Minutes of the regular monthly meeting of the Planning Commission of Henrico County held in the County Administration Building in the Government Center at Parham and Hungary Spring Roads beginning at 9:00 a.m. Wednesday, June 22, 2011.

Members Present: Mr. C. W. Archer, C.P.C. Chairman (Fairfield)
Mr. Ernest B. Vanarsdall, C.P.C., (Brookland)
Mrs. Bonnie-Leigh Jones, C.P.C., (Tuckahoe)
Mr. E. Ray Jernigan, C.P.C., (Varina)
Mr. David D. O'Kelly, Acting Secretary
Mrs. Patricia O'Bannon, Board of Supervisors Representative

Members Absent: Mr. Tommy Branin, Vice-Chairman (Three Chopt)
Mr. R. Joseph Emerson, Jr., Director of Planning, Secretary

Others Present: 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, Assistant Traffic Engineer
Ms. Kim Vann, Henrico Police
Ms. Holly Zinn, Recording Secretary

Mrs. Patricia O'Bannon, the Board of Supervisors' representative, abstains from voting on all cases unless otherwise noted.

Mr. Archer - Welcome to the June 22, 2011 edition of Subdivisions and Plans of Development. I would like to first recognize Mrs. Patricia O'Bannon from the Board of Supervisors. I don't see anyone from the news media here this morning.

Mr. Emerson is not present, so I'll turn the meeting over to our acting secretary, Mr. David O'Kelly. Good morning, sir.

Mr. O'Kelly - Good morning, Mr. Chairman, members of the Commission.

Mr. Branin is absent this morning, but we do have a quorum and can conduct the meeting. The first item on the agenda is requests for deferrals and withdrawals. Those will be presented by Ms. Leslie News.

Mr. Archer - Good morning, Ms. News.

Ms. News - Good morning, Mr. Chairman, members of the Commission. Staff is not aware of any requests for deferrals or withdrawals this morning.

Mr. O'Kelly - Are there any requests from the Planning Commission? Then that will take us to the expedited agenda, and those cases will be presented by Ms. Leslie News.

Ms. News - We have a lengthy expedited agenda this morning, including 18 of our transfer of approval cases. The first item is found on page 3 of the agenda and is located in the Varina District. This is a transfer of approval for POD-96-88, Nelson Funeral Home, formerly Commonwealth Square Office Park and Bowers, Nelms, and Fonville Office Park. Staff recommends approval.

TRANSFER OF APPROVAL

POD-96-88 POD2011-00167 Nelsen Funeral Home Reception Center (Formerly Commonwealth Square Office Park and Bowers, Nelms, and Fonville Office Park) – 4660 S. Laburnum Avenue	**Blair Nelsen for Nelwood, LC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Foundation for Credit Education and Citizens and Farmers Bank to Nelwood, LC. The 1.75-acre site is located along the west line of Laburnum Avenue, approximately 625 feet north of Audubon Drive, on parcel 814-716-9454. The zoning is B-2C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Mr. Archer - Is there anyone here who is opposed to this transfer of approval for POD-96-88, Nelsen Funeral Home Reception Center? Mr. Jernigan.

Mr. Jernigan - Mr. Chairman, with that I will move for approval of transfer of approval of POD-96-88, Nelsen Funeral Home Reception Center, with Condition #1 on the expedited agenda.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-96-88, Nelsen Funeral Home Reception Center (Formerly Commonwealth Square Office Park and Bowers, Nelms, and Fonville Office Park), from Foundation for Credit Education and Citizens and Farmers Bank to Nelwood, LC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report dated May 16, 2011, shall be corrected prior to issuance of a certificate of occupancy for the proposed change of use.

Ms. News - Next, on page 4 of your agenda and located in the Tuckahoe District, is transfer of approval for POD-30-05, Wachovia Financial Center at John Rolfe Place. Staff recommends approval.

TRANSFER OF APPROVAL

POD-30-05 POD2011-00169 Wachovia Financial Center at John Rolfe Place – 10821 Ridgefield Parkway	**Phillip D. Meyers for Roddimeyer III, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from John Rolfe Commons, LLC to Roddimeyer III, LLC. The 1.0-acre site is located on the south line of Ridgefield Parkway, approximately 300 feet west of John Rolfe Parkway, on parcel 736-750-3663. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Tuckahoe)**

Mr. Archer - Is there anyone here who is opposed to this transfer of approval for POD-30-05, Wachovia Financial Center at John Rolfe Place?

Mrs. Jones - All right, I move for approval of transfer of approval for POD-30-05, Wachovia Financial Center at John Rolfe Place. This is with the following Condition #1 listed on the agenda; however, it is my understanding that this condition may have already been met.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-30-05, Wachovia Financial Center at John Rolfe Place, from John Rolfe Commons, LLC to Roddimeyer III, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated May 16, 2011, shall be corrected by July 31, 2011.

Ms. News - Next, on page 5 of your agenda and located in the Varina District, is a transfer of approval for POD-39-74, IHOP Restaurant. Staff recommends approval.

TRANSFER OF APPROVAL

POD-39-74 POD2011-00185 IHOP Restaurant – 4840 S. Laburnum Avenue	**William B Wright, III for SS Laburnum, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Ree Ellis Associates, Inc., United Virginia Bank Trust, and First Union National Bank to SS Laburnum, LLC. The 1.0-acre site is located on the west line of Laburnum Avenue, approximately 250 feet north of Williamsburg Road (U. S. Route 60), on parcel 816-714-1137. The zoning is B-2, Business District, B-3, Business District, and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Mr. Archer - Is there any opposition to POD-39-74, IHOP Restaurant?

Mr. Jernigan - Mr. Chairman, with that, I will move for approval of transfer of approval for POD-39-74, IHOP Restaurant, with Condition #1.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-39-74, IHOP Restaurant, from Ree Ellis Associates, Inc., United Virginia Bank Trust, and First Union National Bank to SS Laburnum, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. All site improvements shall be completed and deficiencies corrected prior to the issuance of a final certificate of occupancy for the restaurant building authorized by administrative approval, dated February 28, 2011.

Ms. News - The next item is on page 6 of your agenda is located in the Fairfield District. This is a transfer of approval for POD-83-99, 76-00, and 79-00, The Creeks at Virginia Center Shopping Center. Staff recommends approval.

TRANSFER OF APPROVAL

POD-83-99, 76-00, and 79-00 POD2011-00144; POD2011-00145; POD2011-00146 The Creeks at Virginia Center Shopping Center – 9830 Brook Road (U.S. Route 1)	**John Marquart for DDRTC Creeks at Virginia Center, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Developers, LLC and Inland Southeast Creeks, LLC to DDRTC Creeks at Virginia Center, LLC. The 31.99-acre site is located on the southwest corner of the intersection of Brook Road (U.S. Route 1) and Jeb Stuart Parkway, on parcel 783-769-0315. The zoning is B-2C, Business District (Conditional) and B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

Mr. Archer - Thank you. Is there anyone here who is opposed to this transfer of approval for POD-83-99, 76-00, and 79-00, the Creeks at Virginia Center Shopping Center? Seeing none, I will move to approve transfer of approval for POD-83-99, 76-00, and 79-00, The Creeks at Virginia Center Shopping Center, subject to Condition #1.

Mr. Vanarsdall - Second.

Mr. Archer - Motion by Mr. Archer, seconded by Mr. Vanarsdall. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved the transfer of approval request for POD-83-99, 76-00, and 79-00, The Creeks at Virginia Center Shopping Center, from and Inland Southeast Creeks, LLC to DDRTC Creeks at Virginia Center, LLC Richmond Developers, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. All deficiencies, as identified in staff's letter dated April 14, 2011, shall be corrected no later than July 31, 2011.

Ms. News - The next case is on page 7 of your agenda and is located in the Fairfield District. This is a transfer of approval for POD-27-87, Patient First at Woodman Road. Staff recommends approval.

TRANSFER OF APPROVAL

POD-27-87 POD2011-00222 Patient First at Woodman Road – 2300 E. Parham Road	**Hagood & Garvey for National Retail Properties, LP:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from GNC Partnership to National Retail Properties, LP. The 0.98-acre site is located at the northwest corner of the intersection of Woodman Road and E. Parham Road, on parcel 774-758-7612. The zoning is O-2, Office District. County water and sewer. **(Fairfield)**

Mr. Archer - Is there anyone present who is opposed to this transfer of approval for POD-27-87, Patient First at Woodman Road? Seeing none, I will move for approval of transfer of approval for POD-27-87, Patient First at Woodman Road.

Mr. Jernigan - Second.

Mr. Archer - Motion Mr. Archer, seconded by Mr. Jernigan. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved the transfer of approval request for POD-27-87, Patient First at Woodman Road, from GNC Partnership to National Retail Properties, LP, subject to the standard and added conditions previously approved.

Ms. News - The next 12 cases are part of the Lingerfelt Development, LLC property transactions you've likely heard of recently. Evidence of contracts to address minor deficiencies on all of these sites has been received for all these projects. I'll go through them one at a time.

First, on page 8 of your agenda and located in the Three Chopt District, is a transfer of approval for POD-42-83, Ace USA, which is formerly the I.N.A. Building. There is an addendum item on page 1 that incorporates Condition #1 to address deficiencies. Staff can recommend approval.

TRANSFER OF APPROVAL

POD-42-83 POD2011-00101 Ace USA (Formerly I.N.A. Building) – 4198 Cox Road	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Rowe Development Company and Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 4.61-acre site is located at the southwest corner of the intersection of Innslake Drive and Cox Road, on parcel 748-761-5174. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there anyone here who is opposed to this transfer of approval for POD-42-83, Ace USA?

Mr. Jernigan - With that, Mr. Chairman, I will move for approval of transfer of approval of POD-42-83, Ace USA with the staff recommendation and Condition #1.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-42-83, Ace USA (Formerly I.N.A. Building), from Rowe Development Company and Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated March 23, 2011, shall be corrected by November 1, 2011.

Ms. News - Next, on page 9 and located in the Three Chopt District, is transfer of approval for POD-83-84, The Atrium Building at Innsbrook (Ironworks). Condition #1 is included in the addendum on page 1. Staff recommends approval.

TRANSFER OF APPROVAL

POD-83-84 POD2011-00103 The Atrium Building at Innsbrook (Ironworks) – 4121 Cox Road	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Rowe Development Company and Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 6.17-acre site is located at the southeast corner of the intersection of Innslake Drive and Cox Road, on parcel 749-761-0971. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is anyone present who is opposed to this transfer of approval for POD-83-84, The Atrium Building at Innsbrook?

Mr. Jernigan - Mr. Chairman, with that, I'll move for approval of transfer of approval of POD-83-84, The Atrium Building at Innsbrook, with the addendum and Condition #1.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-83-84, The Atrium Building at Innsbrook (Ironworks), from Rowe Development Company and Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated March 23, 2011, shall be corrected by November 1, 2011.

Ms. News - Next, on page 10 of your agenda and located in the Three Chopt District, is transfer of approval for POD-42-88—this is part of a POD—Rowe Plaza (Formerly Innsbrook Hilton). There's an addendum on page 2 incorporating Condition #1 to address deficiencies. Staff can recommend approval.

TRANSFER OF APPROVAL

POD-42-88 (Part) POD2011-00102 Rowe Plaza (Formerly Innsbrook Hilton) – 4510 Cox Road (POD-77-87 Rev.)	**Troutman Sanders for Richmond Green Properties, LLC:** 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 Innsbrook Plaza Holding, Rowe Development Company, and Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 5.71-acre site is located at 4510 Cox Road, on the west line of Cox Road opposite its intersection with Village Run Drive, on parcel 750-765-5718. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there anyone here who is opposed to this transfer of approval for POD-42-88 (Part), Rowe Plaza (Formerly Innsbrook Hilton)? No opposition.

Mr. Jernigan - Mr. Chairman, I will move for approval of transfer of approval of POD-42-88 (Part), Rowe Plaza (Formerly Innsbrook Hilton), with the staff recommendation and Condition #1.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-42-88 (Part), Rowe Plaza (Formerly Innsbrook Hilton), from Innsbrook Plaza Holding, Rowe Development Company, and Liberty Property Limited Partnership to Richmond Green

Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated March 23, 2011, shall be corrected by November 1, 2011.

Ms. News - On page 11 of your agenda and located in the Three Chopt District is a transfer of approval for POD-68-89, Technology Pointe I and II (Formerly Innsbrook Technology Park). On your addendum on page 2, Condition #1 is incorporated to address deficiencies. Staff can recommend approval.

TRANSFER OF APPROVAL

POD-68-89 POD2011-00104; POD2011-00105 Technology Pointe I and II (Formerly Innsbrook Technology Park) – 5000 and 5500 Cox Road	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Innsbrook Technology Assoc. and Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 11.96-acre site is located on the west line of Cox Road near its northern terminus, on parcel 752-769-7691. The zoning is M-1C, Light Industrial District (Conditional) and C-1C, Conservation District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there anyone present who is opposed to this transfer of approval of POD-68-89, Technology Pointe I and II (Formerly Innsbrook Technology Park)?

Mr. Jernigan - Mr. Chairman, I'll move for approval of transfer of approval of POD-68-89, Technology Pointe I and II (Formerly Innsbrook Technology Park), with the staff recommendation and Condition #1.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-68-89, Technology Pointe I and II (Formerly Innsbrook Technology Park), from Innsbrook Technology Assoc. and Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated March 23, 2011, shall be corrected by November 1, 2011.

Ms. News - On page 12 and located in the Three Chopt District is transfer of approval for POD-52-90—again, part of a POD—Innsbrook Center (Snagajob.com). There is an addendum item on page 3 incorporating Condition #1 to address deficiencies. Staff can recommend approval.

TRANSFER OF APPROVAL

POD-52-90 (Part) POD2011-00099 Innsbrook Center (Snagajob.com) – 4880 Cox Road	**Troutman Sanders for Richmond Green Properties, LLC:** 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 Innslake LP and Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 5.69-acre site is located on the west line of Cox Road, approximately 1,600 feet north of Nuckols Road, on parcel 752-768-2795. The zoning is O-3C, Office District (Conditional) and M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there anyone present opposed to this transfer of approval for POD-52-90 (Part), Innsbrook Center (Snagajob.com)?

Mr. Jernigan - Mr. Chairman, I move for approval of transfer of approval of POD-52-90 (Part), Innsbrook Center (Snagajob.com), with the staff recommendation and Condition #1.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-52-90 (Part), Innsbrook Center (Snagajob.com), from Innslake LP and Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated March 23, 2011, shall be corrected by November 1, 2011.

Ms. News - On page 13 of your agenda and located in the Three Chopt District is transfer of approval for POD-54-97, Liberty Plaza I (Formerly North Park Place I). The addendum item on page 3 incorporates Condition #1 to address deficiencies. Staff recommends approval.

TRANSFER OF APPROVAL

POD-54-97 POD2011-00100 Liberty Plaza I (Formerly North Park Place I) – 4801 Cox Road (POD-24-96 Rev.)	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Rowe Development Company and Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 6.61-acre site is located on the northeast corner of the intersection of North Park Drive and Cox Road, on parcel 752-767-4970. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there any opposition to this transfer of approval for POD-54-97, Liberty Plaza I (Formerly North Park Place I)?

Mr. Jernigan - I move for approval of transfer of approval of POD-54-97, Liberty Plaza I (Formerly North Park Place I), with the staff recommendation and Condition #1.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-54-97, Liberty Plaza I (Formerly North Park Place I), from Rowe Development Company and Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated March 23, 2011, shall be corrected by November 1, 2011.

Ms. News - On page 14 of your agenda and located in the Three Chopt District is transfer of approval for POD-28-97, Liberty Plaza II (Formerly North Park Place II). The addendum item on page 4 incorporates Condition #1. Staff recommends approval.

TRANSFER OF APPROVAL

POD-28-97 POD2011-00106 Liberty Plaza II (Formerly North Park Place II) - 10800 Nuckols Road	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Financial Enterprises III and Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 8.39-acre site is located on the northwest corner of the intersection of Nuckols Road and Capital One Way, on parcel 752-767-2509. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there any opposition to the transfer of approval for POD-28-97 Liberty Plaza II (Formerly North Park Place II)?

Mr. Jernigan - Mr. Chairman, I move for approval of transfer of approval of POD-28-97, Liberty Plaza II (Formerly North Park Place II), with the staff recommendation and condition #1.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-28-97, Liberty Plaza II (Formerly North Park Place II), Financial Enterprises III and Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated March 23, 2011, shall be corrected by November 1, 2011.

Ms. News - Next, on page 15 of your agenda and located in the Three Chopt District, is transfer of approval for POD-89-86, Gaskins Center II (Wachovia) (Formerly Deep Run Office/Warehouse). The addendum item on page 4 incorporates Condition #1. Staff recommends approval.

TRANSFER OF APPROVAL

POD-89-86 POD2011-00107 Gaskins Center II (Wachovia) (Formerly Deep Run Office/Warehouse) – 3829 -3855 Gaskins Road (POD-102-83 Rev.)	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Rowe Development Company and Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 3.43-acre site is located along the eastern line of Gaskins Road, approximately 560 feet north of the intersection of Gaskins Road and Mayland Drive, on parcel 752-758-5965. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there any opposition to this transfer of approval of POD-89-86, Gaskins Center II (Wachovia) (Formerly Deep Run Office/Warehouse)? No opposition.

Mr. Jernigan - I move for approval of transfer of approval of POD-89-86, Gaskins Center II (Wachovia) (Formerly Deep Run Office/Warehouse), with the staff recommendation and Condition #1.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-89-86, Gaskins Center II (Wachovia) (Formerly Deep Run Office/Warehouse), Rowe Development Company and Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated April 11, 2011, shall be under contract by June 30, 2011, and shall be completed on or before October 31, 2011.

Ms. News - On page 16 of your agenda and located in the Three Chopt District is transfer of approval for POD-19-97, Westerre III. There is no addendum item. Staff recommends approval.

TRANSFER OF APPROVAL

POD-19-97 POD2011-00111 Westerre III – 3900 Westerre Parkway (POD-02-97 and 93-87 Rev.)	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 4.08-acre site is located along the north line of Westerre Parkway, approximately 1,000 feet south of W. Broad Street (U.S. Route 250), on parcel 749-759-7627. The zoning is B-2C, Business District (Conditional) and O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there opposition to this transfer of approval, POD-19-97, Westerre III?

Mr. Jernigan - Mr. Chairman, with that, I move for approval of transfer of approval of POD-19-97, Westerre III, with staff recommendation.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-19-97, Westerre III, Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved.

Ms. News - On page 17 of your agenda and located in the Three Chopt District is transfer of approval for POD-72-99, Westerre IV. There is an addendum on page 5 to incorporate Condition #1. Staff recommends approval.

TRANSFER OF APPROVAL

POD-72-99 POD2011-00110 Westerre IV – 3901 Westerre Parkway	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 4.82-acre site is located along the south line of Westerre Parkway, approximately 1,100 feet south of W. Broad Street (U.S. Route 250), on parcel 749-758-7991. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there any opposition to this transfer of approval for POD-72-99, Westerre IV?

Mr. Jernigan - Mr. Chairman, with that, I will move for approval of transfer of approval of POD-72-99, Westerre IV, with the staff recommendation and Condition #1.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the transfer of approval request for POD-72-99, Westerre IV, Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiency, as identified in the inspection report, dated April 11, 2011, shall be under contract by June 30, 2011, and shall be completed on or before October 31, 2011.

Ms. News - Next, on page 18 of your agenda and located in the Three Chopt District, is transfer of approval for POD-43-00, Westgate I – SunCom (Formerly Westgate I – Westgate at Wellesley). There is an addendum item on page 5 that includes Condition #1 to address deficiencies. Staff recommends approval.

TRANSFER OF APPROVAL

POD-43-00 POD2011-00108 Westgate I – SunCom (Formerly Westgate I – Westgate at Wellesley) – 100 Westgate Parkway	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 6.03-acre site is located along the north line of Three Chopt Road, approximately 290 feet east of Lauderdale Drive, on parcel 737-761-2529. The zoning is O-3C, Office District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Archer - Is there anyone present opposed to this transfer of approval for POD-43-00, Westgate I – SunCom (Formerly Westgate I – Westgate at Wellesley)?

Mr. Jernigan - Mr. Chairman, I move for approval of transfer of approval of POD-43-00, Westgate I – SunCom (Formerly Westgate I – Westgate at Wellesley), with the staff recommendation and Condition #1.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-43-00, Westgate I – SunCom (Formerly Westgate I – Westgate at Wellesley), Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated April 11, 2011, shall be under contract by June 30, 2011, and shall be completed on or before October 31, 2011.

Ms. News - On page 19 of your agenda and located in the Three Chopt District is transfer of approval for POD-103-00, Westgate II – Westgate Office Building. The addendum item on page 6 incorporates Condition #1. Staff recommends approval.

TRANSFER OF APPROVAL

POD-103-00 POD2011-00109 Westgate II - Westgate Office Building – 200 Westgate Parkway	**Troutman Sanders for Richmond Green Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Liberty Property Limited Partnership to Richmond Green Properties, LLC. The 7.26-acre site is located along the eastern line of Westgate Parkway (private), approximately 400 feet north of its intersection with Three Chopt Road, on parcel 737-761-6680. The zoning is O-3C, Office District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Archer - Is there anyone present who is opposed to this transfer of approval for POD-103-00, Westgate II - Westgate Office Building?

Mr. Jernigan - Mr. Chairman, I move for approval of transfer of approval of POD-103-00, Westgate II - Westgate Office Building, with the staff recommendation and Condition #1.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-103-00, Westgate II - Westgate Office Building, from Liberty Property Limited Partnership to Richmond Green Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated April 11, 2011, shall be under contract by June 30, 2011, and shall be completed on or before October 31, 2011.

Ms. News - Next on page 20 of your agenda and located in the Brookland District is a transfer of approval for POD-13-76, Dogwood Veterinary Specialty Clinic, which is formerly S & K Famous Brands Retail Property. The property is being converted. Staff can recommend approval.

TRANSFER OF APPROVAL

POD-13-76 POD2011-00142 Dogwood Veterinary Specialty Clinic (Formerly S & K Famous Brands Retail Property) – 5918 W. Broad Street (U.S. Route 250)	**James Migliarese for VIN 58, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Famous Brands, Inc. and Yetta Sigel Flax Trust to VIN 58, LLC. The 1.687-acre site is located on the north line of W. Broad Street (U.S. Route 250) at 5918 W. Broad Street, between Crestwood and Hampstead Avenues, on parcel 770-740-8184. The zoning is B-3, Business District and B-3C, Business District (Conditional). County water and sewer. **(Brookland)**

Mr. Archer - Is there opposition to this transfer of approval, POD-13-76, Dogwood Veterinary Specialty Clinic (Formerly S & K Famous Brands Retail Property)?

Mr. Vanarsdall - Mr. Chairman, I move transfer of approval for POD-13-76, Dogwood Veterinary Specialty Clinic (Formerly S & K Famous Brands Retail Property), be approved with the staff recommendation and Condition #1.

Mr. Jernigan - Second.

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

The Planning Commission approved the transfer of approval request for POD-13-76, Dogwood Veterinary Specialty Clinic (Formerly S & K Famous Brands Retail Property), from Famous Brands, Inc. and Yetta Sigel Flax Trust to VIN 58, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated April 20, 2011, shall be corrected prior to issuance of a certificate of occupancy for the proposed change of use.

Ms. News - The next item is on page 21 of your agenda and located in the Brookland District. This is a landscape and lighting plan LP/POD-09-10, AutoZone at Sam's Club Shopping Center. Staff recommends approval.

LANDSCAPE AND LIGHTING PLAN

LP/POD-09-10 POD2010-00382; POD2010-00383 AutoZone at Sam's Club Shopping Center – 9450 W. Broad St. (U.S. Route 250)	**Dewberry and Davis, Inc. for Woodhouse Family Limited Partnership and AutoZone, Inc.:** Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.00-acre site is located in an existing shopping center on the north line of W. Broad Street (U.S. Route 250), approximately 600 feet east of Old Springfield Road, on parcel 756-757-2974. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

Mr. Archer - Is there any opposition to LP/POD-09-10, AutoZone at Sam's Club Shopping Center?

Mr. Vanarsdall - Mr. Chairman, I move that LP/POD-09-10, AutoZone at Sam's Club Shopping Center, be approved with the standard conditions for landscape and lighting plans.

Mrs. Jones - Second.

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

The Planning Commission approved the landscape and lighting plan for LP/POD-09-10, AutoZone at Sam's Club Shopping Center, subject to the standard conditions attached to these minutes for landscape and lighting plans.

Ms. News - The next item is found on page 24 of your agenda and is located in the Three Chopt District. This is POD-16-11, Gayton Baptist Church Addition. There have been some discussions this morning, and they have been resolved.

PLAN OF DEVELOPMENT

POD-16-11 POD2011-00184 Gayton Baptist Church Addition – 13501 N. Gayton Road	**C. E. Duncan & Associates, Inc. for Gayton Baptist Church:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 27,580-square foot outreach center and additional parking; and to authorize a future one-story 14,300 square-foot, 150-seat sanctuary and office addition for an existing church. The 11.75-acre site is located along the east line of N. Gayton Road, at the intersection of N. Gayton Road and Causeway Drive, on parcel 732-761-7760. The zoning is A-1, Agricultural District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Archer - Is there any opposition to POD-16-11, Gayton Baptist Church Addition?

Ms. News - I think there were some citizens here this morning who had some questions, and they've had their questions answered.

Mr. Jernigan - They've been cleared up. All right. With that, Mr. Chairman, I'll move for approval of POD-16-11, Gayton Baptist Church Addition, on the expedited agenda with Conditions #29, #30, and #31.

Mrs. Jones - Second.

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

The Planning Commission approved POD-16-11, Gayton Baptist Church Addition, 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. A concrete sidewalk meeting County standards shall be provided along the east side of Gayton Road.
30. Outside storage shall not be permitted.
31. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.

Ms. News - The next item is found on page 25 of your agenda and is located in the Brookland District. This is POD-17-11, Hue Quang Buddhist Temple Activity Building. Staff recommends approval.

PLAN OF DEVELOPMENT

POD-17-11 POD2011-00179 Hue Quang Buddhist Temple Activity Building – 8535 Hungary Road (POD-30-93 and 41-00 Rev.)	**Advanced Engineering for Richmond Buddhist Association:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 9,800 square-foot multi-purpose building on the site of an existing temple. The 3.107-acre site is located on the south line of Hungary Road, approximately 430 feet east of Everville Drive, on parcel 763-760-6072. The zoning is A-1, Agricultural District. County water and sewer. **(Brookland)**

Mr. Archer - Is there anyone here opposed to POD-17-11, Hue Quang Buddhist Temple Activity Building?

Mr. Vanarsdall - I move that POD-17-11, Hue Quang Buddhist Temple Activity Building, be approved with Conditions #29 through #31.

Mr. Jernigan - Second.

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

The Planning Commission approved POD-17-11, Hue Quang Buddhist Temple Activity Building, 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. Outside storage shall not be permitted.
30. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and 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.
31. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

Ms. News - The next item is on page 26 of your agenda and is located in the Varina District. This is SUB-62-07, The Village at Olde Colony (November 2007 Plan). This is a reconsideration of a 9-lot subdivision to revise public water service to well on 3 of the lots. There is an addendum item on page 7 of your addendum with a revised recommendation indicating that the requirements for the construction and dedication of Harmony Avenue have been resolved to the satisfaction of the Director of Public Works. Staff can now recommend approval.

SUBDIVISION *(Deferred from the May 25, 2011 Meeting)*

SUB-62-07 SUB2011-00033 The Village at Olde Colony (November 2007 Plan) Reconsideration – 1381 Harmony Avenue	**Bay Design Group, P.C. for Shurm Construction, Inc.:** Request for a reconsideration of a conditional subdivision to change three proposed lots facing Harmony Avenue from County water to individual well. The 3.673-acre site is located along the south line of Harmony Avenue and the northern terminus of Woodside Street, on parcel 803-696-9576. The zoning is R-3C (Conditional). County water and sewer (6 lots) and individual well and County sewer (3 lots). **(Varina) 9 Lots**

Mr. Archer - Is anyone opposed to this case, SUB-62-07, The Village at Olde Colony (November 2007 Plan) Reconsideration?

Mr. Jernigan - Mr. Chairman, with that, I will move for approval of SUB-62-07, The Village at Olde Colony (November 2007 Plan) Reconsideration, with standard conditions for subdivisions served and not served by public utilities—this has both well and septic—, Conditions #5A, #13, #14, #15, and #16, and staff recommendation.

Mrs. Jones - Second.

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

The Planning Commission granted conditional approval to SUB-62-07, The Village at Olde Colony (November 2007 Plan) Reconsideration, subject to the standard conditions attached to these minutes for subdivisions served and not served by public utilities, the annotations on the plans, and the following additional conditions:

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.

13. The proffers approved as part of zoning cases C-78C-05 and C-36C-07 shall be incorporated in this approval.

14. Harmony Avenue shall be dedicated and improved in front of the subdivision to Woodside Avenue in accordance with the requirements of Department of Public Works.

15. A temporary turnaround easement at the western terminus of Harmony Avenue shall be provided with the recordation of Lots 7, 8, and 9, as determined by the Director of Public Works.

16. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.

Ms. News - The next item is found on page 28 of your agenda and is located in the Varina District. This is SUB-05-11, The Townes at Oakley's Bluff (June 2011 Plan) for 131 lots. Staff recommends approval.

SUBDIVISION

SUB-05-11 SUB2011-00042 The Townes at Oakley's Bluff (June 2011 Plan) – 4201 Oakleys Lane	**Bay Design Group for Godsey Properties, Inc.:** The 66.22-acre site proposed for a subdivision of 131 residential townhouses for sale is located on the north line of Oakleys Lane, approximately 300 feet west of S. Holly Avenue, on parcel 817-721-5981. The zoning is RTHC, Residential Townhouse District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina) 131 Lots**

Mr. Archer - Is there anyone here who is opposed to SUB-05-11, The Townes at Oakley's Bluff (June 2011 Plan)? No opposition.

Mr. Jernigan - With that, Mr. Chairman, I'll move for approval of SUB-05-11, The Townes at Oakley's Bluff (June 2011 Plan), subject to the annotations on the plans, standard conditions for residential townhouses for sale, and the following additional Conditions #15, #16, and #17.

Mr. Vanarsdall - Second.

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

The Planning Commission granted conditional approval to SUB-05-11, The Townes at Oakley's Bluff (June 2011 Plan), subject to the standard conditions attached to these minutes for residential townhouses for sale (RTH) subdivisions, the annotations on the plans, and the following additional conditions:

15. The limits and elevation of the Special Flood Hazard Area shall be conspicuously noted on the plat and construction plans and labeled "Limits of Special Flood

Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width Drainage & Utilities Easement."

16. The proffers approved as part of zoning case C-1C-11 shall be incorporated in this approval.

17. The developer shall provide signage, the wording and location as deemed appropriate by the Director of Public Works, which addresses the possible future realignment of Oakleys Lane.

Ms. News - The final item is found on page 29 and is located in the Three Chopt District. This is Oglethorpe Park at Greenbrooke. There's an addendum item on page 7 that includes a revised recommendation based upon receipt of additional architectural information and additional condition #40 addressing the prohibition of use of garages as dwelling units. Staff can now recommend approval.

PLAN OF DEVELOPMENT

POD-18-10 POD2010-00213 Oglethorpe Park at Greenbrooke – Dublin Road	**Youngblood, Tyler and Associates, P.C. for Oglethorpe Park, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 49 detached dwellings for sale with zero lot lines. The 12.37-acre site is located on the south line of Dublin Road between the east line of Belfast Road and the west line of Glasgow Road, on parcels 745-764-6608, 7122, 7834, 1645, 2159, and 1031. The zoning is R-5AC, General Residential District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - Is there anyone here who is opposed to POD-18-10, Oglethorpe Park at Greenbrooke?

Mr. Jernigan - Mr. Chairman, with that, I will move for approval of POD-18-10, Oglethorpe Park at Greenbrooke, with the standard conditions for developments of this type and the following additional Conditions #29 through #39 and #40 on the addendum.

Mr. Vanarsdall - Second.

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

The Planning Commission approved POD-18-10, Oglethorpe Park at Greenbrooke, 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 subdivision plat for Oglethorpe Park at Greenbrooke shall be recorded before any building permits are issued.

30. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.
31. Concrete sidewalks meeting County standards shall be provided along the south side of Dublin Road, the east side of Belfast Road, the west side of Glasgow Road, and the north and south sides of the new road.
32. The proffers approved as a part of zoning case C-35C-09 shall be incorporated in this approval.
33. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.
34. 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.
35. 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.
36. 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.
37. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.
38. 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.
39. 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.
40. The garages shall not be converted or utilized for dwelling purposes.

Ms. News - That completes our expedited agenda.

Mr. Archer - Excellent job. All right, Mr. Secretary.

Mr. O'Kelly - Mr. Chairman, the first item to be heard on the regular agenda is on page 22.

PLAN OF DEVELOPMENT

POD-13-11 POD2011-00093 The Cottages at Hunton Park – Hunton Park Boulevard	**Burgess and 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 46 detached dwellings for sale with zero lot lines. The 13.294-acre site is located along the south line of Hunton Park Boulevard between Old Mountain Road and Hunton Park Lane, on parcels 760-774-7961, 761-774-1070 and 2729. The zoning is R-5AC, General Residential District. County water and sewer. **(Brookland)**

Mr. Archer - Is there any opposition to POD-13-11, The Cottages at Hunton Park?

Mr. Kennedy - Good morning, members of the Commission.

The conditions of this POD were approved at your last meeting. The layout is consistent with both the proffered plan and the conditions of the subdivision layout. One hundred forty different elevations were submitted for 46 homes. We decided that was a little too broad to present to you at this time, so we've recommended that they come back with revised architecturals. We'd like to defer the architecturals and approve just the layout at this time. When they have selected a builder, then we will come back with those architecturals. At that time, we would expect them to have a better understanding of what the site is going to look like. They could also do lighting and landscaping at that time, so we recommended Conditional #9 and #11 amended as well. There's an additional condition on your addendum that recommends the architectural plans, floor plans, and elevations come back to the Planning Commission.

With that, we can recommend approval of the layout plan and the construction plan. We will follow it to make sure the essential details come back to the Planning Commission for review and approval.

Mr. Archer - Are there questions for Mr. Kennedy?

Mr. Vanarsdall - It's also, I think you said, under case C-28C-10?

Mr. Kennedy - Yes. That layout is consistent with both the proffered plan and the conditional plan you approved.

Mr. Vanarsdall - I don't have any questions, and we've talked about it. I would like to hear from the applicant.

Mr. Archer - All right.

Mr. Vanarsdall - Thank you, Mr. Kennedy.

Mr. Archer - Good morning, sir. Please state your name for the record, if you would.

Mr. Schwartz - I'm Rick Schwartz with Burgess and Niple. I'm representing the owners, Hunton Park Land Partners.

Mr. Vanarsdall - Do you have any [inaudible] to approve the site plan, which we'll do that.

Mr. Schwartz - Yes, sir.

Mr. Vanarsdall - Do you have any idea of when you will find a contractor?

Mr. Schwartz - I will talk with Rick, but I think within the next month or so they should probably have a contractor picked out for this.

Mr. Vanarsdall - Good. That's all I have. Thank you. First I'll make a motion to defer the architectural plans. They requested 30 days wasn't it, Mr. Kennedy?

Mr. Kennedy - They requested deferral until they could find a builder. We don't know if they're going to get one in that time frame. "Prior to issuance of a building permit" is how it reads in the condition.

Mr. Vanarsdall - Okay, I'll just leave that alone then. Okay. I move that POD-13-11, The Cottages at Hunton Park, be approved with the site plans only, not the architectural plans, with the addendum Conditions #9 amended, #11 amended, and additional Condition #40, and the rest of the Conditions #29 through #39 on the agenda.

Mrs. Jones - Second.

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

The Planning Commission approved POD-13-11, The Cottages at Hunton Park, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

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.
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.

29. The subdivision plat for The Cottages at Hunton Park shall be recorded before any building permits are issued.

30. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.

31. The proffers approved as a part of zoning case C-28C-10 shall be incorporated in this approval.

32. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.

33. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.

34. 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.

35. 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.

36. 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.

37. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.

38. 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.

39. 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.

40. The Developer shall submit typical floor plans and elevations for Planning Commission review and approval prior to the issuance of a building permit.

PLAN OF DEVELOPMENT – RECONSIDERATION OF ARCHITECTURALS

POD-25-10 POD2011-00215 Reconsideration - The Steward School – Bryan Center – 11600 Gayton Road	**Draper Aden Associates for Dixon Independent Schools:** Request for approval of a reconsideration of the architectural elevations for a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story 6,100 square foot science building with classrooms on an existing school site. The 35.73-acre site is located on the northwest corner of the intersection of Gayton and Ryandale Roads, on parcels 736-747-8260 and 0678, and 736-748-4535. The zoning is A-1, Agricultural District. County water and sewer. **(Tuckahoe)**

Mr. Archer - Is there any opposition to POD-25-10, Reconsideration – The Steward School – Bryan Center? Mr. Garrison, how are you, sir?

Mr. Garrison - Doing well; how are you all? Good morning.

The applicant is requesting approval to revise previously-approved architectural plans for POD-25-10, The Bryan Center. The revision proposes a one-story, 6,100-square-foot environmental education classroom building in lieu of a one-story 4,800-square-foot building—a slight increase of 1,300 square feet.

This revision also proposes a future faux wrought iron fence adjacent to Gayton Road to match the existing fence up near Ryandale and Gayton Roads and very limited modifications to the existing BMP.

The proposed building will be built using a systems-based construction method, which allows buildings to be constructed more efficiently and with little waste. Therefore, the building is already LEED Silver Certified. However, the applicant has expressed a desire to pursue LEED Gold Certification, which can be achieved through site design.

The intent of the BMP is still to function as an environmental education component of the Bryan Center, just with limited modification. A conceptual landscape plan has been submitted showing a commitment to provide plant material between Gayton Road, the BMP, and the Bryan Center. However, the landscaping plan will be refined as construction progresses to a point staff can adequately review a plan on site.

The applicant held a community meeting June 15, and, to date, staff has not received any opposition to this request. Therefore, we can recommend approval subject to the original conditions of approval, dated November 17, 2010. Staff and representatives of the applicant are available to answer any questions that you may have.

Mrs. Jones - I don't have any questions for Mr. Garrison, but I would like to hear from the applicant unless someone has questions for Mr. Garrison.

Mr. Archer - Will the applicant come forward, please?

Mr. Telfer - Glen Telfer with Draper Aden Associates representing the Steward School.

Mrs. Jones - Good morning. I don't know if you have a small presentation or explanation you would like to give to the Commission, but I did want you touch on the basics for us. The Commissioners have seen this once, and I'm sure they're wondering why they're seeing it again. There are solid reasons that the school and you have explained to me and certainly to the citizens that came out to our community meeting. So, it would be helpful for you to go through the major points of why the school is requesting this.

Mr. Telfer - Certainly. The building design that was previously approved by the Planning Commission proved to not be within the school's construction budget. It proved to be a very complicated building to build with a lot of different finishes, a lot of complex geometry. The school was very dismayed to find this out, but fortunately, we were able to regroup and pursue this other option, which is a much simpler type of building. It's much simpler in its nature, its framing, its construction, and it also is much more energy efficient. We're looking at this as a real opportunity to further the mission of the Bryan Center in sustainability and energy efficiency.

Mrs. Jones - Can you put the elevations up that are currently being considered? It may be helpful just to explain the type of construction that is now involved because we as a Commission may be seeing these kinds of projects more in the future as well.

Mr. Telfer - Certainly. I'd like to ask that the architect, Danny Macnelly from 3North to speak to that point.

Mr. Archer - Good morning, sir.

Mr. Macnelly - Danny Macnelly.

Mrs. Jones - I'd like you to just touch on the basics of this kind of construction because the Commission may see these kinds of requests.

Mr. Macnelly - Correct. We're referring to it as a systems-based construction. I believe there was some trepidation from Mrs. Jones in particular about it being a prefab building. I think we had some negative comments about that. This is in no way that sort of a building. The idea is that the efficiency of the building comes in its design. It's designed with a series of—sort of a kit of—parts so that when it shows up on site, it doesn't show up in the bed of a truck or anything, but the pieces all show up cut to fit so there's less waste on site. It's still a building with a cast-in-place foundation, and it's a steel building. It's built with what they call structural insulated panels. It's actually a very energy efficient wall system, a curtain wall system that's assembled on site.

Mrs. Jones - And it is your estimation that this will be obviously more energy efficient and cost efficient, as well as save time in the construction phase? Is there any way to quantify that? Is it 10 percent, 20 percent? Do we know?

Mr. Macnelly - I'm not sure that we know the exact way we can save in that. There is definitely a quick construction schedule. I believe the construction schedule probably saves 4 months or so off the original construction schedule. As we found in the meeting with the neighbors, that proved to be a thing that I think really pleased some of them. Previous construction on the site may have been going throughout the summer. So, I think the idea of this building being done in a quicker manner may do away with some of their concern.

Mrs. Jones - And it's my understanding that the LEED certification is really a driving force behind this company that you'll be working with for this construction model.

Mr. Macnelly - Correct. The company is Project Frog out of San Francisco. Another thing about this building being a California product, it's sort of designed for California standards, the California seismic standards and wind loads and things like that which are much more stringent than they are here in Virginia. So, this building will be designed structurally better than it would need to be if it was designed for here.

Mrs. Jones - I did want to tell my fellow Commissioners that I've learned a bit over the last few weeks and months about what I used to call modular construction, the word *prefabricated*. I'm no longer using those terms and am trying to really look at this with fresh eyes. I had seen examples of modular construction with dormitories, for instance, in school settings up in urban environments, and it looked to me like something that may or may not fit into our suburban Richmond environment. On the contrary, I have been convinced by my research and my association with the school that for the purpose of their building for science and sustainability this could be in and of itself a very positive experiment. I think the Richmond area is fairly new to this kind of thing. I think this could be a bit of a cutting-edge building, and I think it will certainly be an educational experience all around for all of us, including the students, those who will build it, and those of us who are asked to approve it. This is why you're seeing these elevations again. Everything changed after the original plan was brought forward.

If there are questions about this kind of construction, I guess now is the time. I just wanted to tell you it's been a new kind of a look for me. Thank you.

Those are my questions about the construction. I have one more about the actual plan. Because this is a very unusual situation and we're taking somewhat of a leap of faith, quality was my major concern. The standards of the building are every bit as stringent as that of stick-built, would you not agree?

Mr. Telfer - Oh absolutely. This particular kind of building has been built at other private schools throughout the country. There's one example at a private school in Connecticut. They've been very, very happy with the building, the faculty, the staff, and the students. Representatives from the Steward School actually visited the school in Connecticut, talked to people, and walked through the building. They were very impressed with the building.

Mrs. Jones - Thank you. Our other concern, of course, was that it's a building with such high visibility. This will be right on Gayton Road and very highly visible the minute one approaches the school. It is on an elevation, and it does have full view to Gayton. We were anxious, and I just want you to confirm that the school has committed to a very thorough landscape plan to include a very attractive fence, which will be constructed. Do you know what kind of phasing you might use for that particular element or what you might be able to put in right now and what may need to wait a little bit?

Mr. Telfer - The school is committed to provide buffer landscaping along Gayton Road in the first phase of the project. BMP buffer landscaping is required by the County, and that will absolutely be put in in the early phases. Then, as funding presents, right now the school is talking to various owners in trying to get the fence in the initial phases. It will be either in the initial phase or the subsequent phase as funding is available.

Mrs. Jones - My concern is that the project not look unfinished.

Mr. Telfer - Absolutely. The school shares that concern also. There are several donors who are putting up a large amount of money and share the concern about what this project is going to look like. Certainly, if it looks unfinished on the first day there is going to be a lot of unhappiness. So, the school is committed to giving this building a finished look through landscaping and then augmenting that landscaping later, possibly even with student efforts as part of the educational process.

Mrs. Jones - I could bring Ken Seward forward to tell you about how wonderful this building is going to be and its very unique elements, but his enthusiasm is contagious and we'd be here for another hour, so I will not do that.

Mr. Telfer - He may actually persuade you to write a check.

Mrs. Jones - Well, we'll have to talk. I do thank you very much for hosting the community meeting; I think that was important. There has been some history with various projects at the Steward School, and I think there was no problem at all from the neighbors with the new design and with the slightly changed layout, which was important for us to know.

Mr. Archer - Does anyone else have any questions?

Mrs. O'Bannon - What is the wind load on the facility?

Mr. Macnelly - The wind load? I believe it's just the standard 30—

Mrs. O'Bannon - You said it was above the—

Mr. Macnelly - Oh, what I was saying was it's basically designed to California standard. The pre-approved product is approved for California wind and seismic, which is typically more than it is here. I would say it's probably designed for 40 to 50. I would have to actually check.

Mrs. O'Bannon - I mean, is it 90 miles per hour or 100 miles per hour?

Mr. Telfer - Project Frog has been tailoring this particular building to different localities, and it will meet building code, which I believe here is 90.

Mrs. O'Bannon - You said it was above this code. That's why I was asking.

Mr. Macnelly - We're working with the structural engineers. When we've been talking with the Project Frog people, basically this building is by the California building.

Mrs. O'Bannon - When you say that, how does it manage that? Is it attached or how is it?

Mr. Macnelly - It's through the steel construction. It's a steel building with a lot of cross-bracing within the steel structure.

Mrs. O'Bannon - So how does it handle earthquakes?

Mr. Macnelly - It's through a rigid frame I believe. It has sheer walls going in both directions, basically, along the east/west it obviously has very solid walls.

Mrs. O'Bannon - It takes a lot of sway? You said the foundation was a—

Mr. Macnelly - It's a cast in place concrete foundation. It actually has a grade beam all the way around the building, which is probably, again, more than would be required to meet that.

Mrs. O'Bannon - A what?

Mr. Macnelly - A grade beam. It basically means that there's a solid concrete beam all the way around the building.

Mr. Archer - All right. Anything further? All right, thank you, gentlemen. Mrs. Jones?

Mrs. Jones - I'm ready for a motion.

Mr. Archer - All right.

Mrs. Jones - I would like to move for approval of POD-25-10, Reconsideration – The Steward School – Bryan Center. I would like to move for approval with the original conditions of approval, dated November 17, 2010, continuing to apply to this project, and approval of the revised architectural elevations.

Mr. Vanarsdall - Second.

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

The Planning Commission approved POD-25-10, Reconsideration – The Steward School – Bryan Center, subject to the original conditions of approval, dated November 17, 2010.

Mr. Macnelly - Thank you very much.

Mr. Archer - Thank you, sir.

Mr. Vanarsdall - Mr. Chairman.

Mr. Archer - Yes, Mr. Vanarsdall.

Mr. Vanarsdall - I'd like to take this opportunity to recognize an ole face in the crowd—and it's not o-l-d but o-l-e—that we used to see very frequently here, Mr. Bill Axselle in the back.

Mr. Archer - Oh, is that who that is?

Mr. Vanarsdall - Nice to see you, Mr. Axselle.

Mrs. Jones - He is here as a friend of the Steward School.

Mr. Vanarsdall - Oh, okay.

Mr. Jernigan - Mrs. Jones, I wanted to say something; I wanted to let you go ahead and finalize that case first. When you were mentioning prefab, it's funny how things change through time because now prefab is modular, which is accepted. I've looked at some modular construction on homes, and it's pretty good because they have to lift them with a crane and set them, so they have to be sound. We used to have duplexes; now we call them carriage houses. The greatest thing was you remember when you were younger nobody wanted a station wagon. Now, they call them crossovers and SUVs, and everybody wants one.

Mrs. Jones - It's all marketing.

Mr. Jernigan - It's right here. Just change the name.

Mr. Archer - All right, moving right along.

Mr. O'Kelly - Yes, sir, Mr. Chairman. I failed to mention that there were no subdivisions extensions of time for your consideration this morning. The next item is a discussion item to schedule a work session to consider an amendment to the County Code regarding the UMU Ordinance. We're suggesting that you schedule the work session for July 14. The staff presentation—this is a lengthy amendment—will probably take in the neighborhood of a half hour. Mr. Ben Sehl will be present to walk you through the proposed changes. Also, we need to ask you to schedule an executive session on that same afternoon to discuss potential litigation. We suggest that you begin the meeting at 5:30, and dinner will be provided.

Mr. Archer - What is your pleasure, Commission members?

Mrs. Jones - That works for me. Is that enough time? It sounds like we will have a fairly lengthy discussion.

Mr. O'Kelly - I think it will be sufficient time.

Mr. Archer - All right. Do we need a motion on that, Mr. Secretary?

Mr. O'Kelly - I think the first would be a motion to schedule the work session for the Zoning Ordinance Amendment and then a second motion.

Mr. Vanarsdall - So moved.

Mrs. Jones - Second.

Mr. Archer - Motion by Mr. Vanarsdall, seconded by Mrs. Jones. That motion is on the work session. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

Mr. O'Kelly - The second motion would be to schedule the executive session.

Mrs. Jones - So moved.

Mr. Jernigan - Second.

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

Mrs. Jones - The executive session will follow the work session.

Mr. O'Kelly - Yes, ma'am.

Mr. Archer - Okay. Thank you Mr. Secretary. Anything else?

Mr. O'Kelly - That's all I have, Mr. Chairman.

Mr. Archer - All right. Any Commission members have anything else that needs to be brought before the body?

Mrs. Jones - The minutes.

APPROVAL OF MINUTES: May 25, 2011

Mr. Archer - Anyone find any corrections to be made to the minutes?

Mrs. Jones - I move for approval of the minutes.

Mr. Jernigan - Second.

Mr. Archer - Motion by Mrs. Jones, seconded by Mr. Jernigan to approve the minutes. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved the May 25, 2011 minutes as presented.

Mrs. Jones - I move adjournment.

Mr. Jernigan - Second.

Mr. Archer - Motion by Mrs. Jones, seconded by Mr. Jernigan that we adjourn. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

Mr. Archer - The meeting is adjourned at 9:48 a.m.

Mr. C. W. Archer, Chairman

David D. O'Kelly, Acting 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 **June 22, 2011**, 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.

9A. **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.

11A. **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 **June 22, 2011,** 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 **June 22, 2011,** which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on **June 27, 2012,** 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 **June 22, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **June 27, 2012,** 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 **June 22, 2011,** which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **June 27, 2012**, 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 **June 22, 2011,** which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **June 27, 2012**, 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 **June 22, 2011,** which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **June 27, 2012,** 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.