

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County,  
2 held in the County Administration Building in the Government Center at Parham and  
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, May 26, 2010.  
4

Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairman (Brookland)  
Mr. C. W. Archer, C.P.C. Vice-Chairman (Fairfield)  
Mrs. Bonnie-Leigh Jones, (Tuckahoe)  
Mr. E. Ray Jernigan, C.P.C., (Varina)  
Mr. Tommy Branin (Three Chopt)  
Mr. R. Joseph Emerson, Jr., Director of Planning, Secretary  
Mr. David A. Kaechele (Three Chopt)  
Board of Supervisors Representative

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

5  
6 **Mr. David A. Kaechele, the Board of Supervisors' representative, abstains from**  
7 **voting on all cases unless otherwise noted.**  
8

9 Mr. Vanarsdall - Good morning, everybody. Welcome to the Henrico County  
10 Planning Commission for Subdivisions and Plans of Development. Glad to have you.  
11 Good morning, fellow Commissioners, staff members over there, and a special good  
12 morning to Mr. Kaechele on the end there, who represents the Board of Supervisors.  
13

14 Mr. Kaechele - Good morning.

15  
16 Mr. Vanarsdall - With that, I would like to ask everyone to stand and **Pledge**  
17 **Allegiance to the Flag.**  
18

19 Mr. Vanarsdall - Thank you. Is anyone from the news media here? There  
20 usually isn't, but I have to ask anyway. Good morning, Mr. Emerson.  
21

22 Mr. Emerson - Good morning, Mr. Chairman.  
23

24 Mr. Vanarsdall - Mr. Emerson is our Director of Planning and secretary, so  
25 we'll turn the meeting over to him.

26  
27 Mr. Emerson - Thank you, Mr. Chairman. The first item on your agenda this  
28 morning is the requests for deferrals and withdrawals. Those will be presented by Ms.  
29 Leslie News.

30  
31 Mr. Vanarsdall - Good morning, Ms. News.

32  
33 Ms. News - Good morning, Mr. Chairman, members of the Commission.  
34 Staff has not received any requests for deferrals or withdrawals for this meeting.

35  
36 Mr. Emerson - Mr. Chairman, if the Commission does not have any  
37 deferrals to add to that list, we'll move on to the next item, which is the expedited  
38 agenda, which also will be presented by Ms. Leslie News.

39  
40 Ms. News - There are 10 items on our expedited agenda this morning.  
41 The first item is found on page 4 of your agenda and is located in the Three Chopt  
42 District. This is a transfer of approval for POD-78-99, Pier 1 Imports at Brookhollow  
43 Center. Staff recommends approval.

44  
45 **TRANSFER OF APPROVAL**

46  
POD-78-99 **Peter Apostal for Apostal Partners Virginia, LLC:**  
POD2010-00088 Request for transfer of approval as required by Chapter  
Pier 1 Imports at 24, Section 24-106 of the Henrico County Code from S &  
Brookhollow Center – K Famous Brands and BR of Wisconsin 24, LLC to Apostal  
11114 W. Broad Street Partners Virginia, LLC. The 2.32-acre site is located on the  
(U.S. Route 250) northeast corner at the intersection of W. Broad Street  
(U.S. Route 250) and Brookriver Drive, on parcel 743-761-  
7135. The zoning is M-1, Light Industrial District and  
WBSO, West Broad Street Overlay District. County water  
and sewer. **(Three Chopt)**

47  
48 Mr. Vanarsdall - Is anyone in the audience in opposition to POD-78-99, Pier 1  
49 Imports at Brookhollow Center? No opposition.

50  
51 Mr. Branin - Mr. Chairman, I'd like to move for transfer of approval of  
52 POD-78-99, Pier 1 Imports at Brookhollow Center, on the expedited agenda with  
53 condition #1 included.

54  
55 Mrs. Jones - Second.

56  
57 Mr. Vanarsdall - Motion by Mr. Branin, second by Mrs. Jones. All in favor say  
58 aye. All opposed say no. The ayes have it; the motion passes.

59

60 The Planning Commission approved the transfer of approval request for POD-78-99,  
61 Pier 1 Imports at Brookhollow Center, from S & K Famous Brands and BR of Wisconsin  
62 24, LLC to Apostol Partners Virginia, LLC, subject to the standard and added conditions  
63 previously approved and the following additional condition:

- 64  
65 1. All temporary construction dumpsters or trash containers located outside of the  
66 dumpster screening area shall be removed no later than June 1, 2010.

67  
68 Ms. News - The next item is on page 5 of your agenda and is located in  
69 Varina District. This is a transfer of approval for POD-29-97, Courtyard by Marriott  
70 Hotel. Staff recommends approval.

71  
72 **TRANSFER OF APPROVAL**

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POD-29-97 **Inland American Lodging Advisor, Inc. for Richmond**  
POD2010-00054 **Hotel Associates, LLC:** Request for transfer of approval  
Courtyard by Marriott as required by Chapter 24, Section 24-106 of the Henrico  
Hotel – 5400 Williamsburg County Code from Cattletown, Inc, Huestis Ltd. Company,  
Rd. (U.S. Route 60) Windward Invest Assoc, LLC, and DHM Richmond Hotel,  
LP to Richmond Hotel Associates, LLC. The 3.23-acre site  
is located on the north line of Williamsburg Road (U.S.  
Route 60), approximately 3,200 feet west of Airport Drive,  
on parcel 819-714-2741. The zoning is B-3, Business  
District, and ASO, Airport Safety Overlay District. County  
water and sewer. **(Varina)**

74  
75 Mr. Vanarsdall - Is there any opposition to this case, POD-29-97, Courtyard  
76 by Marriott Hotel? No opposition.

77  
78 Mr. Jernigan - Mr. Chairman, with that I'll move for transfer of approval of  
79 POD-29-97, Courtyard by Marriott Hotel, on the expedited agenda.

80  
81 Mr. Archer - Second.

82  
83 Mr. Vanarsdall - Motion by Mr. Jernigan, second by Mr. Archer. All in favor  
84 say aye. All opposed say no. The ayes have it; the motion passes.

85  
86 The Planning Commission approved the transfer of approval request for POD-29-97,  
87 Courtyard by Marriott Hotel, from Cattletown, Inc, Huestis Ltd. Company, Windward  
88 Invest Assoc, LLC, and DHM Richmond Hotel, LP to Richmond Hotel Associates, LLC,  
89 subject to the standard and added conditions previously approved and the following  
90 additional condition:

- 91  
92 1. The site deficiencies, as identified in the inspection report, dated March 2, 2010,  
93 shall be corrected by June 30, 2010.

95 Ms. News - Next on page 6 of your agenda and located in the Fairfield  
96 District is transfer of approval for POD-39-83—it's a portion of the POD—for Virginia  
97 Center Technology Park, Phase 1. Staff recommends approval.

98

99 **TRANSFER OF APPROVAL**

100

POD-39-83 (Part) **First Potomac for Virginia Center, LLC:** Request for  
POD2010-00120 transfer of approval as required by Chapter 24, Section 24-  
Virginia Center 106 of the Henrico County Code from Principal Life  
Technology Park, Phase I Insurance Co. to Virginia Center, LLC. The 16.91-acre site  
- 1001 Technology Park is located on the west line of Jeb Stuart Parkway,  
Drive approximately 1,050 feet north of the intersection of Jeb  
Stuart Parkway and Virginia Center Parkway at  
Technology Park Drive, on parcel 785-768-0723. The  
zoning is M-1C, Light Industrial District (Conditional).  
County water and sewer. **(Fairfield)**

101

102 Mr. Vanarsdall - Is anyone in opposition to POD-39-83, Virginia Center  
103 Technology Park, Phase 1? No opposition.

104

105 Mr. Archer - Mr. Chairman, I move for transfer of approval of POD-39-83,  
106 Virginia Center Technology Park, Phase 1, on the expedited agenda.

107

108 Mr. Jernigan - Second.

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

112

113 The Planning Commission approved the transfer of approval request for POD-39-83,  
114 Virginia Center Technology Park, Phase 1, from Principal Life Insurance Co. to Virginia  
115 Center, LLC, subject to the standard and added conditions previously approved.

116

117 Ms. News - Next on page 7 of your agenda and located in the Fairfield  
118 District is transfer of approval for POD-02-98—this is a part of the POD—Park Central 1  
119 (formerly Park Central Robinson Development Phase 1, Building A). Staff recommends  
120 approval.

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## TRANSFER OF APPROVAL

POD-02-98 (Part)  
POD2010-00122  
Park Central I (Formerly  
Park Central Robinson  
Development Phase I,  
Building A) – 8701 Park  
Central Drive

**First Potomac for FP Park Central I, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Park Central Associates, LC and Robinson Development Group, Inc. to FP Park Central I, LLC. The 6.68-acre site is located on the east line of Park Central Drive, approximately 450 feet north of the intersection of E. Parham Road and Park Central Drive, on parcel 789-759-7180. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Fairfield)**

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Mr. Vanarsdall - In the Fairfield District, is anyone in opposition to POD-02-98 (Part), Park Central 1 (formerly Park Central Robinson Development Phase 1, Building A)? No opposition.

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Mr. Archer - Mr. Chairman, I move for approval of transfer of approval for POD-02-98 (Part), Park Central 1 (formerly Park Central Robinson Development Phase 1, Building A).

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Mr. Jernigan - Second.

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

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The Planning Commission approved the transfer of approval request for POD-02-98 (Part), Park Central 1 (formerly Park Central Robinson Development Phase 1, Building A), from Park Central Associates, LC and Robinson Development Group, Inc. to FP Park Central I, LLC, subject to the standard and added conditions previously approved.

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Ms. News - Next on page 8 of your agenda and located in the Fairfield District is transfer of approval for POD-02-98 (Part), Park Central II (formerly Park Central Robinson Development Phase I, Building B). Staff recommends approval.

149 **TRANSFER OF APPROVAL**

150

POD-02-98 (Part)  
POD2010-00124  
Park Central II (Formerly  
Park Central Robinson  
Development Phase I,  
Building B) – 8751 Park  
Central Drive

**First Potomac for FP Park Central II, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Park Central Associates, LC and Robinson Development Group, Inc. to FP Park Central II, LLC. The 8.19-acre site is located on the east line of Park Central Drive, approximately 1,300 feet north of the intersection of E. Parham Road and Park Central Drive, on parcel 789-760-5532. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Fairfield)**

151

152 Mr. Vanarsdall - Is there any opposition to POD-02-98 (Part), Park Central II  
153 (formerly Park Central Robinson Development Phase I, Building B)? No opposition.

154

155 Mr. Archer - Mr. Chairman, I move for transfer of approval of POD-02-98  
156 (Part), Park Central II (formerly Park Central Robinson Development Phase I, Building  
157 B).

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159 Mrs. Jones - Second.

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

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164 The Planning Commission approved the transfer of approval request for POD-02-98  
165 (Part), Park Central II (formerly Park Central Robinson Development Phase I, Building  
166 B), from Park Central Associates, LC and Robinson Development Group, Inc. to FP  
167 Park Central II, LLC, subject to the standard and added conditions previously approved.

168

169 Ms. News - On page 9 of your agenda in the Fairfield District is transfer  
170 of approval for POD-02-00 (Part) Park Central V (formerly Park Central Robinson  
171 Development, Building 5). Staff recommends approval.

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173 **TRANSFER OF APPROVAL**

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POD-02-00 (Part)  
POD2010-00123  
Park Central V (Formerly  
Park Central Robinson  
Development, Building 5)  
– 8801 Park Central Drive  
(POD-84-99 Rev.)

**First Potomac for FP Park Central V, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Park Central Associates, LC and Robinson Development Group, Inc. to FP Park Central V, LLC. The 4.19-acre site is located 800 feet at the end of the driveway found on the east line of Park Central Drive, approximately 900 feet north of the intersection of E. Parham Road and Park Central Drive, on parcel 789-760-9939. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Fairfield)**

175  
176 Mr. Vanarsdall - Is there any opposition to POD-02-00 (Part) Park Central V  
177 (formerly Park Central Robinson Development, Building 5)? No opposition.

178  
179 Mr. Archer - Mr. Chairman, I move for approval of transfer of approval for  
180 POD-02-00 (Part) Park Central V (formerly Park Central Robinson Development,  
181 Building 5).

182  
183 Mr. Branin - Second.

184  
185 Mr. Vanarsdall - Motion by Mr. Archer, second by Mr. Branin. All in favor say  
186 aye. All opposed say no. The ayes have it; the motion passes.

187  
188 The Planning Commission approved the transfer of approval request for POD-02-00  
189 (Part) Park Central V (formerly Park Central Robinson Development, Building 5), from  
190 Park Central Associates, LC and Robinson Development Group, Inc. to FP Park Central  
191 V, LLC, subject to the standard and added conditions previously approved.

192  
193 Ms. News - The next item is on page 10 of your agenda and located in  
194 the Fairfield District. This is a landscape plan, LP/POD-58-07 for Dillyn Place, Section  
195 2. Staff recommends approval.

196  
197 **LANDSCAPE PLAN**

198  
199 LP/POD-58-07 **Bay Design Group, P.C. for Barrington Investors, Ltd.:**  
200 Dillyn Place, Section 2 – Request for approval of a landscape plan, as required by  
201 Dill Rd. Chapter 24, Sections 24-106 and 24-106.2 of the Henrico  
202 County Code. The 11.4-acre site is located at the terminus  
203 of Dillyn Place and Dillyn Terrace, on parcel 799-732-  
204 4991. The zoning is R-5AC General Residence District  
205 (Conditional). (**Fairfield**)

206  
207 Mr. Vanarsdall - Is there any opposition to LP/POD-58-07 for Dillyn Place,  
208 Section 2? No opposition.

209  
210 Mr. Archer - Mr. Chairman, therefore, I move for approval of LP/POD-58-  
211 07 for Dillyn Place, Section 2, subject to the standard conditions for landscape and  
lighting plans.

212  
213 Mr. Jernigan - Second.

214  
215 Mr. Vanarsdall - Motion by Mr. Archer, second by Mr. Jernigan. All in favor  
216 say aye. All opposed say no. The ayes have it; the motion passes.



248 **SUBDIVISION**

249

SUB-05-10  
SUB2010-00050  
Hidden Ridge  
(May 2010 Plan)  
10398 Warren Road

**Draper Aden Associates for Gregory A. Windsor:** The 1.47-acre site proposed for a subdivision of 1 single-family home is located southeast of Warren Road at the intersection of Cardigan Circle, on parcel 768-764-2462. The zoning is R-2, One-Family Residential District. County water and sewer. **(Brookland)**  
**1 Lot**

250

251 Mr. Vanarsdall - Any opposition to SUB-05-10, Hidden Ridge, (May 2010  
252 Plan)? No opposition. I move that that SUB-05-10, Hidden Ridge, (May 2010 Plan), be  
253 approved on the expedited agenda with annotations on the plans, standard conditions  
254 for subdivisions served by public utilities, and additional condition #13.

255

256 Mr. Archer - Second.

257

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

260

261 The Planning Commission granted conditional approval to SUB-05-10, Hidden Ridge,  
262 (May 2010 Plan), subject to the standard conditions attached to these minutes for  
263 subdivisions served by public utilities, the annotations on the plans, and the following  
264 additional condition:

265

266 13. The limits and elevation of the Special Flood Hazard Area shall be conspicuously  
267 noted on the plat and construction plans and labeled "Limits of Special Flood  
268 Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width  
269 Drainage & Utilities Easement."

270

271 Ms. News - The final item is on page 16 of your agenda and is located in  
272 the Brookland District. This is rezoning case C-8C-10, Martin Shane for JMW, LLC.  
273 There is an addendum item, which includes revised proffers.

274

275 **REZONING CASE** *(Deferred from the May 13, 2010 Meeting)*

276

277 **C-8C-10** **Martin Shane for JMW, LLC:** Request to amend proffered  
278 conditions accepted with Rezoning Case C-68C-00, on Parcel 776-744-1464, located at  
279 the southwest intersection of Dumbarton Road and Byrdhill Road. The applicant  
280 proposes to amend Proffer 2 related to building size and Proffer 4 related to building  
281 height. The existing zoning is M-1C Light Industrial District (Conditional) and O-2C  
282 Office District (Conditional). The Land Use Plan recommends Office. This site is in the  
283 Enterprise Zone

284

285 Mr. Vanarsdall - Is anyone in opposition to C-8C-10, Martin Shane for JMW,  
286 LLC? No opposition. I move that C-8C-10, Martin Shane for JMW, LLC, be

287 recommended to the Board of Supervisors for approval with the addendum item  
288 regarding the proffers.

289  
290 Mr. Archer - Second.

291  
292 Mr. Vanarsdall - Motion by Mr. Vanarsdall, second by Mr. Archer. All in favor  
293 say aye. All opposed say no. The ayes have it; the motion passes.

294  
295 **REASON:** Acting on a motion by Mr. Vanarsdall seconded by Mr.  
296 Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board  
297 of Supervisors grant the request because the proffers continue to assure a quality form  
298 of development with maximum protection afforded the adjacent properties.

299  
300 Ms. News - That completes our expedited agenda.

301  
302 Mr. Vanarsdall - Ms. News, that leaves 2 pages.

303  
304 Mr. Emerson - Yes, sir, Mr. Chairman, now that Ms. News has done the  
305 heavy lifting this morning, we'll move on to the next item which is Subdivision  
306 Extensions of Conditional Approval. These will be presented by Mr. Pambid.

307  
308 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

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310

311  
312

### FOR INFORMATIONAL PURPOSES ONLY – SUBDIVISION EXTENSIONS

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2009-00006 (SUB-02-09) Elizabeth Place (February 2009 Plan)	3	3	0	Varina	5/25/2011
SUB2008-00143 (SUB-31-07) Grayson Hill (May 2007 Plan)	17	17	2	Tuckahoe	7/1/2014
SUB2008-00144 (SUB-08-05) Grey Oaks Meyer (October 2005 Plan)	34	34	2	Three Chopt	7/1/2014
SUB2008-00145 (SUB-05-06) Kingsland Green (May 2006 Plan)	56	56	3	Varina	7/1/2014
SUB2008-00146 (SUB-24-06) The Ridings at Warner Farm (April 2006 Plan)	656	656	3	Varina	7/1/2014
SUB2008-00179 (SUB-23-04) Settler's Ridge (May 2004 Plan)	166	69	3	Varina	7/1/2014
SUB2009-00048 (SUB-08-09) Staples Mill Centre (May 2009 Plan)	52	52	0	Brookland	5/25/2011

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Mr. Vanarsdall - Good morning, Mr. Pambid.

Mr. Pambid - Good morning, members of the Commission. This map indicates the location of the 7 subdivisions that are presented for extensions of conditional approval. Four subdivisions are eligible for extensions of conditional approval and are entitled to be extended to the July 1, 2014 date, per the new legislation. Two subdivisions are eligible for a one-year extension until May 25, 2011. These are for informational purposes only and do not require Commission action at this time. This concludes my presentation. Staff can now answer any questions you might have regarding this.

Mr. Vanarsdall - Questions for Mr. Pambid by Commission members? Thank you, Mr. Pambid.

328 Mr. Pambid - You're welcome.  
329  
330 Mr. Vanarsdall - Have you had any recently that go past 2014?  
331  
332 Mr. Pambid - No. We won't get to that point for a while. Right now, all the  
333 ones that we have are only eligible for extension to 2014. We haven't reached that point  
334 in the cycle yet.  
335  
336 Mr. Vanarsdall - Thank you. All right, Mr. Secretary.  
337  
338 Mr. Emerson - Mr. Chairman, that takes us to the first item on your agenda.  
339

340 **TRANSFER OF APPROVAL**  
341

POD-119-84  
POD2010-00129  
Buz and Ned's (Formerly  
Fuddruckers) – 8205 W.  
Broad Street (U.S. Route  
250)

**Higgins and Gerstenmaier for Buz and Ned's of  
Parham and Broad Land, LLC:** Request for transfer of  
approval as required by Chapter 24, Section 24-106 of the  
Henrico County Code from A. T. Andrews and Blanche J.  
Andrews and Atlantic Restaurant Ventures, Inc. to Buz and  
Ned's of Parham and Broad Land, LLC. The 1.8-acre site  
is located at the intersection of Old Parham Road and W.  
Broad Street (U.S. Route 250), approximately 500 feet  
east of Parham Road on the south line of W. Broad Street  
at 8205 W. Broad Street, on parcel 762-753-4189. The  
zoning is B-1, Business District. County water and sewer.  
**(Three Chopt)**

342  
343 Mr. Vanarsdall - Is anyone in opposition to transfer of approval for POD-119-  
344 84, Buz and Ned's (formerly Fuddruckers)? No opposition. I understand that Buz and  
345 Ned's has good barbeque. I never thought I'd live long enough to see Fuddruckers go  
346 out of business. We'll see what Buz and Ned's can do.  
347

348 Mr. Pambid - Yes, sir. We'll talk about that here now.  
349

350 This site entails a redevelopment and minor expansion of the former Fuddruckers' site,  
351 which was constructed in 1984 and operated as a hamburger restaurant until last month  
352 in April. The applicant intends to open the building as a full-service barbeque restaurant.  
353

354 During the transfer of approval inspection, the usual deficiencies were identified with a  
355 site of this age, and that includes missing, dead, and overgrown landscaping, cracked  
356 asphalt, faded striping on the parking lot, and a wooden dumpster enclosure in  
357 disrepair.  
358

359 Staff recommends approval of this transfer request provided that a plan detailing  
360 updated landscaping and any site revisions be submitted to the Planning Department  
361 for review and approval prior to the issuance of any certificates of occupancy.

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This concludes my presentation. I can now answer any questions you might have regarding this. The applicant, Buz Grossberg of Buz and Ned's Real Barbecue, and the landscape architect, Keith Van Inwegen, from Higgins and Gerstenmaier, are also here to answer any questions.

Mr. Vanarsdall - Any questions for Mr. Pambid?

Mr. Branin - I'd like to hear from the applicant.

Mr. Vanarsdall - Come on down and state your name.

Mr. Grossberg - Good morning, Buz Grossberg.

Mr. Branin - We are excited in the Three Chopt District to get Buz and Ned's, and that you're coming into a building that is going out, and you're coming in so quick so we don't have an empty building. Staff has told me that you've been very accommodating and when they said we need a tree here or whatever, you guys say okay, not a problem. Can you explain what your architectural detail is going to be? We're kind of flying a little blind on this.

Mr. Grossberg - Well, we felt for barbecue that we wanted to create an image of longevity, of being there for a long time, such as the place we inhabit on the Boulevard. So, we wanted to make the building look as if it was a structure that had been added onto over the years. We're adding features that might apply to different decades over the years, as someone would naturally grow a business, especially someone small. They would start with a particular structure, and then they would say, okay, I think we are doing well now and we'll add a kitchen addition. Now we're doing well, the kitchen addition is able to produce a lot, so we'll add some more dining room, and so on and so forth. That's the kind of feel we want to provide—something very, very unique, something very, very true to the time that we choose to make the building.

We're doing a lot of use of reclamation and salvage materials, trying not to buy new, if we can help it. Part of it is a green concept. Unfortunately with limited funds, you can't do 100% green because it's far more expensive. But we are doing some very interesting things in the project, including capturing rainwater on the roof, pumping it into a cistern, and using it as non-potable water on site for water irrigation, for washing down the parking lot, for anything that you might not need County water. It also pulls it out of the mainstream of the runoff. So I think that's a great idea. Everything involved with it, except the pumping system, is reclaimed. The cistern was off of a building in New York City. It has been sitting, broken down for umpteen years in a warehouse in Philadelphia. It's a lot of tracking, a lot of research, and a lot of just hunting these products down in order to create this feeling. We're doing it with fairly great detail. We don't want it to look like Disneyland; that's far from where we are. We're going as far as to put up masonry walls inside the Fuddruckers to mirror the walls on the outside of the building so it looks like it was an old warehouse with a solid brick structure. The windows are

408 being converted from those very small out-of-synch windows for the size of the building  
409 into actual warehouse-style windows with the steel grid. We had to make a lot of  
410 accommodations for that, like double panes and energy conservation methods, which  
411 are quite difficult. So we had to actually have these windows fabricated for us, and it's  
412 all being done locally.

413  
414 We're trying to do as much local business as we can also. It's kind of an overall  
415 philosophy that I have of working locally as much as possible, trying to use materials  
416 that ordinarily might have gone out in the trash or to recycling, chopped up. That goes  
417 for inside and outside. We're going to do a lot of that in the interior, but we don't want to  
418 use it as décor; we like the ambience.

419  
420 That's what we're trying to do. We're trying not to use things on the walls as decoration.  
421 We're trying to make whatever we put in there either functional now or appear to have  
422 been functional at an earlier date. It's quite an interesting and unusual design effort that  
423 we've had to work with the architects hand-in-hand because no one in Richmond that I  
424 could find has had any experience in doing this kind of reclamation work. We'll be able  
425 to tell customers where the tables came from. In fact, we're having all our tables made  
426 from reclaimed lumber that was on the outside of a barn. It's a myriad of different things  
427 that we want to do. I even bought a display out of a Ukrop's. We have Ukrop's  
428 memorabilia in the retail store. We'll have a substantial 600-square-foot retail  
429 component of this where people can go in and buy not just your normal hats and shirts,  
430 but cooking utensils; smoking woods of various flavors where you weigh it and buy it by  
431 the pound; books on barbecuing. Just very eclectic.

432  
433 Plus the tourist end of it because we actually draw—we did a study just recently  
434 because the bank, when we were looking for financing, was worried that we were going  
435 to take too much business away from the Richmond store. So we did a pin study. On  
436 weekends—which is totally amazing to me—a full 20% of our business comes from out  
437 of the area. Part of that is our presence on television; part of that is working closely with  
438 the junior tourist groups. We'll bring in more of that as we get steady on our feet. Bus  
439 tours. Fortunately, the parking lot is substantial. We are maintaining a 100-foot banquet  
440 room so that anybody corporately or from out of town can reserve it, busloads coming  
441 in. We'll actually have the ability to break it up into 2 busloads so we can service 2  
442 companies at the same time. There is going to be a big tourist component, and we're  
443 involved with a national presence. On June 30, 2010 at 10:00, for good or for bad, we're  
444 going to be featured on "Man v. Food" on the Travel Channel. I think it's a very widely-  
445 watched show, so I think it's going to also have a major impact. There are some other  
446 things I can't really talk about yet.

447  
448 Mr. Branin - What I was more interested in is hearing about the green  
449 and LEED things you're doing, not your marketing.

450  
451 Mr. Grossberg - Well, it's good for the County, I feel, because we're going to  
452 bring in people from outside the area.

453

454 Mr. Vanarsdall - We're going to look forward to it being there.  
455  
456 Mr. Jernigan - What's your time frame?  
457  
458 Mr. Grossberg - We are hoping August. We're working very hard. We have  
459 everybody on a fast track. When the bids came in, they were very high. We're using an  
460 SBA loan along with a local bank, so we had to spend almost a month trying to whittle  
461 down the costs of construction in order to make it a viable project for us.  
462  
463 Mr. Vanarsdall - We appreciate you explaining it to us, and it sounds great.  
464 We're looking for it. I was just thinking maybe we could have planning night or  
465 something if the Squirrels have a...  
466  
467 Mr. Grossberg - I was thinking more of competition between the Planning  
468 Commission of Henrico against the Planning Commission of Richmond, maybe. We  
469 could set that up.  
470  
471 Mr. Emerson - That would be no competition.  
472  
473 Mr. Vanarsdall - We could probably out eat them; I don't know.  
474  
475 Mr. Branin - Thank you very much.  
476  
477 Mr. Vanarsdall - We appreciate you coming down. Thank you.  
478  
479 Mr. Pambid - I didn't want to interrupt Mr. Grossberg while he was talking,  
480 but we do have some renderings that were presented a while back. I know a major part  
481 of this is the architectural. This is what they gave to staff a couple of months ago.  
482  
483 Mr. Vanarsdall - The water tank is going to be there, too. Go ahead, if you  
484 have any more.  
485  
486 Mr. Pambid - These are the only 2 that I have.  
487  
488 Mrs. Jones - Can I see the conceptual landscape plan?  
489  
490 Mr. Pambid - Yes, ma'am. This plan is actually a hybrid of the original  
491 landscape plan and some new elements. We're asking them to dress up the front. The  
492 BMP in the lower left-hand corner of the drawing as you're looking at it—right now that  
493 is overgrown. The original landscape plan called for that to be sod, so that's going to be  
494 maintained, and that's going to be cleared out.  
495  
496 Mrs. Jones - It will be updated and enhanced.  
497  
498 Mr. Pambid - Yes, ma'am.  
499



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Mr. Vanarsdall - Is anyone in the audience in opposition to POD-41-07, Pouncey Place, Phase 1? No opposition.

Mr. Ward - This plan of development, POD-41-07, was originally scheduled to be heard in July 2007. It has been deferred since that time to allow the developer to address site access issues. The developer originally assumed that the access drive from Pouncey Tract Road to the adjoining VDOT property was public right-of-way. It was subsequently determined that the private drive was owned by VDOT. Since then, the POD was deferred to permit the developer to work with both VDOT and the County to seek dedication of the access drive. The plan before you provides conditions for the dedication of the access drive to Henrico County as Pouncey Place.

The shopping center master plan consists of two phases of development. In the first phase, two retail buildings will be developed along Pouncey Tract Road and then an access drive to Twin Hickory Lake Drive will be provided around the rear of the existing buildings on the property. The turn lane for the access to Twin Hickory Lake Drive will occupy some existing common areas along Twin Hickory Lake development. This affected portion of common area and landscaping will be vacated with a subsequent subdivision plat that dedicates both the turning lane for this section and Pouncey Place right-of-way. The location of Twin Hickory Lake Drive does not conform to the proffered conceptual plan provided in rezoning case C-27C-05. The revised master plan for the shopping center does contemplate locating an access drive to the northeast portion of the property and adjacent to VDOT land instead of the more central area that was originally provided here. The proffers do, however, permit the Planning Commission to approve an alternative layout.

In response to staff's concerns regarding the location of the access drive along Twin Hickory Lake Drive, the developer has provided for a future cross access to the VDOT property and a schematic landscaping plan which provides enhanced landscaping. The plan provides a six-foot PVC privacy fence that will surround the existing businesses here, and tree planting equal to a 25-foot transitional buffer to be planted in a 15-foot-wide landscaping strip along VDOT and Pouncey Place property lines. In addition, a six-foot privacy fence with PVC and tree planting equal to a 10-foot transitional buffer would be provided to screen the existing businesses and service areas from the drive aisles and the rest of the shopping center.

Pursuant to condition #42 in the agenda, the developer will enter into a consent agreement to eliminate by November 2013 the non-conforming auto storage—which is here—which was also created without benefit of a POD. In addition, per condition #43 on the addendum, the developers acknowledge the use of the dog kennel and auto service as non-conforming uses, but the leases will not be renewed after August 2017, unless the developer submits and implements a plan of development that will bring the building into conformance with the architectural proffers and conditions of zoning case C-27C-05.

577 The architectural plans for the proposed buildings are similar to Bellgrade Shopping  
578 Center and include white painted brick and white EIFS walls; tan, stone veneer columns  
579 and foundations; and Hunter green standing seam metal roof with slate-colored  
580 dimensional shingles. Also, the white painted brick veneer walls are going to be used to  
581 screen utility equipment throughout the shopping center. All of these architectural  
582 elements do correspond to the proffers outlined in rezoning case C-27C-05.

583  
584 Staff can recommend approval of the POD, subject to the conditions on the revised  
585 plans, standard conditions for developments of this type, conditions #9 and #11  
586 amended, additional conditions #29 through #42, condition #44 on the agenda, and  
587 revised condition #43 on the addendum. This concludes my presentation. I'm here to  
588 answer any questions, and Dan Caskie with Bay Design Group is also here to answer  
589 any questions.

590  
591 Mr. Vanarsdall - Any questions for Mr. Ward by the Commission?  
592

593 Mrs. Jones - I'd like to make sure I understand the addendum correctly. I  
594 do not seem to be able to grasp this. The non-conforming uses, obviously the lease is  
595 up for renewal and they now stand as not being renewed, one in 2013, one in 2017,  
596 unless architecturally the buildings housing those uses come into conformance with the  
597 general development architectural. So it's all about architecture; it's not about use.  
598 The use can continue.  
599

600 Mr. Ward - The condition talks about the building, but the plan of  
601 development intent was to include the entire site. We should have worded that a little  
602 bit differently. It talks about plan of development, and the building would come into  
603 conformance with the architectural design guidelines and then also the conditions of the  
604 rezoning case.  
605

606 Mrs. Jones - But the use can continue.  
607

608 Mr. Ward - The use can continue, right. He would have to upgrade the  
609 site and those 2 uses here. It's called K-9 to 5—it's a dog kennel—and then the auto  
610 transmission shop. He would have to bring the building into conformance, and the site  
611 would have to be paved. He chooses to not do that right now, according to the  
612 developer.  
613

614 Mrs. Jones - Should he do that, then any other use that goes in there,  
615 what is their obligation for the architectural elements?  
616

617 Mr. Ward - They would have to be in conformance with the proffers.  
618

619 Mrs. Jones - That's totally to be harmonious and—  
620

621 Mr. Ward - Right. If those 2 uses tried to come in there today, they  
622 wouldn't be allowed to.

623  
624 Mrs. Jones - All right.  
625  
626 Mr. Ward - It has been a confusing process.  
627  
628 Mrs. Jones - Thank you.  
629  
630 Mr. Ward - You're welcome.  
631  
632 Mr. Vanarsdall - Any other questions? Thank you, Mr. Ward.  
633  
634 Mr. Branin - This case, as you guys know, has been on the books for a  
635 very, very, very long time. The developer, in short, wants to start developing it, but in  
636 that process, there are 2 leases out there that he can't get rid of. That's why I deferred it  
637 last time so we could block out the view because of the conditions those leases are in  
638 so we can create a nice developed area until we can get those out.  
639  
640 With that, Mr. Chairman, I'd like to move for approval of POD-41-07, Pouncey Place,  
641 Phase 1, with conditions #29 through #44, and amended conditions #9, #11, and #26.  
642  
643 Mr. Archer - Second.  
644  
645 Mrs. Jones - And revised #43 on the addendum.  
646  
647 Mr. Branin - Revised #43 on the addendum.  
648  
649 Mr. Vanarsdall - Motion by Mr. Branin, second by Mr. Archer. All in favor say  
650 aye. All opposed say no. The ayes have it; the motion passes.  
651  
652 The Planning Commission approved POD-41-07, Pouncey Place, Phase 1, subject to  
653 the annotations on the plans, the standard conditions attached to these minutes for  
654 developments of this type, and the following additional conditions:  
655  
656 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of  
657 Planning for review and Planning Commission approval prior to the issuance of  
658 any occupancy permits.  
659 11. **AMENDED** - Prior to the approval of an electrical permit application and  
660 installation of the site lighting equipment, a plan including depictions of light spread  
661 and intensity diagrams, and fixture specifications and mounting height details shall  
662 be submitted for Department of Planning review and Planning Commission  
663 approval.  
664 26. **MODIFIED** - Any necessary water and sewer easements must be obtained in a  
665 form acceptable to the County Attorney prior to final approval of the construction  
666 plans.  
667 29. The subdivision plat for Pouncey Place shall be recorded before any occupancy  
668 permits are issued. The dedicated section of Pouncey Place adjacent to Phase 1

- 669 shall be improved, as determined by the Director of Public Works, prior to the  
670 issuance of any certificate of occupancy in Phase 1. The section of Pouncey  
671 Place adjacent to Phase 2 shall be improved, as determined by the Director of  
672 Public Works, prior to the issuance of any certificate of occupancy in Phase 2.
- 673 30. The right-of-way for widening of Twin Hickory Lake Drive as shown on approved  
674 plans shall be dedicated to the County with the subdivision plat for Pouncey  
675 Place prior to any occupancy permits being issued.
- 676 31. The entrances and drainage facilities on Pouncey Tract Road (State Route 271)  
677 shall be approved by the Virginia Department of Transportation and the County.
- 678 32. A notice of completion form, certifying that the requirements of the Virginia  
679 Department of Transportation entrances permit have been completed, shall be  
680 submitted to the Department of Planning prior to any occupancy permits being  
681 issued.
- 682 33. A concrete sidewalk meeting County standards shall be provided along the south  
683 side of Twin Hickory Lake Drive.
- 684 34. The proffers approved as a part of zoning case C-27C-05 shall be incorporated in  
685 this approval.
- 686 35. A construction staging plan which includes details for traffic control, fire  
687 protection, stockpile locations, construction fencing and hours of construction  
688 shall be submitted for County review and prior to the approval of any final  
689 construction plans.
- 690 36. The loading areas shall be subject to the requirements of Chapter 24, Section  
691 24-97(b) of the Henrico County Code.
- 692 37. The conceptual master plan, as submitted with this application, is for planning  
693 and information purposes only.
- 694 38. The location of all existing and proposed utility and mechanical equipment  
695 (including HVAC units, electric meters, junctions and accessory boxes,  
696 transformers, and generators) shall be identified on the landscape plan. All  
697 building mounted equipment shall be painted to match the building, and all  
698 equipment shall be screened by such measures as determined appropriate by  
699 the Director of Planning or the Planning Commission at the time of plan approval
- 700 39. The applicant shall incorporate into the construction plans for signature any  
701 comments generated by the County's Traffic Engineer from his review of the  
702 Traffic Impact Study for this development.
- 703 40. Only retail business establishments permitted in a B-2 zone may be located in this  
704 center.
- 705 41. No merchandise shall be displayed or stored outside of the building(s) or on  
706 sidewalk(s).
- 707 42. The developer acknowledges that the use of the property for a vehicle storage lot  
708 is nonconforming with the B-2C zoning. He further acknowledges that the vehicle  
709 storage lot was established without an approved plan of development. When the  
710 lease expires on October 31, 2013, it will be terminated, and the use of the  
711 property for a vehicle storage lot will be discontinued. The lease will not be  
712 renewed.
- 713 43. The developer acknowledges the use of a dog kennel and auto service is non-  
714 conforming, and the leases shall not be renewed beyond August 31, 2017,

715 unless the developer submits and implements a plan of development that would  
716 bring that building into conformance with the architectural design proffers in  
717 rezoning case C-27-05.

718 44. An offsite drainage easement or other permission acceptable to the Director of  
719 Public Works shall be obtained by the applicant prior to final approval of the  
720 construction plans.

721

722 Mr. Emerson - Mr. Chairman, that takes us to the next item on your agenda,  
723 which is to set a work session date for the review of a proposed amendment to the  
724 County Code, the Zoning Ordinance specifically. The Board requested us to take a look  
725 at this during some discussion regarding refuse collection several months ago. What  
726 this does, it makes changes to several sections of the Code that deal with hours of  
727 collection and distance from residential to the large boxes—I refer to them as the green  
728 boxes—the businesses use for their refuse. We're going to be coming forward with  
729 some changes to the Code for you to consider. We'd like to have a work session with  
730 you on June 23, 2010, to review that.

731

732 Mrs. Jones - Will you be gone, Mr. Archer?

733

734 Mr. Archer - Yes, I will.

735

736 Mr. Vanarsdall - I understand that they didn't reach a decision because of,  
737 like you said, different hours for different things.

738

739 Mr. Emerson - Right. Actually, it had to do with the noise ordinance. That's  
740 where it originated. Neighborhoods complained about the noise created when the  
741 refuse collection companies were going out and picking up the refuse from adjacent  
742 businesses. Of course, our ordinance does have some requirements regarding hours  
743 and distances, but in certain categories it could occur 24 hours a day. So, we've gone  
744 through and made some suggested revisions that we want to bring forward for you to  
745 discuss. It does deal with numerous sections of the Code.

746

747 Mr. Vanarsdall - One thing that has happened over the years is sometimes  
748 something will be behind, so they will slip in a neighborhood and dump it. You get a  
749 neighborhood complaint, and they usually say it's a new driver and he didn't know.

750

751 Mr. Emerson - Right.

752

753 Mr. Vanarsdall - But that doesn't happen often.

754

755 Mr. Emerson - This deals with commercial collection; it's not your residential  
756 door-to-door collection that we're talking about.

757

758 Mr. Vanarsdall - No, I'm talking about commercial next to a neighborhood.

759

760 Mr. Emerson - Right.

761  
762 Mr. Vanarsdall - So you want us to set a session. Do you have anything in  
763 mind?  
764  
765 Mr. Emerson - The 23<sup>rd</sup>. It would just occur after your regular meeting.  
766  
767 Mr. Vanarsdall - June 23<sup>rd</sup>?  
768  
769 Mr. Emerson - Yes, sir.  
770  
771 Mr. Vanarsdall - The only thing I hate about that is Mr. Archer will not be  
772 here.  
773  
774 Mr. Emerson - We can move it to another day. We're not—  
775  
776 Mr. Archer - You can send me some information on it, and I could give  
777 comments if I had any. I wouldn't want you to cancel the meeting.  
778  
779 Mr. Emerson - We can send the ordinance out to you—the draft ordinance  
780 changes. We do have that; we plan to provide that to you. We just don't have it  
781 prepared today to distribute, but we can get that out to everyone so you can take a look  
782 at it.  
783  
784 Mr. Vanarsdall - Are the Commissioners okay with the 23<sup>rd</sup> of June? Tommy,  
785 you didn't say anything.  
786  
787 Mr. Branin - I'm sorry, sir. Yes, I'm fine with it. I was actually putting it on  
788 my calendar.  
789  
790 Mr. Kaechele - It's following this meeting?  
791  
792 Mr. Emerson - Yes, sir. It'll be on the regular agenda. Right now, we don't  
793 think that agenda will be terribly long.  
794  
795 Mr. Vanarsdall - I need a motion for that.  
796  
797 Mrs. Jones - I move we set the work session on June 23, 2010, to review  
798 proposed amendments to Chapter 24 of the County Code concerning the impact of  
799 refuse servicing.  
800  
801 Mr. Jernigan - Second.  
802  
803 Mr. Vanarsdall - Motion by Mrs. Jones, second by Mr. Jernigan. All in favor  
804 say aye. All opposed say no. The ayes have it; the motion passes.  
805

806 Mr. Emerson - Thank you, Mr. Chairman. The next item on your agenda is  
807 to consider the approval of the minutes for April 28, 2010.

808

809 APPROVAL OF MINUTES: April 28, 2010

810

811 Mr. Vanarsdall - Anybody who did not read the minutes, raise your hand. All  
812 right.

813

814 Mrs. Jones - I move approval of the minutes of April 28, 2010, as  
815 distributed.

816

817 Mr. Jernigan - Second.

818

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

821

822 The Planning Commission approved the April 28, 2010 minutes as submitted.

823

824 Mr. Emerson - Mr. Chairman, the next item on your agenda is a short work  
825 session on the Innsbrook Area Land Use Study. We wanted to discuss with you the  
826 results of the open house on May 4, 2010. That presentation will be made by Mr. Ben  
827 Sehl.

828

829 Mr. Sehl - Good morning, thank you.

830

831 Mr. Vanarsdall - Fire away.

832

833 Mr. Sehl - The purpose of this work session is to review the comments  
834 received at the public information meeting hosted by the Planning Department on May  
835 4, 2010. The meeting was held to discuss the Innsbrook Area Study with residents of  
836 the Innsbrook area and others interested in the future of this area of the County.

837

838 Over 2,400 notices were sent out for the community meeting, and the meeting was well  
839 publicized through local news sources such as the *Times-Dispatch* and local television  
840 news. This map shows the area that was notified for the meeting, stretching down  
841 Springfield Road and all the way over to 295.

842

843 The meeting included an exit survey allowing attendees to respond to questions and  
844 offer comments on the draft study. Staff compiled the responses from the survey as  
845 well as written comments received through the Planning Department's website. Last  
846 week, we distributed a binder to you containing this information. The report sent to you  
847 also included an analysis of the exit survey completed by 55 of the 79 attendees.  
848 Similar to what was done with the 2026 Comprehensive Plan, staff assembled the  
849 answers to those questions that were multiple choice in format and provided a graph  
850 showing the distribution of citizen responses to those questions.

851

852 Approximately 95% of the meeting attendees were County residents, with the majority  
853 of the residents living in the Three Chopt District as shown on this graph. This does  
854 make sense given the majority of the notifications sent out for the meeting were to  
855 households within Three Chopt. There were a small portion of the notifications sent to  
856 residences of the Brookland District as well.

857  
858 This slide shows the responses to the question about how the study area is used for  
859 recreational purposes. Staff believes that the answers to this question provide strong  
860 evidence about the importance that recreational and other uses within Innsbrook play in  
861 the lives of nearby residents. Over 85% of the respondents say that they use Innsbrook  
862 for recreational purposes, especially the walking and biking trails. Attending concerts  
863 within the park was also frequently mentioned as an activity by nearby residents.

864  
865 Fewer than half of the respondents had viewed the study on the Planning Department's  
866 web page prior to the meeting, although copies of the study were available for review at  
867 the meeting and each attendee was given a packet containing the vision for the study  
868 area, as well as goals, objectives, and policies pertaining to development within the  
869 study area. As shown on this graph, 56% of the respondents say that they either  
870 supported or partially supported the vision for the study area presented in those  
871 documents. Twenty attendees responded that they did not support the vision proposed  
872 for the Innsbrook area. Although staff notes that the majority of the respondents at least  
873 partially supported the vision of the study, we recognize the issues regarding traffic and  
874 impacts to adjacent residences are a major concern, as discussed in the answers to the  
875 open-ended questions provided on the exit survey. These concerns are likely a major  
876 factor in the number of the respondents shown here that stated they did not support the  
877 vision for the study area. Also, given the large number of notices sent out for the  
878 meeting and the coverage the meeting received in the local media, staff does believe  
879 it's helpful to note that that the response to the study has been overwhelmingly positive,  
880 with only 20 exit surveys and a small number of e-mails stating concern about the vision  
881 for the Innsbrook area.

882  
883 While the majority of the survey respondents supported the draft study, concerns about  
884 building height and traffic are reflected in the rankings of design features and quality-of-  
885 life issues referenced in questions 9 and 10. Building placement and height was  
886 considered the most important design feature, according to the exit survey. Traffic, as  
887 shown on this graph, was considered the most important quality-of-life issue.

888  
889 Following the analysis of the multiple choice questions in your binder is a listing of all  
890 the comments that we received to the open-ended questions. Some of these might  
891 have been a number of sentences, and staff broke them into specific categories as  
892 shown in the binder you received. These major topics include building design, impacts  
893 on adjacent residential uses, land use, and transportation.

894  
895 The comments received via the open-ended questions reinforced the importance of  
896 transportation impacts, the impacts on adjacent homes in how development within the  
897 study area is viewed by existing residents. Staff believes these factors have largely

898 been addressed by the objectives and policies contained within the draft study but is  
899 undertaking a review of these policies to ensure these comments are addressed to the  
900 greatest extent possible. We'd also like you to know that many of the concerns voiced  
901 would most likely be addressed through the rezoning process and could be a better  
902 format for addressing some of the specific concerns that residents noted in the exit  
903 surveys.

904  
905 Also included in your binder are those e-mails and letters staff has received regarding  
906 the draft study. You'll notice that a number of the e-mails received were similar in form  
907 and voiced support for the Planning Department's recommendation for the study. These  
908 were all received through the Planning Department's website that we set up for the  
909 Innsbrook Area Study. We also received several specific comments that were in support  
910 of the study with requests that additional emphasis be placed on transportation impacts  
911 and pedestrian and bicycle mobility.

912  
913 In addition to reviewing the draft policies as I previously discussed, staff intends to  
914 prepare 2 additional items for review by the Planning Commission at an additional work  
915 session that we're hoping to hold prior to the planned public hearing. These pertain to a  
916 request to include an area west of Sadler Road within the study area, as well as  
917 proposed amendments to the Land Use Plan to designate the Innsbrook area as an  
918 Urban Development Area. The first request was received by staff from a landowner  
919 who controls a large portion of the properties of McDonald's Small Farms to the west of  
920 the study area. If the Commission so directs, staff will evaluate, by including this area in  
921 the study, and will provide recommendations regarding appropriate uses and  
922 development policies for the future. This area shown here is generally bordered by  
923 Interstate 64 to the south, Interstate 295 to the west, some of the recent redevelopment  
924 located here along Sadler Road to the north, and then Sadler Road itself to the east.  
925 We've seen some recent rezoning activity through this area in the recent past with some  
926 townhomes and some R-5A development in this area. This also shows the location of  
927 the proposed relocation of Sadler Road.

928  
929 In addition to this proposed change, because of recent legislation approved by the  
930 general assembly—Yes, sir?

931  
932 Mr. Kaechele - If this area is included within the study, there's still the option  
933 of the timing on zoning as being part of the recent zoning or not?

934  
935 Mr. Sehl - Mr. Kaechele, what staff is proposing at this time is to get the  
936 Commission's consent to add this into the Innsbrook Area Study.

937  
938 Mr. Branin - What Mr. Kaechele's question is, will that affect the timing of  
939 approvals for Innsbrook as it stands now at hand?

940  
941 Mr. Sehl - It is not anticipated to, no, Mr. Kaechele. The intent would be  
942 to hold a work session describing the potential policies for this area and the Urban  
943 Development area changes on June 23, 2010, or with the work session that was just

944 set. Then, the public hearing could potentially still be held. As long as the Commission  
945 was comfortable with the changes proposed at that time, the public hearing could still be  
946 held in July, and then ultimately move on to the Board. We could not currently hold a  
947 public hearing for the Planning Commission prior to July because of advertising.  
948

949 Mr. Emerson - I think the short answer is yes, sir, we can accommodate it.  
950 We feel that we can provide you some recommendations at a work session that we plan  
951 to propose to schedule on the 23<sup>rd</sup> as well.  
952

953 Mr. Kaechele - All right.  
954

955 Mr. Branin - For my fellow Commissioners, this area is bordered by I-64,  
956 I-295, and Broad Street. We've seen a slow growth in this area in the past several  
957 years. We have been holding this area, waiting for the Sadler Road extension to go  
958 through here. In that time, we keep looking at different options. So the idea of including  
959 this into the Innsbrook development area for the potential of a different type of housing  
960 than the R-3 that's approved of the—what else do we have in there, R-5?  
961

962 Mr. Emerson - We have some R-5A, I believe.  
963

964 Mr. Branin - R-5A. It may benefit this area in development in working with  
965 Innsbrook.  
966

967 Mr. Emerson - To also add to what Mr. Branin has said, we wouldn't look at  
968 this area as Urban Mixed Use. It would be an outgrowth from the higher density of the  
969 Urban Mixed Use. Quite honestly, my thoughts on it would be it may come in as a TND  
970 area, as you saw we introduced in your 2026 Plan. Hopefully, we'll be having an  
971 ordinance proposal coming forth to you in the next several months for review in that  
972 regard as well. I wouldn't foresee this area containing multi-family because, obviously,  
973 multi-family is more envisioned within the original Innsbrook Study Area that we're  
974 discussing currently. I would see this more as an outgrowth of detached single-family on  
975 smaller lots, maybe in a grid pattern, so it would feed into this and complement it, but  
976 not necessarily cannibalize what we're trying to accomplish within the original study  
977 area—allowing a little more density in a more urban pattern, yet not to the density of,  
978 say, apartments.  
979

980 Mr. Vanarsdall - Short Pump, West Broad Village.  
981

982 Mr. Emerson - Not to that. That's what we anticipate would occur within the  
983 Innsbrook proper, is the West Broad Village concept, only on a higher scale, higher  
984 quality. This area would be detached single-family at a higher density that would  
985 complement. Sort of like your village, and then you have the outgrowth, the wedding  
986 cake effect, the tiered effect of density that moves outward.  
987

988 Mr. Kaechele - That could come into play with any potential rezoning of the  
989 original area, the traffic effect.

990  
991 Mr. Emerson - Absolutely, yes, sir.  
992  
993 Mr. Kaechele - So it's going to be treated kind of as a special land use study  
994 adjacent to but not a part of the land use study.  
995  
996 Mr. Emerson - It would be part of this study, but it would have its own  
997 section.  
998  
999 Mr. Kaechele - Part of the study, but not a part of the actual land use.  
1000  
1001 Mr. Emerson - It's not part of Innsbrook. It wouldn't be part of the Urban  
1002 Mixed Use; it would be an ancillary use that would have a separate portion. On June 23,  
1003 2010, when we talk about it, understanding that this came out of the open house,  
1004 essentially, on May 4, 2010, if the Commission isn't comfortable with adding that area to  
1005 this for the public hearing, you certainly could spin that off into a separate study and  
1006 hold a public meeting on that at a later date, and let the main core of this study move  
1007 forward. You do have some options. All we're looking for at this point is whether or not  
1008 the Commission considers this a valid idea for discussion. We feel we can look at it and  
1009 come back to you with some recommendations. At that point, you can make a decision  
1010 as to whether or not you include it or if it needs further thought and study.  
1011  
1012 Mr. Vanarsdall - Tell us about how you think the open house went.  
1013  
1014 Mr. Emerson - My opinion on the open house? I thought it went very well. I  
1015 was very pleased.  
1016  
1017 Mr. Branin - The only issue that was a negative at this open house was  
1018 the presentation that the press gave to Innsbrook being redeveloped and re-looked at.  
1019 The news showed several pictures of unfinished West Broad Village and portrayed that  
1020 this is what Innsbrook is going to be. The people that came out said we don't want that  
1021 here, which it's not going to be exactly like that. Some of the people that had great  
1022 concerns, it was because of the way the story was presented on the news, which is the  
1023 feedback I received. You?  
1024  
1025 Mr. Emerson - I agree, Mr. Branin. Some of the comments that I received  
1026 where people were on the fence in regard to support of this proposal, we did receive  
1027 comments about West Broad Village. I tried to explain to people—and I think this needs  
1028 to be widely understood—that West Broad Village is a work in progress; it is a  
1029 construction site right now. When it's completed, it will look far different than it does  
1030 today. I think everybody will be pleased with that project when it's totally completed.  
1031 The West Broad frontage right now does have unfinished outparcels. I think the  
1032 developer would tell you, as many developers in this current market situation would tell  
1033 you, if I could finish that project, it would be done. They don't like their projects sitting  
1034 idle anymore than the general public likes to see them sitting idle. So, I think in their  
1035 defense, it's going to be a nice project; it is a nice project. If you go into it and look

1036 around, it has some very quality elements beginning to emerge. They had a recent  
1037 success with the location of the Children's Museum of Richmond in their village. I  
1038 believe as time moves forward and the project is completed, people will be happy. I do  
1039 believe we also received many negative comments on the line of, "We don't like the way  
1040 it looks." That's somewhat of an unfair judgment to make at this point.

1041  
1042 Mr. Kaechele - All right.

1043  
1044 Mr. Vanarsdall - I think you're right. I've ridden through there, and I was  
1045 surprised the hotel was already open. Several cars were around it.

1046  
1047 Mr. Emerson - The clubhouse is open now.

1048  
1049 Mr. Kaechele - And the pool. They'll have their pool open this weekend.

1050  
1051 Mr. Branin - The pool opens up this weekend, and there are 3 more  
1052 restaurants that are slated to go in there.

1053  
1054 Mr. Vanarsdall - Getting back to Innsbrook, I was not surprised that traffic  
1055 was the number one issue. The people that I talked to, the first thing was traffic. I didn't  
1056 have anybody say safety, but somebody wanted to know if we're trying to make this  
1057 another Short Pump. Then some lady said, "Why don't you leave it alone?" All this was  
1058 in this book. I thought it was a good mixture of people.

1059  
1060 Mr. Emerson - It was. We had a very good mixture. As you know, traffic was  
1061 the predominant comment. Of course, we'll have to examine traffic with each proposal.  
1062 This is a land use study. It essentially enables the development community to come  
1063 forward with proposals. When the proposals come forward, as you know, Urban Mixed  
1064 Use is a very involved review. With that, we'll look at the impacts, and traffic  
1065 improvements will be provided as necessary. One thing to keep in mind is that Broad  
1066 Street really can't be expanded. There is work going on at the Nuckols Road/I-295  
1067 interchange now that will alleviate many of the concerns that exist at that location.  
1068 However, there is going to have to be internal circulation and public transportation  
1069 involved in these what I will term "development nodes." I do believe you'll see several  
1070 of these development nodes emerge along Broad Street in the years to come along a  
1071 transportation route that will come down Broad Street. Within these nodes, you'll have  
1072 internal circulation that will bring people out to catch that main line that would come up  
1073 and down Broad Street, be it rubber-wheeled or, as the MPO study suggests, downtown  
1074 to Short Pump would be one of the first locations in the future for light rail. I do believe it  
1075 has to be a rubber-type solution, the rubber-wheel solution first. That's beginning to  
1076 emerge with the express bus, which is currently under study to come out as far as  
1077 Willow Lawn. I think you'll see that main spine of public transportation use in the future  
1078 begin to come down Broad Street.

1079  
1080 Mr. Kaechele - Traffic in the first phase of the UMU for Innsbrook was the  
1081 issue there as well.

1082

1083 Mr. Emerson - That's correct.

1084

1085 Mr. Kaechele - There were a number of traffic improvements that addressed  
1086 that concern. That's going to continue to be the case here.

1087

1088 Mr. Emerson - Yes, sir.

1089

1090 Mrs. Jones - I'd like to make a comment along those lines. Of course we  
1091 have traffic on everything that comes before us as the first concern. The grid that was  
1092 explained [inaudible] does try to address [inaudible]. Obviously it's a component of that.  
1093 I just wanted to say something about the comments. I read through the booklet that we  
1094 were given. Two-thirds of the comments through the e-mail section, as you mentioned,  
1095 were the fairly similar stock-canned answers from the Innsbrook Owners' Association.  
1096 Obviously, they are enthused about this. There was a common thread through all of the  
1097 other comments, and I just thought I should make a comment. Innsbrook has been an  
1098 award-winning and a really exemplary project for so many years because of the  
1099 emphasis that was put on the use of the property, not just for business, but for the  
1100 wonderful recreational and leisure activities that are tied to it. I just want us to keep that  
1101 first and foremost. I know the vision does, but I just wanted to underscore that because  
1102 Innsbrook provides just a real gem in that portion of the County. It's a wonderful,  
1103 wonderful park. I know it has to be competitive for the future, [inaudible] probably  
1104 needed. But that's the component I don't ever want to lose out there because that's  
1105 going to make all the difference, I think.

1106

1107 The other thing as far as the press. I've found in my district, certainly in a recent case,  
1108 that, sure, the press can go ahead and shape opinion. That's why it's important that we  
1109 get our opinion out and maybe the correct facts. It's always helpful for the public to have  
1110 accurate information. I think there needs to be a really concerted effort to communicate.  
1111 Even the outstanding job that was done in noticing this meeting, there were not all that  
1112 many folks who showed up based on the numbers of notification. So, I think it just  
1113 means the task is difficult but has to be done to communicate. Neighbors will always  
1114 judge a project by another project that isn't quite where they want it to be. I've found that  
1115 to be the case in my district, certainly. That baggage comes along with the current  
1116 project. However, I do think that the recreational and leisure issues are going to go a  
1117 long way towards keeping this a quality project.

1118

1119 Mr. Vanarsdall - Thank you, Mrs. Jones.

1120

1121 Mr. Kaechele - Also, I think the results of the written survey show it almost  
1122 divided in opposition to the case. It's pretty much split. Some say it's a done deal and  
1123 all that sort of thing. I wonder, have you made any analysis of the opposition, those that  
1124 are opposed? Are they primarily neighbors in close proximity? I would expect that to be  
1125 the case.

1126

1127 Mr. Sehl - We have not plotted exactly where the respondents lived. A  
1128 number of the respondents work in the study area. We do have a graph in there that  
1129 talks about the—this graph here shows the number of attendees who either live or live  
1130 and work in the study area. You'll see that 18 of 55 respondents to the survey didn't live  
1131 or work in the study area. I know we recognized a number of people who weren't  
1132 necessarily residents of the immediate vicinity that commented in opposition.

1133  
1134 Mr. Vanarsdall - The graph shows more people live in it than work in it.

1135  
1136 Mr. Sehl - I think we probably have to take this and recognize that  
1137 people saying they lived in the study area probably meant that they lived in the area  
1138 notified by the notification, not necessarily within the study area itself. There is a limited  
1139 amount of residential within the study area. I think people took this question to mean do  
1140 you live in the area that was notified. You'll see 21 of the respondents said that they  
1141 lived most likely within the study area.

1142  
1143 Mr. Kaechele - Can you pull up that other graph that showed the support?

1144  
1145 Mr. Sehl - I think given the fact that we sent out 2,400 notices and  
1146 received 20 negative responses on the survey, plus—

1147  
1148 Mr. Kaechele - Right, yes. Small number, right.

1149  
1150 Mr. Vanarsdall - This is a public hearing. Is there anyone in the audience that  
1151 would like to come down and speak?

1152  
1153 Mr. Emerson - Mr. Vanarsdall, this is a work session.

1154  
1155 Mr. Vanarsdall - I mean a public work session.

1156  
1157 Mr. Emerson - Right. We normally don't take comments.

1158  
1159 Mr. Vanarsdall - I'm sorry, a public work session. If you'd like to say  
1160 something since you're here, we'd like to have you.

1161  
1162 Mr. Sehl - Our intent will be to provide some revisions for both the  
1163 additional study area and the potential additions to the Urban Development Area  
1164 language in response to recent legislation. We hope to distribute those in advance of  
1165 your meeting on June 23, 2010.

1166  
1167 What we're doing at this time, we're hoping to include the Innsbrook area as an Urban  
1168 Development Area in our Comprehensive Plan. That will entail adding Urban  
1169 Development Areas, which will impact other areas of the 2026 Plan that was adopted in  
1170 August. So, we're currently evaluating which sections of the plan would need to be  
1171 updated and changed to include Innsbrook as an Urban Development Area.

1172

1173 The legislation that was passed by the General Assembly previously, our  
1174 Comprehensive Plan is certified as meeting the Urban Development Area requirements  
1175 under current legislation. That was previously for residential units per acre and a .4 FAR  
1176 for commercial development in an Urban Development Area. We certified that we had  
1177 enough land that met those criteria with the 2026 Plan. That legislation has changed to  
1178 require 8 detached dwelling units per acre, 12 townhouses per acre, 24 multi-family  
1179 dwelling units per acre, and a .8 FAR for commercial development. We have to have  
1180 areas that are able to capture 10 to 20 years' worth of growth at those densities. We  
1181 think that Innsbrook is a good location for that and so we're creating a UDA here at  
1182 Innsbrook, as well as what other changes we need to make to, say, Chapter 5, the land  
1183 use section of the Comp Plan, in order to incorporate UDA's into our Comp Plan.  
1184

1185 Mr. Emerson - We do feel it is necessary to address the UDA legislation  
1186 that the State has passed, even though it's certified. This is a good opportunity to  
1187 introduce one into the plan. Within an area that we're envisioning a higher density of  
1188 development that, at least in the regs that are now delayed, it does provide some  
1189 advantage and discounts, I guess, to the requirements of the stormwater management  
1190 regulations if you're designated a UDA. So, what we're proposing here is that we allow  
1191 higher density development, and it would make sense to go ahead and apply that  
1192 designation in order to possibly assist accomplishing what the vision is here.  
1193

1194 Mr. Vanarsdall - Anything else?  
1195

1196 Mr. Sehl - No, sir. As I said, that would set us up for a potential work  
1197 session. I don't know if we want to try to do that now or at the first meeting in June.  
1198

1199 Mr. Emerson - Mr. Chairman, we have 3 items the Commission needs to  
1200 act on. We need some direction as to whether or not you would like us to study the  
1201 Sadler Road area, the 154.3 acres. We would like for you to consider scheduling  
1202 another work session to discuss these items, and if you want to consider the Sadler  
1203 Road area also on June 23, 2010. This would be, of course, with the work session  
1204 you've already scheduled. We'd also ask you to consider setting a public hearing for  
1205 July 15, 2010, so you can continue to receive public comment on this plan amendment  
1206 and move it forward if you so see fit. You could wait until June 10<sup>th</sup> to schedule your  
1207 potential July 15<sup>th</sup> public hearing, if you so desired. However, we don't have the luxury  
1208 of waiting until June 23<sup>rd</sup>. Quite honestly, with the amount of time that we need to look  
1209 at the area surrounding Sadler Road, we need until June 23<sup>rd</sup> before we could come  
1210 back to a work session. So in order to stay on schedule, we really need for the  
1211 Commission to hold a hearing on July 15<sup>th</sup> and then you could make a decision at that  
1212 time based on public input and where you feel you are, whether or not you're ready to  
1213 make a recommendation onto the Board of Supervisors.  
1214

1215 Mr. Vanarsdall - I'd like to know what Mr. Branin and Mr. Kaechele think.  
1216

1217 Mr. Kaechele - Can you put that area back up there? There are 150 acres  
1218 in there?

1219  
1220 Mr. Emerson - It's 154.3.  
1221  
1222 Mr. Kaechele - Okay. To include it in the study area means it is kind of  
1223 independent of what's already been done.  
1224  
1225 Mr. Emerson - Correct.  
1226  
1227 Mr. Kaechele - And the recommendations may be different than what we're  
1228 doing here.  
1229  
1230 Mr. Emerson - The recommendation for that area definitely will not be  
1231 Urban Mixed Use, I can tell you that.  
1232  
1233 Mr. Kaechele - All right. Studying it I think is prudent.  
1234  
1235 Mr. Emerson - I believe we can get it together. The only piece that concerns  
1236 me is that we haven't had a chance to actually—we always hold open houses to try to  
1237 gain public input. One hundred fifty-four acres aren't small. On July 15, 2010, you  
1238 would have a public hearing, if you so chose. We can make sure that we mail that area  
1239 again with the change. If you schedule your public hearing today for July 15, 2010, we  
1240 can also post that date on our website for people who are watching and monitoring our  
1241 activities through that venue.  
1242  
1243 Mr. Branin - Mr. Secretary, I would like to definitely put it into the study  
1244 now so we can get the study started and do the mailing. If we have opposition that  
1245 comes out that we're not aware of, I'd like the ability to pull it out of the Innsbrook Study  
1246 and then have its own public review, the Sadler Road area.  
1247  
1248 Mr. Emerson - I think you can do that. You can make that decision on the  
1249 June 23, 2010. We would have to advertise. Because of advertising deadlines with the  
1250 newspaper, we would have to advertise that boundary, which you could always set it  
1251 aside and not consider it.  
1252  
1253 Mr. Branin - We need to keep the eye on the ball, which is the Innsbrook  
1254 area. We do want to give this serious consideration and give it due diligence, so we  
1255 need to start that study immediately. If the surrounding residents in that area come out  
1256 not caring about the actual Innsbrook proper but about this, we do need to separate  
1257 them out.  
1258  
1259 Mr. Emerson - Ben, what is the possibility we could be prepared on June  
1260 10<sup>th</sup> to discuss the 154-acre area?  
1261  
1262 Mr. Vanarsdall - This may be a stupid question, but Sadler Road has been  
1263 studied as long as I can remember. What else are we going to study?  
1264

1265 Mr. Emerson - We're looking at the land use designation and whether or not  
1266 it's appropriate. We do have quite a bit of information on it, you are correct.  
1267  
1268 Mr. Sehl - That gives us a good background, the information that we've  
1269 done on the 2026 update, as Mr. Vanarsdall mentioned. The potential is there. We  
1270 started looking at some different things to see some possibilities out there.  
1271  
1272 Mr. Emerson - Could we be ready for a work session on all of this on June  
1273 10<sup>th</sup>?  
1274  
1275 Mr. Vanarsdall - What do you all think?  
1276  
1277 Mr. Sehl - If the Sadler Road area was potentially discussed at that, I'd  
1278 have to—  
1279  
1280 Mr. Vanarsdall - Mr. Archer, what do you all think about Sadler Road?  
1281  
1282 Mr. Sehl - —ask staff if they felt comfortable moving the UDA part of it.  
1283  
1284 Mr. Emerson - I think we would probably need to talk—we have a little more  
1285 work on the UDA because we do have to amend some other sections of the plan, or we  
1286 think we may have to in order to accommodate the UDA designation. But we could be  
1287 ready on June 10, 2010, and I think your agenda would probably accommodate it. If not,  
1288 possibly we could come in early. Mr. Strauss, what's the June 10<sup>th</sup> agenda looking like?  
1289 Three items? We could be prepared on the 10<sup>th</sup>, I believe, to have a work session on  
1290 the area surrounding Sadler Road. You could make a decision then to include it or not  
1291 include it within your advertisement. We know on the 10<sup>th</sup>, if you want to have your  
1292 public hearing in July, we still have time to meet our advertising deadlines. So we could  
1293 delay action on setting the public hearing today. You could schedule a work session on  
1294 just the Sadler Road area for the 10<sup>th</sup>, and then you could make your decision regarding  
1295 whether or not to include that, and go ahead and take action to advertise the  
1296 amendment as you see fit with or without Sadler Road on the 10<sup>th</sup>. Then we could come  
1297 back on the 23<sup>rd</sup> to finalize any information necessary with you regarding the UDA  
1298 designation.  
1299  
1300 Mr. Vanarsdall - What was the third item you started out with?  
1301  
1302 Mr. Emerson - The third item?  
1303  
1304 Mr. Vanarsdall - There were 3 things.  
1305  
1306 Mr. Emerson - There are 3 things. We needed Sadler Road, scheduling a  
1307 public hearing, and scheduling a work session.  
1308  
1309 Mr. Kaechele - The public hearing was originally scheduled for July 15,  
1310 2010?

1311  
1312 Mr. Emerson - July 15<sup>th</sup>, but—  
1313  
1314 Mr. Kaechele - That's a special hearing where?  
1315  
1316 Mr. Emerson - That's your normal Planning Commission meeting. That's  
1317 not a special meeting; that's just July 15<sup>th</sup>. We can schedule that on June 10<sup>th</sup> because  
1318 we still have time to get advertising in, if you make a decision on June 10<sup>th</sup> whether or  
1319 not you want to move forward.  
1320  
1321 Mr. Branin - Can I start making some motions?  
1322  
1323 Mr. Vanarsdall - Sure.  
1324  
1325 Mr. Emerson - I don't know that we'll extend the UDA designation to Sadler  
1326 Road. We may or may not. That's something we have to discuss. Internally we haven't.  
1327 From a staff perspective, we haven't discussed that.  
1328  
1329 Mr. Branin - Mr. Chairman, I'd like to make a motion that the Sadler Road  
1330 area be put into a study.  
1331  
1332 Mrs. Jones - Second.  
1333  
1334 Mr. Vanarsdall - Motion by Mr. Branin, second by Mrs. Jones. All in favor say  
1335 aye. All opposed say no. The ayes have it; the motion passes.  
1336  
1337 Mr. Branin - Mr. Chairman, I'd like to move that we have a work session  
1338 on June 10, 2010, prior to the Zoning meeting. Should I give out a time for that, 5:30,  
1339 6:00?  
1340  
1341 Mr. Emerson - Five thirty p.m. If you want to get here at 5:30, we can have  
1342 some food for you.  
1343  
1344 Mr. Branin - Five thirty. Is everybody good with that? Prior to the normal  
1345 Zoning meeting on June 10<sup>th</sup>. At which time we would possibly give the date for a public  
1346 hearing.  
1347  
1348 Mr. Vanarsdall - Mr. Secretary, can you get all this in writing and send it to us  
1349 please?  
1350  
1351 Mr. Emerson - Yes, sir, absolutely.  
1352  
1353 Mr. Branin - Can I get a second?  
1354  
1355 Mr. Archer - Second.  
1356

1357 Mr. Vanarsdall - Motion by Mr. Branin, second by Mr. Archer. All in favor say  
1358 aye. All opposed say no. The ayes have it; the motion passes.

1359  
1360 Mr. Archer - So the June 10<sup>th</sup> hearing is a definite and the July 15<sup>th</sup> is a  
1361 maybe.

1362  
1363 Mr. Jernigan - We're going to decide that on June 10<sup>th</sup>.

1364  
1365 Mr. Emerson - On June 10<sup>th</sup>, correct. What I have right now is authorization  
1366 to move forward with the study of the Sadler Road area, bring that back for a work  
1367 session on June 10, 2010, at 5:30 p.m. At that time, you'll make a decision as to  
1368 whether or not you will include the Sadler Road area into the amendment process with  
1369 the Innsbrook Area Study. Also at that meeting, probably at your regular meeting time,  
1370 you'll consider scheduling a public hearing on July 15, 2010. What I now need is  
1371 additional action for the continued work session June 23, 2010, which if you don't want  
1372 to take that action today since you're coming together on June 10, 2010, you could let  
1373 that wait until then.

1374  
1375 Mr. Vanarsdall - All right. Anything else?

1376  
1377 Mr. Branin - Do you want to take action that now?

1378  
1379 Mr. Jernigan - The Sadler Road area is not going to be part of the UMU.

1380  
1381 Mr. Kaechele - No.

1382  
1383 Mr. Emerson - It won't be Urban Mixed Use. It may be part of the overall  
1384 land use amendment as it moves through, but it would not be Urban Mixed Use. It'll be  
1385 a different designation. In my mind right now, I would tentatively think it would be TND  
1386 or something along those lines.

1387  
1388 Mr. Kaechele - So the original purpose of the July 15<sup>th</sup> meeting is to study  
1389 the UMU portion and then we would introduce the adjacent area at that time?

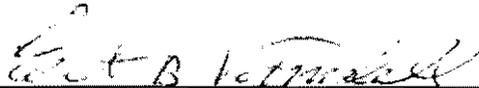
1390  
1391 Mr. Emerson - No, sir. The July 15<sup>th</sup> is a public hearing on the Land Use  
1392 amendment. That would put us on a schedule for the Board to be able to hold a work  
1393 session in August and possibly a public hearing in September. That's just for the  
1394 Innsbrook Area Urban Mixed Use. Now, the way you've scheduled it, we have a work  
1395 session on June 10<sup>th</sup> to further discuss the Sadler Road area. That may be something  
1396 that the Commission may decide not to tag onto this because it may slow down the  
1397 process.

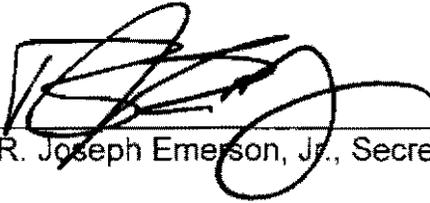
1398  
1399 Mr. Branin - And that's why I want to get it started, to see if it's going to  
1400 slow it down. If it does, then we have the option of pulling it.

1401

1402 Mr. Emerson - Right. The only outstanding thing, really, as I see it on the  
1403 Innsbrook Area Urban Mixed Use amendment at this point is explaining to you the UDA  
1404 designation and the other changes necessary in the 2026 Plan, which we would do on  
1405 June 23<sup>rd</sup>.  
1406  
1407 Mr. Branin - What was the final?  
1408  
1409 Mr. Emerson - That was it. We have a work session on June 23, 2010,  
1410 we've requested, but I believe you can address that on June 10<sup>th</sup>, if you wish, and that's  
1411 to discuss the UDA. You already have one work session scheduled. You will have to  
1412 have a work session on June 23<sup>rd</sup> for the UDA to discuss that, so you're fully aware  
1413 before you get to a public hearing on the Innsbrook—  
1414  
1415 Mrs. Jones - I was just going to say, the work session on June 23<sup>rd</sup> is  
1416 currently scheduled for the refuse. We now need to add this to it, and I would see no  
1417 reason—  
1418  
1419 Mr. Branin - Why we wouldn't do it now.  
1420  
1421 Mrs. Jones - I so move.  
1422  
1423 Mr. Branin - And I second.  
1424  
1425 Mr. Vanarsdall - Motion by Mrs. Jones, second by Mr. Branin. All in favor say  
1426 aye. All opposed say no. The ayes have it; the motion passes.  
1427  
1428 Mr. Emerson - All right. So, we have a work session on June 10, 2010, for  
1429 the Sadler Road area at 5:30 p.m.; we have authorization to move forward to study the  
1430 Sadler Road area; and we have a June 23<sup>rd</sup> work session to continue discussion on the  
1431 Innsbrook Area Urban Mixed Use and the Urban Development Area—I know this is  
1432 confusing—and also the refuse collection.  
1433  
1434 Mrs. Jones - Looking forward possibly to July 15<sup>th</sup> for Innsbrook and  
1435 possibly if we include Sadler Road. We'll decide that at the June session.  
1436  
1437 Mr. Emerson - On June 10<sup>th</sup>. Yes, ma'am.  
1438  
1439 Mr. Vanarsdall - I look forward to getting a memo from you about that.  
1440  
1441 Mr. Emerson - We will get that out to you.  
1442  
1443 Mr. Branin - Close it. Bang the gavel.  
1444  
1445 Mr. Vanarsdall - Anything else for the Commission? If not, we are adjourned.  
1446  
1447 The meeting is adjourned.

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\_\_\_\_\_  
Mr. Ernest B. Vanarsdall, Chairman

  
\_\_\_\_\_  
R. Joseph Emerson, Jr., Secretary



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## 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 **May 26, 2010**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
- 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 **May 26, 2010**, 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 May 26, 2010, which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on May 25, 2011, 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 **May 26, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **May 25, 2011**, 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 **May 26, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **May 25, 2011**, 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 May 26, 2010, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on May 25, 2011, 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 May 26, 2010, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on May 25, 2011, 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.