meets the requirements for places of worship in an A-1 zoning
473 district. With staff's comments added to that, staff recommends approval of the revised
474 plan with the annotations on it, the standard conditions for developments of this type,
475 and additional Conditions #29 through #34. On your addendum, there are 2 additional
476 conditions that have been added to address an existing ingress/egress easement on this
477 site that will need to be quitclaimed by the applicant. Also, the applicant is agreeable to

478 stating that construction traffic will not use Hoehns Road during the construction of this
479 development.

480
481 With that, my presentation is concluded. I will try to answer any questions that you have.

482
483 Mr. Branin - Does anybody have any questions for Mr. Wilhite?

484
485 Mrs. Jones - Where did you say the playground was being relocated?

486
487 Mr. Wilhite - The playground is not being relocated. However, the original
488 plan showed that it protruded into the 50-foot front-yard setback, and they pulled that out
489 so they'll meet the 50-foot setback requirement.

490
491 Mrs. Jones - Okay. So it's still in the front?

492
493 Mr. Wilhite - Yes, ma'am. It's a triangular area right in front of the building
494 in this location here.

495
496 Mr. Witte - And the POD does not include any property touching Hoehns
497 Road?

498
499 Mr. Wilhite - No. There is another parcel between this development and
500 Hoehns Road. Hoehns is actually an easement that runs along the eastern boundary line
501 of this adjacent parcel. There is no development shown along here. There is a sanitary
502 sewer easement that runs along this property line. It crosses through Hoehns Road and
503 runs across these properties over here. Once again, the owners of these properties have
504 already provided signature on the application, so we know that they are okay with the
505 easement shown.

506
507 Mr. Witte - Okay.

508
509 Mrs. Jones - Another quick question. What's labeled as the front elevation
510 is facing which way?

511
512 Mr. Wilhite - It faces the parking lot, actually. What is labeled as rear faces
513 Hungary Road.

514
515 Mrs. Jones - Just for my own curiosity, what is the material used on
516 minaret?

517
518 Mr. Wilhite - Primarily the building is brick, different color brick with some
519 EIFS as well. The shingles are asphalt singles. The dome and the top of the minaret are
520 fiberglass.

521
522 Mrs. Jones - Okay. The same material, then, as the dome.

524 Mr. Branin - Any other questions for Mr. Wilhite?
525
526 Mrs. Jones - I did want to ask about the traffic. The traffic report indicated
527 that there was no need for a traffic signal at this point.
528
529 Mr. Wilhite - That is correct.
530
531 Mrs. Jones - And how close are we?
532
533 Mr. Wilhite - That I would have to defer to the Traffic Engineer. He can
534 explain in more detail the information he looked at and what his conclusions were.
535
536 Mrs. Jones - Okay, all right. I would like to do that at some point.
537
538 Mr. Leabough - I have a quick question about the buildings that are to remain
539 on the site. What are those being used for?
540
541 Mr. Wilhite - There are 3 buildings to remain on the site. Currently they are
542 being used for worship purposes, at least one of the buildings is. There is an existing
543 house on the site. That is supposed to be a residence for the priest or the head of
544 mosque. The building behind it is currently used for worship space, but it's not going to
545 be used for worship space once this building is constructed. It will be used for storage
546 and other purposes, and there's a building in back that will be storage as well. So, we
547 have in writing from them that they will not be using the other existing buildings for
548 worship purposes.
549
550 Mr. Branin - Mr. Witte, would you like to hear from opposition first, or
551 would you like to hear from the applicant first?
552
553 Mrs. Jones - Can we ask the Traffic Engineer?
554
555 Mr. Witte - Let's have the Traffic Engineer.
556
557 Mr. Catlett - Tommy Catlett with Traffic Engineering. We performed a
558 signal study with the existing conditions and then also incorporated their proposal with
559 the existing conditions. The signal warrants were not met. In order to establish a signal,
560 there are warrants that must be met. None of the warrants were met. For example, an 8-
561 hour warrant is 550 vehicles per hour for 8 hours, and the highest that we had was 31
562 per hour. So, a signal is not justified at this time.
563
564 We also did an accident update at the intersection. There were 3 accidents in the past 5
565 years, 2 of which were rear-end accidents. One was turning right into the site, and one
566 was taking a left through the through-lane. So, actually by adding the right and left turn
567 lanes, they will be addressing those issues.
568

569 Mrs. Jones - The reason I'm asking is every time we do any kind of
70 development, obviously, traffic is an issue. It's an issue for the particular development as
571 well as the surrounding neighbors. I know that there will be times when this is a busier
572 site than others, but your study has determined that even with those counts taken into
573 consideration we're nowhere close to a traffic signal need. Is that right?
574

575 Mr. Catlett - Yes, ma'am.

576
577 Mrs. Jones - Okay.

578
579 Mr. Branin - Any other questions for Traffic? Okay. Then my question
580 comes back. Would you like to hear from the applicant first?
581

582 Mr. Witte - Yes.

583
584 Mr. Branin - Okay.
585

586 Mr. Shust - Good morning Mr. Chairperson, members of the Commission.
587 My name is Chris Shust; I work with Balzer and Associates. I'm the engineer of record,
588 and I'm representing the owner this morning.
589

590 Given that we currently have a recommendation for approval by staff, I just want to thank
591 staff for taking the time and attention, being diligent in reviewing this project, making sure
72 that all of the questions that have come up have been answered, and working with us so
593 easily. I don't want to take up too much other time. I'm sure that you're going to request
594 my comments or responses to some questions that may come up. So, I would like to
595 reserve the rest of my time to answer those questions. I'd be happy to answer any
596 questions that you have right now as well.
597

598 Mr. Branin - Sir, would you restate your last name?

599
600 Mr. Shust - It's Shust—S-h-u-s-t.

601
602 Mr. Branin - Okay, thank you. Does anybody have any questions for Mr.
603 Shust?
604

605 Mrs. Jones - Not at the moment.
606

607 Mr. Branin - Not right now? Thank you, sir.
608

609 Mr. Emerson - Mr. Shust, I do have one question. You and your client are in
610 agreement with the Conditions stated, #1 through #36, and the annotations?
611

612 Mr. Shust - We are in agreement with those. We are also in agreement
613 with what Mr. Wilhite said regarding fencing and landscaping around the stormwater
14 facility.

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660

Mr. Emerson - Okay, thank you.

Mr. Branin - Would opposition like to come down? As you speak, please state your name for the record. All of our meetings are recorded and put into minutes, so please state your name for the record. If you want to, you can move down closer to save time walking down, or you can stay right where you are, sir. Whatever you're more comfortable with.

Ms. Hoehns-Wright - First, before I speak, I would like a little more clarification about this fencing that's been mentioned and the landscaping. So, Kevin, can you do that?

Mr. Emerson - Excuse me, ma'am. What we will do is you can make your statements and questions to the Commission. After everybody is finished, staff will address those questions as appropriate.

Ms. Hoehns-Wright - Okay. For the record, my name is Sylvia Hoehns-Wright. I have resided in this complex more or less for my life. One of my grandfathers actually founded the area in 1838. We had a family subdivision deeded to my father back in the 30's, so we are more or less lifetime members of this community. As a result, this was actually called the Bolton Estate. At one time, hundreds of acres of land were in my family's name, and I have spent more than 30 years working with family to help them as they enabled projects and turned this area into urban suburban. Today is actually the first time I've ever come here in opposition to a project in all those thirty-some years. So, the question is, what's going on? Why would I ever have to come here to oppose something?

Number 1 is the fact that there is unresolved family ownership. This was discovered a couple of years ago. We went through last year parcel 1, working with a purchaser. We got the land clear for the person. They went on and built and had a clear title. No effort on those parcels 6, 7, 5, and 4 has ever occurred. It's all documented. It's in the courthouse. There's a blueprint there. Anybody can go get it, pull it, and start working on it as a checklist. It's relatively easy to work through. I contacted the owners; no one has followed up. I even offered to meet them at the County Planning Commission to talk about this; no one ever followed up. So, we have this land ownership issue that's there.

In addition to that, we have certain rights that have been granted to us through family members related to parcels 4 and 5, ongoing this past year. Those rights have been ignored. We have had drive-through interference with endangerment to our family. I've even had to call the police to come and resolve some of the issues because they have escalated to such a height.

So, we have ownership issues. We have actual rights that are not being recognized and honored by this group. Now, I have a handout here. Kevin, would you hand this out? It has an exhibit in it that contains a notice in writing to the group related to the ownership.

661 It also has pictures that describe the type of interference that's going on with the use of
662 our property.

663
664 Now, let me get out of that. Let's just pretend that there was no ownership issue, all the
665 rights are actually being honored, and we're just here today to talk about the building
666 itself. Number 1 on my list would be environmental impact. I haven't heard anyone talk
667 about that. This site for years was a huge greenhouse operation. In that process, it
668 actually used numerous chemicals that are presently banned. I'm not aware of anybody
669 who's looked at this from an EPA point of view. What kind of toxins are there? What will
670 be released through disturbance as it's being constructed? What's going to be released
671 into the environment? The people who come there for the meetings themselves, what
672 are they going to be exposed to? So, I would actually put that as number 1 on my list,
673 checking this out for toxins and what's going on there and making sure that this is a safe
674 site for the people to come and worship.

675
676 Along with this is the stormwater. It is actually a site that is relatively self-sufficient. It's
677 my understanding that an adjacent landowner has said that it's okay to come and dump
678 water on that site, yet those of us who are there have wells and septic systems that it will
679 almost certainly affect. In addition to that, about one-fourth of a mile away, I actually own
680 one of the few remaining green corridors here. It's a huge habitat area. I have eagles,
681 hawks, all kinds of habitat there with me. This site most certainly will be affected by both
682 the quantity of water and the quality of water that's released into that area.

683
684 We've talked about the sheer size of this building. I needed to wrap my mind around it,
685 what's going to be constructed. The closest thing that I could come to was Lourdes
686 Church, but it's 10,000 square feet smaller. It has multiple entrances and exits. It has the
687 benefit of 2 major roads, and it has all kinds of landscape and fencing around it that
688 protects the residential area from this use—not only that, but the parking—We've
689 actually seen this through the limited use, 50 to 100 cars on site. Last fall there was a
690 community event that was totally out of control. It actually ended up with car accidents on
691 Hungary Road. So, we've seen the maximum experience, and we've seen the minimum
692 experience. We have real concern for the fact that this is a site that is already in
693 operation. Normally, what you do is you have construction, certificate of occupancy, then
694 operation. Right now, we have operation, and we don't see any plan here for vacating
695 use during that time.

696
697 I talked about the traffic issues, and, even with the changes, we've observed that about 5
698 percent of the people who come here on site don't abide by the new sign that's there.
699 They still make turns that are illegal. They still turn in areas that they're not supposed to.
700 That doesn't seem to be working quite that well.

701
702 There's an old country expression. We sort of have the cart before the horse. Well, we
703 have the cart here on site, fully in operation 7 days a week. It starts at 5:30 in the
704 morning. The last event starts at 9:30 at night. Lights are coming in and out of the
705 neighborhood. Noise is going on 365 days a year, plus special events, and now we're

706 going to add school, a daycare, and probably after-care. So, we have seen the maximum
707 going on there in this area. This is not imagination; it is real.

708
709 Now, based on the fact that this questionable ownership has not been resolved, there's
710 been a lack of respect for the rights that have been—

711
712 Mr. Emerson - Excuse me. Just so the Commission is aware, you are 7
713 minutes into the allotted 10 minutes for the entire opposition.

714
715 Ms. Hoehns-Wright - I'm wrapping it up, sir. Thank you. Based on the fact that
716 there is this questionable ownership, the fact that we have experienced this thing of
717 having our rights ignored—and we do have significant concerns of the construction of the
718 site itself, from the eco as well as the size of the building—I would have to come here
719 today for the first time and actually say that I oppose this site as presently proposed.
720 Thank you for your time. The exhibit and the handout are self-explanatory. If you have
721 any questions, you're more than welcome to contact me.

722
723 Mr. Branin - Thank you, ma'am. Is there anyone else?

724
725 Mr. Wray - John Wray, Jr., and it's W-r-a-y. I just have a couple of things
726 I'd like to reiterate that we'd like them to incorporate in their construction process. We
727 feel that there needs to be a buffer of evergreens and/or fencing around the whole area
728 to protect the children that will be there playing. Apparently, there's not a huge
729 playground, but there will be kids on the property all day if they have a daycare center
730 and school and that sort of thing. For the kids' own protection and also for general noise
731 control, the whole area needs to be buffered with evergreen trees and possibly a fence
732 also just to control people entering, the nature of the property, kids getting into the 4-
733 lane, heavily-used Hungary Road.

734
735 Mr. Branin - Mr. Wray, can you do me a favor? Can you move the
736 microphone a little bit closer to you because I can barely hear you?

737
738 Mr. Wray - I'm sorry.

739
740 Mrs. Jones - Ah, there you are.

741
742 Mr. Wray - Should I repeat that?

743
744 Mr. Branin - I think I heard you pretty well.

745
746 Mr. Wray - Okay.

747
748 Mr. Branin - Evergreen trees for the safety of the children as well—
749

750 Mr. Wray - -Buffering the sound, the light, and the noise. We request
51 that the lighting be positioned so that it just covers the parking lot. You can buy lights that
752 just go down so that the light doesn't scatter all around to the neighborhood.
753

754 It's my understanding there will be new houses by the person who bought the adjacent
755 properties to Hoehns Road, built right at the center. I think we need to respect the new
756 homes that, from my understanding, are going to be built by the new owners of the
757 property adjacent to Hoehns Road there. That needs to be considered, too, as they build
758 this big new property, that these homes will be protected from the noise, the light, and
759 the traffic as well.
760

761 I'd like to know what the drainage options are going to be that are going to cross Hoehns
762 Road and what the easement area is going to be used for that goes under Hoehns Road.
763 What usage can there be other than the sewage pipe that I understand is going under
764 Hoehns Road? What other uses does that easement have?
765

766 Also, do they plan to continue to worship in the small existing building during
767 construction? If so, are they going to build a nice parking lot first so that they can use the
768 parking before they start construction, or what do they plan to do for parking as
769 construction goes, as they continue to use the small worship building that they are using
770 now?
771

772 That's it. I appreciate it.
773

774 Mr. Branin - Any questions or comments for Mr. Wray? Okay. Are there
775 any more who would like to speak? How many? Two? Okay. Mr. Witte, we have
776 exceeded our 10 minutes. If you request additional time, I'll be happy to grant it.
777

778 Mr. Witte - Thank you. I request the additional time for the other two.
779

780 Mr. Branin - Five minutes?
781

782 Mr. Emerson - Five minutes.
783

784 Mr. Branin - Okay.
785

786 Mrs. Jones - You have some other folks.
787

788 Mr. Branin - I was looking this way; I apologize, sir. We have 3.
789

790 Mr. Emerson - I might suggest for the folks remaining who would like to
791 speak, as one person comes to the podium, possibly, you may want to queue up at the
792 rear of the room so you can come on down.
793

794 Mr. Witte - Can we amend that 5 minutes to 2 minutes each?
795

796 Mr. Emerson - Yes, sir, you can.
797
798 Mr. Witte - A maximum of 2 minutes, let's put it that way.
799
800 Ms. Rolfe - Good morning, I'm Catherine Rolfe. I live on Hoehns Road.
801 My big issue is the number of cars that access this property where they're coming and
802 going simultaneously. It's not like a church where everybody comes at once and then
803 leaves at once. They're both entering and exiting. The one drive is not sufficient. I don't
804 know if Mr. Catlett's ever been out there for his count when 100 cars are coming and
805 going at the same time.
806
807 The problem to date has been that they don't just use the one entrance on Hungary
808 Road. They're coming down Hoehns Road and driving across the vacant lot, which
809 creates a lot of problems. It's dangerous with children getting off the school buses. So for
810 a property the size they have—other churches like over on Hilliard Road, the Lakeside
811 United Methodist has 110 parking places. It has 4 entrances and exits. The Presbyterian
812 church at the corner of Hungary and Staples Mill has about 78 parking places and has 2
813 entrances and exits. So, my sole issue is that the traffic plan is not sufficient to handle
814 the cars that need to get in and out of the parking lot. Thank you.
815
816 Mrs. Jones - Excuse me. Could you repeat your name?
817
818 Ms. Rolfe - Yes. The last name is Rolfe—R-o-l-f-e.
819
820 Mrs. Jones - Thank you.
821
822 Ms. Rolfe - Thank you.
823
824 Mr. Henkel - Good morning, everyone. My name is Garth Henkel. I'm the
825 owner of the first house here on Hoehns Road. My main concern is the drainage. This
826 plan doesn't really show the drainage pond, but the drainage ends right next to my well
827 and septic tank about 15 feet away. That's my main concern. If there's a lot more water
828 coming into this area, it's going affect my well and my septic system.
829
830 Mr. Branin - Can you show us exactly? If you take the mouse, it will put up
831 a hand. There you go.
832
833 Mr. Henkel - The plan that I saw showed the drainage ending right about
834 here. This is my house right here. My septic tank is here on this side of the house. From
835 the plan that I saw, it looked like it would be 15 to 20 feet from where my septic system
836 is. The whole front of this yard is my drain field. Introducing a lot more water to this drain
837 field would cause a lot of problems for my septic system and my home.
838
839 Right here, where the mouse is now is where my well is, which is not too much further
840 away from where they're proposing to have this pond in the back drain to unless they've

841 changed the plans. I don't see the drainage pond on this plan here, but the one that I did
842 see, it drains right next to my septic. That's my main concern.

843
844 Mr. Branin - We'll have the engineer address that as soon as he comes
845 back up.

846
847 Mr. Henkel - Thank you. Yes, sir.

848
849 Mr. Branin - I didn't forget you this time.

850
851 Mr. Hudgins - I guess my thing is the drainage problem toward Hungary
852 Woods—

853
854 Mr. Branin - Name?

855
856 Mr. Hudgins - I'm sorry; I'm always right into it. Tom Hudgins. It's the
857 drainage into the Hungary Woods subdivision. I have pictures in my pocket if you're
858 willing to look at them, showing that the County hasn't ever fixed it. When Stone's
859 Nursery had it, we requested them to fix the drainage into the backyards. There are
860 about 4 or 5 houses on the back side of the far back building that when the property
861 drains, it drains to about ankle deep and knee deep into everybody's backyards. That's
862 my main concern.

863
864 Then, of course, the traffic. I'm sorry, but I think your statistics are wrong. There is way
865 more traffic than he's portraying, and there is way more going on about the traffic than
866 he's giving the information about. We live there; we see it every day. I think you need to
867 go back, sharpen your pencil, and look at that a little bit.

868
869 As far as the noise and stuff—and this is for their benefit as well—personally, we haven't
870 had any major issues with the noise or anything of that nature.

871
872 That's the main thing for us—the traffic and the drainage on the Hungary Woods
873 subdivision side. That's all I have.

874
875 Mr. Witte - Can you take that mouse and show me where the water
876 drainage is an issue?

877
878 Mr. Hudgins - Here's the building right here. This is my house right there.
879 Everything from this house, to here, to here is always—when we get a heavy rain, it's
880 always ankle deep or above with water. As I said before, we have come to the County
881 once before when Stone's Nursery owned it. You guys—well, not you guys particularly,
882 but the County had said the next owners, you need to get with them and have them fix it.
883 It's an unfair response to me, but you know, hey, that is what it is. That's what the
884 County said. That's what we're addressing today—the drainage problem and the traffic.

885
86 Mr. Branin - Okay, we're going to address it right now.

887
888 Mr. Hudgins - Thank you very much.
889
890 Mr. Branin - Thank you, Mr. Hudgins. Any other questions or comments?
891 Sir, if you're going to speak you need to come down to the microphone. State your name
892 for the record, please.
893
894 Mr. Vohra - My name is Yunus Vohra. I'm the owner of the other
895 properties. This property is mine. This one is mine, and this is mine, too. Hoehns Road
896 runs between my properties. I'm for the project. Like Sylvia said, there is a lot of traffic on
897 Hoehns Road. I'm the only one who drives on Hoehns Road. I'm the only one who
898 comes through the property, but she told you that she called the police. I'm the first one
899 to call the police because she blocked my entrance to my own property because I was
900 trying to get to there to pray. So, that's my comment. I mean I was the first one to call the
901 police, and she was blocking my own rights to my own property, getting on my own
902 property. That's all I wanted to comment.
903
904 Mrs. Jones - Mr. Vohra, how many people by right use your Hoehns
905 Road?
906
907 Mr. Vohra - Me and my family, and once in a while my friends come over.
908 I mean, the funny thing is, Sylvia and her friends, they find time to work on Hoehns Road
909 on the front right here, on the shrubs, every Friday between 12 and 2 o'clock, and that's
910 when I come in here every day, sometimes 3 or 4 times a day to pray. On Friday, she's
911 working. The rest of the time they're not working over there, cleaning up the shrubs and
912 stuff.
913
914 Mrs. Jones - What I'm saying is you have at least what, 3, 4, 5—
915
916 Mr. Vohra - My own cars. I have about 5 different cars I drive different
917 times.
918
919 Mrs. Jones - No. How many residents are served by Hoehns Road?
920
921 Mr. Vohra - I don't know. How many are sitting—I think 8 or 9 people are
922 sitting on this back side.
923
924 Mr. Branin - You had made the statement, sir, that you're the only one that
925 uses that road.
926
927 Mr. Vohra - As far as going to ICR.
928
929 Mr. Branin - There are multiple residents that use that road.
930
931 Mr. Vohra - Yes.
932

933 Mrs. Jones - You meant you're the only one who uses it as an entrance to
934 the place of worship.
935
936 Mr. Vohra - ICR.
937
938 Mrs. Jones - I see.
939
940 Mr. Vohra - The person who drives across the lot, that's me.
941
942 Mrs. Jones - Okay.
943
944 Mr. Witte - And you actually drive across your own property?
945
946 Mr. Vohra - Yes. Right here. The entrance is right here, and I cross right
947 here. I don't need to make the u-turn. If you go farther up, then you have to make a u-
948 turn so I just go across my property.
949
950 Mr. Witte - Okay.
951
952 Mrs. Jones - Thank you.
953
954 Ms. Hoehns-Wright - [Off microphone.] May I ask a question? I realize [inaudible].
955
956 Mr. Branin - It's your case, sir.
957
958 Mr. Witte - Two minutes, please.
959
960 Ms. Hoehns-Wright - Within your handout and Exhibit 2, there's a picture of Mr.
961 Vohra and his car. I want to clarify a situation. As I said before—for the record, I'm Sylvia
962 Hoehns-Wright. My dad was the one who deeded this right-of-way. I was deeded an
963 exclusive right-of-way, of which I have selectively shared with others.
964
965 What actually happened in mid-January was there was just such an exit of ICR people
966 leaving that site using Hoehns Road, that my daughter had to opt to stand in the road to
967 protect the school bus and her child from being hit.
968
969 Mr. Emerson - Ms. Wright, excuse me, but I need to advise members of the
970 Commission that this is a private civil matter. You have no jurisdiction in the rights or
971 non-rights on Hoehns Road. This has no bearing on the plan of development that is in
972 front of you today for consideration. Therefore, I don't think these comments are
973 pertinent to this case nor the comments that came previously. This is a private matter.
974
975 Ms. Hoehns-Wright - Excuse me, but if Mr. Vohra is allowed to stand here and say
976 that he is the only person who is traveling this road, I think it is important that it's clarified.
977

978 Mr. Branin - I did actually clarify that. When he said it, I was confused and
979 I did clarify it.

980
981 Ms. Hoehns-Wright - He is not the only person using it for ICR. If you look at
982 Exhibit 2, you will actually see where he says we are blocking his road. He actually
983 chose to use his vehicle—we've got it documented with pictures—to block our road for
984 more than an hour to go to an ICR meeting. That is the one thing that I want to clarify as
985 to who is actually blocking. Thank you.

986
987 Mr. Branin - Yes, ma'am. Thank you.

988
989 Mr. Emerson - Again, I'll have to remind the Commission that the issues
990 regarding Hoehns Road are a civil matter and have no bearing on what's in front of you
991 today.

992
993 Mr. Witte - Duly noted. Thank you, Mr. Secretary.

994
995 Mr. Branin - Would you like to hear from the applicant for any clarification?

996
997 Mrs. Jones - I would. We have a number of questions.

998
999 Mr. Branin - The parking issue, the drainage issue, and the septic issue
1000 should probably be addressed.

1001
1002 Mrs. Jones - I think, in addition to that, there are issues I heard the
1003 neighbors raise that I think can be clarified here on public record. We all understand that
1004 the ownership issue is unfortunate, but that's not within our purview. That's something
1005 that will have to be pursued outside of this Commission's actions. The ownership issue,
1006 then, is off the table, but I do think that there is a question of environmental impact. I
1007 heard questions about the drainage. I heard questions about the use of the accessory
1008 buildings—how construction and worship are going to be blended so as to work well
1009 together, because that will be an issue—the impacts on adjacent well and septic
1010 systems, and then basic drainage issues into the Hungary Woods subdivision. Again, to
1011 touch on the traffic and the one ingress/egress. Those are the issues I heard. Could you
1012 answer those for me, please?

1013
1014 Mr. Shust - I'll try to be brief and concise. In terms of the parking
1015 question, Mr. Wilhite did go through the parking calculations as we have shown on our
1016 plan of development, and they show that we meet the overall parking requirement for the
1017 development. In fact, if you were to take the daycare use separate from the
1018 congregational use, we still meet the requirement. So, I think in terms of development of
1019 this site, there's not really a question about the parking unless you'd like to have me
1020 clarify something else.

1021
1022 Mrs. Jones - My question was about the parking and how it will dovetail
1023 with the obvious challenges of construction.

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Mr. Shust - Yes, ma'am. In terms of the overall parking, the current certificate of occupancy for the existing building that is to be used does show a designated parking area. There is residual land that is open around the front building that could be used. I think if we had to look at an alternate parking area during construction, we would have to bring forward a request for a temporary parking area that would be coordinated with Planning and the Department of Public Works. At this point, the ICR feels that the construction traffic and where they're currently parking can be coordinated with the building construction.

Typically with construction projects, you need to provide for a construction lay-down area. What contractors generally like to do is get their building pad on grade, bring the parking lot up to grade, and get it stoned and get at least curb and gutter added so that they can minimize E and S measures in terms of the potential for sediment and silt to run off either into their sediment basins or the traps that are off site. So, that's usually high up on the phasing plan in terms of construction sequence. Once that area is stoned in the back, even if it's not paved, they can park back there as well.

Mrs. Jones - Okay.

Mr. Shust - In terms of the environmental impacts, when Islamic Center of Richmond purchased this property, they did a phase 1. They have done their due diligence up front and on the purchase. Obviously, if there were any other issues that had come up and been determined as part of that phase 1, they would have been recommended to do a phase 2. If anything was discovered at that time per EPA requirements, they would have had to do cleanup, if that's what would have been required.

The accessory buildings, in terms of keeping them after development of the new building, I think it was explained—the uses of those buildings, what they currently are, and that once they move their services into the new hall that building will be used for storage.

Mrs. Jones - So, none of the existing buildings will be removed once the new building is built?

Mr. Shust - That is the current plan; that is correct.

Mrs. Jones - Okay.

Mr. Shust - The terms of construction—

Mr. Branin - And they've been designated as storage.

Mr. Shust - I don't think they've been specifically called out on the—

1070 Mr. Branin - That's what you just stated.
1071
1072 Mr. Shust - Are you asking me if they've been specifically referred to on
1073 the plan of development, or if that's the intended use? If it's the intended use, that's
1074 correct, they plan on using them as storage.
1075
1076 Mr. Witte - I thought earlier you said that one of these buildings was
1077 going to be used as a residence.
1078
1079 Mr. Shust - I apologize; I misspoke. The one in the front is currently a
1080 residence in terms of use and will be maintained as a residential use. It's the other 2
1081 buildings. I apologize for misspeaking. Do you need me to clarify that again?
1082
1083 Mr. Branin - Yes, please.
1084
1085 Mr. Shust - Okay. The front building, this one up here closest to Hungary,
1086 is currently residentially occupied and will be residentially occupied after construction.
1087
1088 Mr. Archer - I have a couple of questions, or maybe just one. Were you
1089 done, Mrs. Jones?
1090
1091 Mrs. Jones - He hasn't finished my list but maybe—
1092
1093 Mr. Shust - I have it written down; I can come back to it. I'm happy to go
1094 in any order.
1095
1096 Mr. Archer - There were 2 gentlemen who spoke of specific drainage
1097 issues.
1098
1099 Mr. Shust - Coming up to that, sir.
1100
1101 Mr. Archer - Okay. One is close to a well and septic tank, and the other
1102 one about existing water that could be exacerbated. I just wanted to know if you were
1103 aware of those 2 individual problems.
1104
1105 Mr. Shust - That's correct. In fact, I will jump right into them.
1106
1107 Mr. Archer - All right.
1108
1109 Mr. Shust - In terms of drainage along Hungary Woods Drive and those
1110 residences, the current plan of development shows that the parking lot is curbed and
1111 guttered, and that the runoff from the parking lot—if you look at your monitors—will
1112 generally be taken from the parking lot down to a stormwater management basin and
1113 then discharged. So, the over-land flow that is currently running towards Hungary Woods
1114 Drive will actually be diverted away and cut off.
1115

1116 Mrs. Jones - So, they should expect a real improvement?

1117
1118 Mr. Shust - I would think so, yes, ma'am. The area where the greenhouse
1119 was and where the parking area is up along the front, there is a drainage divide right
1120 there. Part of that is currently trending this way; the other part of it's trending down
1121 towards this property. So, yes, we will be cutting that off and diverting it to a basin.

1122
1123 In terms of the question about the well and the septic, the current plan does show the
1124 storm pipe outfall at about the front corner of his building. We've looked at that, and
1125 we're going get with Public Works. That pipe needs to be brought forward closer to
1126 Hoehns Road and away from—providing the opportunity for drainage to enter Mr.
1127 Henkel's property.

1128
1129 Mrs. Jones - So, where would you like to see it?

1130
1131 Mr. Shust - We would extend it further to the east, thereby further
1132 protecting where he identified that his septic tank is. In terms of water currently running
1133 from the site towards the well in the back, we will have a stormwater management
1134 facility. So, again, we're going to be containing and managing our water to 50/10
1135 requirements. We also have MS19 requirements that the Department of Public Works is
1136 very thorough in reviewing and making sure we comply with on any POD. So, there are
1137 checks and balances in place to make sure we are doing what is mandated and also
1138 doing what is good to be good neighbors.

1139
1140 Mrs. Jones - You mentioned before about fencing. Can you just define
1141 what fencing is envisioned for this project?

1142
1143 Mr. Shust - Certainly. There are 2 different areas where fencing is
1144 envisioned. There is fencing for the playground area in the front of the site along
1145 Hungary Road where I have the cursor right now. That will be one area. That will be
1146 more of a decorative nature that we would bring forward as part of the landscape plan.
1147 Then, the other is we have agreed that the stormwater facility in the rear will have
1148 fencing around it. For some reason, those facilities tend to be an attractive nuisance. The
1149 fencing is just being a good neighbor, and it's the right thing to do. So, that's why we
1150 agreed to do it. It will be supplemented with landscaping.

1151
1152 Mr. Witte - So, the playground area, while it's at Hungary Road, it's
1153 actually at the rear of the building?

1154
1155 Mr. Shust - Yes, sir, that's correct.

1156
1157 Mr. Witte - And that will be fenced per Mr. Wray's concern?

1158
1159 Mr. Shust - That is correct as well. Typical of most childcare or daycare
1160 child development centers—

1161

1162 Mr. Witte - All—
1163
1164 Mr. Shust - I'm sorry?
1165
1166 Mr. Witte - All of that will be taken care of with the landscape and lighting
1167 plans?
1168
1169 Mr. Shust - That's correct. We've shown a fence on the POD, but the
1170 details of it will be shown on the landscape and lighting plan.
1171
1172 Mr. Witte - Okay, thank you.
1173
1174 Mr. Shust - In terms of the landscaping lighting question about the lights,
1175 they will be compliant with the requirement of a half-foot candle at the property line and
1176 shielding where required to mitigate that question about hot spots. We will be bringing
1177 that forward as required.
1178
1179 Lastly, in terms of the traffic, just the general conversations that have been going on,
1180 Islamic Center of Richmond has made an effort to ensure that the members or visitors
1181 who are coming to the facility use the correct entrance. They have a person routinely out
1182 front trying to be, not necessarily a traffic director, but when you see someone standing
1183 on the road and you see a sign, it makes the connection for people, as opposed to
1184 coming in through the Hoehns Road entrance to the residences in the rear. So, I think
1185 they are attempting to be a good neighbor and a good steward and to ensure that people
1186 who attend the center are educated and understand where the main entrance is and
1187 where they are supposed to drive. Occasionally, I think you're going to get a visitor who
1188 may be in the wrong place at the wrong time, and it's their hope that's an isolated
1189 incident. Through ongoing education, that would be a mitigated situation.
1190
1191 I'm happy to answer any other questions.
1192
1193 Mr. Witte - At the time, there is no crossover?
1194
1195 Mr. Shust - There is currently a crossover.
1196
1197 Mr. Witte - In front of the Islamic Center?
1198
1199 Mr. Shust - Yes, that's correct.
1200
1201 Mr. Witte - There's no turn lane.
1202
1203 Mr. Shust - Correct.
1204
1205 Mr. Branin - I have one comment and one question. Grab the mouse if
1206 you will.
1207

1208 Mr. Shust - Absolutely.
1209
1210 Mr. Branin - Come up to that side of the parking lot. Currently, what is the
1211 vegetation in that area?
1212
1213 Mr. Shust - It's actually fairly light. There is a line of some older trees that
1214 are running through there, but there is a fence, a solid board-on-board fence that's
1215 running through there. There's some scrub on the bottom.
1216
1217 Mr. Branin - I would make the suggestion to Mr. Witte that when this
1218 comes before you at landscape and lighting—because that parking lot is coming so close
1219 to the adjoining neighborhood and with the spirit which they are graciously demonstrating
1220 over and over again of being good neighbors—buffering that as much as you can with
1221 landscaping.
1222
1223 Mr. Witte - We would actually handle that at landscape and lighting.
1224
1225 Mr. Branin - That's right. That's what I'm just saying. I would make note
1226 now. In regards to a citizen standing out helping to direct traffic, there are many worship
1227 locations throughout the County that on days of worship have off-duty police that help.
1228 Just that police car sitting there with the blue lights slows incoming cars down and helps
1229 direct traffic, plus it also takes away the liability of a citizen who is one of your
1230 parishioners from getting run over. I would also make a recommendation to keep in mind
1231 that especially at large worship times, that Henrico does provide off-duty police that you
1232 can get to help out with worship services.
1233
1234 Mr. Shust - Thank you for that recommendation.
1235
1236 Mrs. Jones - Thank you very much.
1237
1238 Mr. Thornton - Mr. Chairman, before he leaves, may I make a comment? I
1239 would hope also, sir, as you look at the sensitivities involved with this particular case
1240 there that you'll put forth a great effort toward congeniality toward the community. You
1241 have mentioned and broached some of those things this morning. Really engage the
1242 community so that any type of attitudes, that you want to ingratiate ICR with that, I think
1243 that's very important. I think this is an opportunity also for ICR to make sure that you do
1244 the very best in this regard so that when the last thing is stated about this, everybody will
1245 look and say that each group has come up to the plate and done his best here. So, I
1246 think congeniality works right here, and I would hope that you would seize the moment to
1247 do that.
1248
1249 Mr. Shust - Yes, sir. I appreciate those comments. The Islamic Center is
1250 committed to being a good steward in the community. They actually have had community
1251 outreach. One of the events had a little bit larger turnout than they anticipated, which
1252 was a great thing, and they have plans to continue doing that. Again, thank you for your

1253 comments, and I understand what you're saying. We will make an extra effort as
1254 necessary.

1255
1256 Mr. Thornton - Thank you.

1257
1258 Mr. Branin - Real quick. Mr. Hudgins?

1259
1260 Mr. Hudgins - Yes, sir.

1261
1262 Mr. Branin - As it appears by what the engineer is saying, some of your
1263 drainage issues that are existing—which we see many times also in cases when
1264 something is built, wet areas, the drainage is actually improved. As this comes through,
1265 keep in touch with Mr. Wilhite, and he'll be also able to keep you abreast of changes.

1266
1267 As to Mr. Henkel, Mr. Wilhite, if you would give him your name and number so he can
1268 keep in touch with you as well with the progress and where it's moved to, so there won't
1269 be any question in your mind.

1270
1271 Mr. Henkel - [Off microphone; inaudible.]

1272
1273 Mr. Branin - And you can get with Mr. Wilhite and also the engineer
1274 afterwards. Okay? Okay. Mr. Witte.

1275
1276 Mr. Witte - All right. I have 2 comments before I make a motion. I thank
1277 everybody for coming. A lot of the issues brought up today are civil matters, legal
1278 matters, police matters, other matters that will be handled during the construction plans,
1279 and landscape and lighting plans. The noise issue, anybody that lives anywhere near the
1280 area close to Hermitage High School knows, the band and the events starting at 7:00 in
1281 the morning and going to 10:00 at night, you can hear everything well from miles and
1282 miles away. The drainage issues haven't been resolved, but they will be. The water flow
1283 on Hungary Woods with the BMP right there could be as simple as a drop inlet.

1284
1285 Anybody have any questions before I make a motion?

1286
1287 Mr. Branin - No, sir.

1288
1289 Mr. Witte - Okay.

1290
1291 Mr. Branin - We're ready for you.

1292
1293 Mr. Witte - On the matter of POD2012-00107, Islamic Center of
1294 Richmond, I make a motion that we approve the POD with Conditions #1 through #36.

1295
1296 Mr. Leabough - Second.

1297
1298 Mr. Branin - One through 36.

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Mr. Leabough - Second.

Mr. Branin - Did I hear a second? Okay. Motion by Mr. Witte, seconded by Mr. Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved POD2012-00107, Islamic Center of Richmond, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

- 29. The right-of-way for widening of Hungary Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
- 30. A concrete sidewalk meeting County standards shall be provided along the south side of Hungary Road.
- 31. Outside storage shall not be permitted.
- 32. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
- 33. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
- 34. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
- 35. **ADDED** – The property owner shall quitclaim any interest in the existing 15-ft. ingress/egress easement shown on this site prior to the issuance of a Certificate of Occupancy for this development.
- 36. **ADDED** – Construction traffic associated with this development shall not use Hoehns Road for access.

SUBDIVISION (Deferred from the March 28, 2012 Meeting)

SUB2012-00020 Osborne Glen (March 2012 Plan) – 7200 Osborne Turnpike	Burgess and Niple for Wilton Investment Corp.: The 65-acre site proposed for a subdivision of 43 single-family homes is located at the northwest corner of the intersection of Osborne Turnpike and Sholey Road on parcel 800-695-7559. The zoning is A-1, Agricultural District. County water and sewer. (Varina) 43 Lots
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Mr. Branin - Is anyone in opposition to SUB2012-00020, Osborne Glen (March 2012 Plan)? No one? Mr. Wilhite, again.

1339
1340 Mr. Wilhite - Excuse me, sir, we're having problems calling up the exhibit.
1341 Please bear with us.

1342
1343 Mr. Branin - Okay.

1344
1345 Mr. Wilhite - I'm sorry. I don't see it on the list.

1346
1347 There is a revised plan that was already included in your packet. Staff has completed its
1348 review, and we find this acceptable. There are 2 conditions being added on your
1349 addendum: Condition #22 deals with the public sewage pump station that is necessary
1350 for this development and also Condition #23, which deals with demolition and
1351 construction of the new dam.

1352
1353 We did have some questions from the applicant concerning the condition that dealt with
1354 the vacation of the existing easements that access the Jordan property. We have
1355 proposed a change in language to read, "The developer shall provide evidence to the
1356 Planning Department of the vacation or abandonment of the existing 15-foot right-of-way
1357 easement prior to or concurrent with the recordation of the subdivision plat." There was
1358 some concern that the easement would be vacated or abandoned and they would not
1359 have legal access to the property. Then, there would be a gap between the document
1360 being recorded and the subdivision plat being recorded, and that would erase the legal
1361 access that they have. So, I think with this wording here, we address that. They can
1362 record that document with recordation of the subdivision plat.

1363
1364 There is the need for an exception for the block length—Road B that runs to the back of
1365 the property or the western most part of the property—It does exceed 1,320 feet in
1366 length, which is the maximum our ordinance allows without an exception. This does
1367 mirror the subdivision plan that was previously approved on this site. The road design is
1368 essentially the same. So, staff would recommend that exception be granted.

1369
1370 With that, staff does recommend approval of this project with the conditions on the
1371 agenda and the addendum.

1372
1373 Mr. Leabough - One question, Mr. Chairman. Mr. Wilhite, the crux of this
1374 request really is changing from the homes being served by well and septic to public
1375 utilities?

1376
1377 Mr. Wilhite - That is correct. There was some modification of the common
1378 area and the pond as well. Essentially, it's the same number of lots that were previously
1379 approved, and the layout is much the same. There are some tweaks to it, but it is more
1380 or less what had already been approved and what is still a valid subdivision.

1381
1382 Mr. Leabough - The same number of lots that were already approved.

1383
1384 Mr. Wilhite - Yes, sir.

1385
36 Mr. Leabough - Back in 2004. Thank you.
1387
1388 Mrs. Jones - Mr. Wilhite, where is the public sewage pump station to be
1389 constructed? I missed that.
1390
1391 Mr. Wilhite - If you look on page 2 of your plan in your packet, it is listed at
1392 the very top.
1393
1394 Mr. Leabough - Behind Lot 12.
1395
1396 Mr. Wilhite - Yes, that is correct.
1397
1398 Mrs. Jones - Oh there. Okay, I'm sorry. I just looked at it and didn't see it.
1399 Sorry. Thank you.
1400
1401 Mr. Wilhite - The condition on the agenda states that the plan for the pump
1402 station has to be approved prior to approval of the construction plans for the subdivision.
1403
1404 Mrs. Jones - Right, okay.
1405
1406 Mr. Branin - If I may, I'd like to take one second and recognize someone.
1407 It's an honor and a pleasure to have the Honorable Supervisor Nelson in the room this
08 morning. Thank you for coming and keeping an eye on me to make sure I stay straight,
1409 sir. Mr. Thornton does it every meeting, and now you're double-teaming me. I'm sorry for
1410 the interruption.
1411
1412 Mr. Wilhite - And I apologize for the problem with the graphics.
1413
1414 Mr. Branin - Any other questions?
1415
1416 Mr. Leabough - Mr. Chairman, I move that we approve SUB2012-00020,
1417 Osborne Glen (March 2012 Plan), subject to any annotations on the plan, the standard
1418 conditions for subdivisions served by public utilities, Conditions #13 through #23—
1419
1420 Mr. Emerson - Excuse me, I'm sorry to interrupt you. The applicant does
1421 wish to state something.
1422
1423 Mr. Leabough - Okay, sure.
1424
1425 Mr. Branin - You might be opening a can of worms, you never know. You
1426 should have let it go, but go ahead.
1427
1428 Mr. Mistr - We just have one question. I'm Spud Mistr representing the
1429 applicant. Condition #20—we talked to the staff about that, about showing evidence of
30 this easement being vacated. We understand there have been court cases. When you

1431 put in public right-of-way, that vacates those easements. We feel like that's a private civil
1432 matter and an ownership issue that maybe should not be dealt with by the Commission.
1433 If you strike that condition, the developer will take care of that easement access with the
1434 landowner. Other than that, we're happy with everything.

1435
1436 Mr. Branin - Don't go anywhere; now I have a list of questions for you.

1437
1438 Mr. Mistr - Okay. There's always that possibility.

1439
1440 Mr. Emerson - Mr. Mistr, the language suggested by staff wasn't acceptable
1441 to you? Didn't we change that language?

1442
1443 Mr. Mistr - It's acceptable, but we would rather—our preference is to not
1444 have the condition at all. If you think we need a condition, then we can deal with that.

1445
1446 Mr. Emerson - Right. That's a normal condition. That was language that's
1447 been used previously.

1448
1449 Mr. Mistr - Okay. Thank you.

1450
1451 Mr. Branin - So, you're comfortable keeping it right where it is.

1452
1453 Mr. Mistr - Yes.

1454
1455 Mr. Leabough - All right. So as I stated previously, I move that we approve
1456 SUB2012-00020, Osborne Glen (March 2012 Plan), subject to any annotations on the
1457 plan, the standard conditions for subdivisions served by public utilities, and the additional
1458 Conditions listed #13 through #23.

1459
1460 Mr. Archer - Second.

1461
1462 Mr. Branin - Motion by Mr. Leabough, seconded by Mr. Archer. All in favor
1463 say aye. All opposed say no. The ayes have it; the motion passes.

1464
1465 The Planning Commission granted conditional approval to SUB2012-00020, Osborne
1466 Glen (March 2012 Plan), subject to the standard conditions attached to these minutes for
1467 subdivisions served by public utilities, the annotations on the plans, and the following
1468 additional conditions:

- 1469
1470 13. The limits and elevation of the Special Flood Hazard Area shall be conspicuously
1471 noted on the plat and construction plans and labeled "Limits of Special Flood
1472 Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width
1473 Drainage & Utilities Easement."
1474 14. Each lot shall contain at least 43,560 square feet, exclusive of the floodplain areas.
1475 15. The plat shall contain a statement that the common area is dedicated to the
1476 common use and enjoyment of the homeowners of Osborne Glen, and is not

- 1477 dedicated for use by the general public. This statement shall refer to the applicable
1478 article in the covenants recorded with the plat.
- 1479 16. Prior to requesting the final approval, a draft of the covenants and deed restrictions
1480 for the maintenance of the common area by a homeowners association shall be
1481 submitted to the Department of Planning for review. Such covenants and
1482 restrictions shall be in a form and substance satisfactory to the County Attorney and
1483 shall be recorded prior to recordation of the subdivision plat.
- 1484 17. The details for the landscaping to be provided within the 25-foot wide planting strip
1485 easement along Osborne Turnpike shall be submitted to the Department of
1486 Planning for review and approval prior to recordation of the plat.
- 1487 18. A County standard sidewalk shall be constructed along the west side of Osborne
1488 Turnpike, if curb and gutter is required.
- 1489 19. Any future building lot containing a BMP, sediment basin or trap and located
1490 within the buildable area for a principal structure or accessory structure, may be
1491 developed with engineered fill. All material shall be deposited and compacted in
1492 accordance with the Virginia Uniform Statewide Building Code and geotechnical
1493 guidelines established by a professional engineer. A detailed engineering report
1494 shall be submitted for the review and approval by the Building Official prior to the
1495 issuance of a building permit on the affected lot. A copy of the report and
1496 recommendations shall be furnished to the Directors of Planning and Public
1497 Works.
- 1498 20. **REVISED** - The developer shall provide evidence to the Planning Department of
1499 the vacation **or abandonment** of the existing 15-foot right-of-way easement prior
1500 to **or concurrent with** the recordation of the subdivision plat.
- 1501 21. There shall be no access to Sholey Road from the strip of land currently shown as
1502 part of Lot 20. If the said strip of land is not transferred to an adjacent property
1503 owner or held in reserve for future development, a ten-foot planting strip
1504 easement shall be provided along the portion of the lot abutting Sholey Road.
- 1505 22. **ADDED** - The construction plans for the public sewage pump station shall be
1506 approved by the Department of Public Utilities and all other necessary review
1507 agencies prior to the approval of the subdivision construction and utility plans for
1508 this development.
- 1509 23. **ADDED** - In the event that a proposed roadway is constructed in the location
1510 where an existing dam is currently situated, the following conditions shall apply:
- 1511 (a) The existing dam shall be removed.
- 1512 (b) No part of the existing dam shall be used in the construction of any new
1513 road.
- 1514 (c) The Special Flood Hazard Area shall be confirmed prior to approval of the
1515 construction plans. Any revisions to the Special Flood Hazard Area shall be
1516 approved by the Director of Public Works.
- 1517 (d) Relocation and redesign of the existing dam shall require the approval of
1518 the Department of Public Works and other appropriate agencies prior to the
1519 approval of the construction plans.
- 1520 (e) No portion of any new dam shall become part of any road.

1521 (f) Any proposed fill within an identified Special Flood Hazard Area shall
1522 require an exception by the Director of Public Works prior to approval of the
1523 construction plans.
1524

1525 Mr. Emerson - Mr. Chairman, that takes us to the next item on your agenda,
1526 which is consideration of the approval of the minutes from your March 15, 2012 meeting
1527 and your March 28, 2012 meeting. You do have 2 errata sheets that have been supplied
1528 to you in your handout for both sets of minutes, the 15th and the 28th, that reflect
1529 comments that were given to us previously. Of course, we'll be happy to make any other
1530 changes that you may have at this time.
1531

1532 APPROVAL OF MINUTES: March 15, 2012 and March 28, 2012 Minutes.
1533

1534 Mr. Branin - Does anybody have any additional changes to the minutes?
1535 None? I'll entertain a motion.
1536

1537 Mr. Archer - I move that the minutes of March 15, 2012 and the minutes of
1538 March 28, 2012 be accepted as corrected.
1539

1540 Mr. Witte - Second.
1541

1542 Mr. Branin - Motion by Mr. Archer, seconded by Mr. Witte. All in favor say
1543 aye. All opposed say no. The ayes have it; the motion passes.
1544

1545 The Planning Commission approved the March 15, 2012 minutes and the March 28,
1546 2012 minutes as corrected.
1547

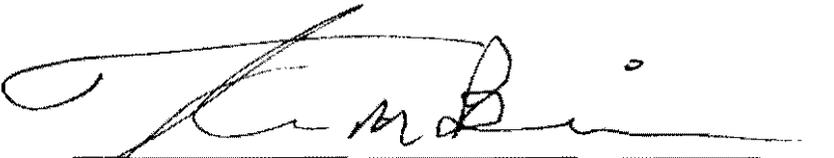
1548 Mr. Emerson - Mr. Chairman, staff has nothing further for the Commission
1549 this morning.
1550

1551 Mr. Branin - I thank everyone for coming today. Have a fantastic rest of
1552 the week and a great weekend. I move for adjournment.
1553

1554 Mrs. Jones Second.
1555

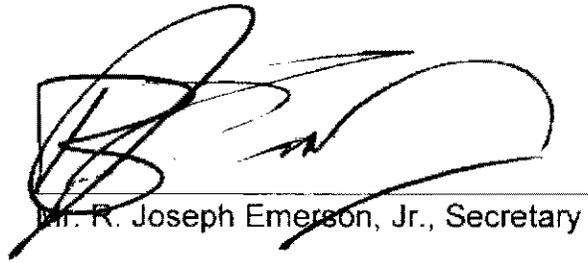
1556 Mr. Archer - Thank you, Mr. Chairman.
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1558 Meeting is adjourned.
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Mr. Tommy Branin, Chairman

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Mr. R. Joseph Emerson, Jr., Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least **48** hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **April 25, 2012**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature. **(For POD which includes lighting plan approval)**
12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. **(Revised January 2008)**
17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.

19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the POD.
20. The approved Plan of Development is granted by the Planning Commission only to the owners(s)/applicant(s) listed on the Plan of Development application on file for this project. Upon written notification to the Director of Planning, the Plan of Development approval may be transferred to subsequent owner(s) subject to approval by this Commission **(Revised July 2007)**.
21. Vehicles shall be parked only in approved and constructed parking spaces.
22. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
23. The site, including paving, pavement markings, signage, curb and gutter, dumpster screens, walls, fences, lighting and other site improvements shall be properly maintained in good condition at all times. Any necessary repairs shall be made in a timely manner.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. Insurance Services Office (ISO) calculations shall be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
27. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
28. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
29. **(Start of miscellaneous conditions)**

STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **April 25, 2012**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

B. In Addition to Item A, the Following Standard Conditions for Approval of All Zero Lot Line Developments shall apply:

29. Roof edge ornamental features that extend over the zero lot line, and which are permitted by Section 24-95(i)(1), must be authorized in the covenants.
30. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.
31. Building permit request for individual dwellings shall each include two (2) copies of a layout plan sheet as approved with the plan of development. The developer may utilize alternate building types providing that each may be located within the building footprint shown on the approved plan. Any deviation in building footprint or infrastructure shall require submission and approval of an administrative site plan.
32. Windows on the zero lot line side of the dwelling can only be approved with an exception granted by the Building Official and the Director of Planning during the building permit application process.

C. Standard Conditions for Approval of All Dry Cleaners and Laundries in Addition to Item A:

29. The dry cleaning establishment shall use only non-inflammable cleaning solvents and have fully enclosed cleaning and solvent reclamation processes and fully enclosed pressing equipment with no outside steam exhaust.

D. In addition to Item A, the Following Conditions for Approval of All Shopping Centers Shall Apply:

29. Only retail business establishments permitted in a zone may be located in this center.
30. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
31. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

E. In Addition to Item A, the Following Standard Conditions for Approval of All Multi-Family Shall Apply:

29. The unit house numbers shall be visible from the parking areas and drives.
30. The names of streets, drives, courts and parking areas shall be approved by the Richmond Regional Planning District Commission and **such names shall be included on the construction plans prior to their approval.** The standard street name signs shall be installed prior to any occupancy permit approval.

F. In addition to Item A, the Following Standard Conditions for Approval of All Service Station Developments Shall Apply:

29. This business shall not remain in operation after midnight and no exterior signs shall remain lighted after **(12:00 midnight - B-1) (1:00 o'clock a.m. - B-2) (no limit - B-3)**.
30. No merchandise shall be displayed outside of the building except that oil racks will be allowed on the pump islands.
31. This service station shall be used only for the sale of petroleum products and automobile accessories and parts. It shall not be used to sell or rent camping trailers, nor as a base of operation for truck fleets or fuel oil delivery or other such use that is not strictly a service station operation.
32. Only light repair work shall be allowed at this station, including motor tune-up, brake, generator, ignition, and exhaust repairs, and wheel balancing. The only work that can be performed outside the building is those services that are normally furnished at the pump island and the changing of tires.
33. No wrecked automobiles, nor automobiles incapable of being operated, shall be kept on the premises.
34. The prospective operator of this station shall come to the Department of Planning and sign the file copy of the special plan of development letter before he signs a lease with the oil company to operate this station.

G. STANDARD CONDITIONS FOR CONVENIENCE STORES WITH FUEL PUMPS IN A

B-2 ZONE

29. Bulk storage of fuel shall be underground.
30. There shall be no exterior display of merchandise except on pump islands and on paved walkway areas within three (3) feet of building.
31. Lighting fixtures shall not exceed a height greater than twenty (20) feet.
32. No temporary storage of wrecked or inoperative vehicles or rental of vehicles, trailer campers, vans or similar equipment shall be permitted.
33. Not more than two (2) electronic amusement games shall be permitted.
34. Not more than two (2) vending machines for food and beverage and similar merchandise shall be permitted on the premises outside of an enclosed building.
35. The prospective operator of this facility shall come to the Department of Planning and sign the file copy of the special plan of development letter before he signs a lease with the oil company to operate this station.
36. The landscaping plan shall include details for screening of refuse containers and refuse storage facilities in accordance with Section 24-61(i).
37. Refuse containers or refuse storage facilities shall be serviced during business hours only.
38. The owner or manager on duty shall be responsible for temporarily closing the car wash facility when the on-site stacking space is inadequate to serve customer demand to prevent a backup of vehicles onto the public right-of-way.
39. The owner shall arrange with the Traffic Engineer to provide standard traffic control signs to notify customers that stopping or standing on the public right-of-way shall not be permitted near the entrances to the car wash facility. **(If Car Wash Is Proposed)**

**H. STANDARD CONDITIONS FOR CONVENIENCE STORES WITH FUEL PUMPS
IN A**

B-3 ZONE

29. Bulk storage of fuel shall be underground.
30. The owner or manager on duty shall be responsible for temporarily closing the car wash facility when the on-site stacking space is inadequate to serve customer demand to prevent a backup of vehicles onto the public right-of-way. **(If Car Wash Is Proposed)**
31. The owner shall arrange with the Traffic Engineer to provide standard traffic control signs to notify customers that stopping or standing on the public right-of-way shall not be permitted near the entrances to the car wash facility. **(If Car Wash Is Proposed)**

SUBDIVISION - CONDITIONAL APPROVAL

Standard Conditions for Conventional Subdivisions Served By Public Utilities Public Water and/or Sewer (January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 25, 2012**, which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on **April 24, 2013**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

Standard Conditions for Conventional Subdivisions Not Served By Public Utilities
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **April 25, 2012**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **April 24, 2013**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

11. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

Standard Conditions for Residential Townhouse for Sale (RTH) Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 25, 2012**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **April 24, 2013**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to

the Department of Planning for review, prior to final approval. The proposed Homeowners Association for the project shall be responsible for the exterior maintenance of all buildings and grounds.

13. All block corners shall be monumented and referenced, where possible, to the exterior boundaries of the site
14. The record plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of (name of subdivision) and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.

Standard Conditions for Zero Lot Line Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 25, 2012**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **April 24, 2013**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan

showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers and Chesapeake Bay Act Areas.

SUBDIVISION - CONDITIONAL APPROVAL

Standard Conditions for Conventional Subdivisions Served By Public Utilities Road Dedication (No Lots) (January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 25, 2012**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **April 24, 2013**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.