

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County
2 and a special work session to continue discussion on the potential amendments to the
3 County Code regarding Public Street Frontage Requirements for Family Subdivisions,
4 held in the County Administration Building in the Government Center at Parham and
5 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, January 26, 2011.
6

Members Present: Mr. C. W. Archer, C.P.C. Chairman (Fairfield)
Mr. Ernest B. Vanarsdall, C.P.C., (Brookland)
Mrs. Bonnie-Leigh Jones, (Tuckahoe)
Mr. E. Ray Jernigan, C.P.C., (Varina)
Mr. R. Joseph Emerson, Jr., Director of Planning, Secretary
Mrs. Patricia O'Bannon, Board of Supervisors Representative

Member Absent: Mr. Tommy Branin, Vice-Chairman (Three Chopt)

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

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

10
11 Mr. Archer - Good morning, everyone. Welcome to the first POD and
12 Subdivision meeting of 2011.

13
14 Is anyone here from the media? Okay. Let us stand for the **Pledge of Allegiance to**
15 **our Flag.**

16
17 With that we'll turn the meeting over to our secretary, and he'll take us through the
18 agenda. I don't know if Mrs. O'Bannon is coming or not; Mr. Branin will not be here
19 today.

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21 Mr. Emerson - That's correct, Mr. Chairman. We don't know about Mrs.
22 O'Bannon, but Mr. Branin definitely has informed us. He, unfortunately, is tied up with
23 business today and won't be able to get here.

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The first item on your agenda is requests for deferrals and withdrawals. Those will be presented by Ms. Leslie News.

Mr. Archer - Good morning, Ms. News.

Ms. News - Good morning, Mr. Chairman, members of the Commission. We have one request for deferral. This is on page 9 of your agenda and is located in the Three Chopt District. This is POD-71-02 Revised. This is a Reconsideration of a Condition for Tom Leonard's at Brookhollow. This is at the request of the Planning Commission to defer this to February 23, 2011.

PLAN OF DEVELOPMENT – RECONSIDERATION OF A CONDITION

<p>POD-71-02 (Rev.) POD2010-00423 Tom Leonard's at Brookhollow – 4150 Brookriver Dr.</p>	<p>Timmons Group for G3 Investments, LLC and Tom Leonard: Request for approval of a reconsideration of a condition of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to locate a 2,400 square foot tent in the seasonal sales area of an existing grocery store. The 6.29-acre site is located along the north line of Brookriver Drive and the south line of Interstate 64, approximately 650 feet north of W. Broad Street (U.S. Route 250) on parcel 743-762-6518. The zoning is M-1C, Light Industrial District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)</p>
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Mr. Archer - Is there anyone here who is opposed to the deferment of POD-71-02, Tom Leonard's at Brookhollow? Okay, Mr. Jernigan.

Mr. Jernigan - Mr. Chairman, with that I'll move for deferral of POD-71-02, Tom Leonard's at Brookhollow in the Three Chopt District.

Mr. Vanarsdall - Second.

Mr. Archer - And that deferment is to what date?

Mr. Jernigan - To February 23, 2011.

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

At the request of the Commission, the Planning Commission deferred POD-71-02, Tom Leonard's at Brookhollow, to its February 23, 2011 meeting

58 Ms. News - Staff is not aware of any further deferrals.

59
60 Mr. Archer - Thank you, ma'am.

61
62 Mr. Emerson - Mr. Chairman, that takes us to the next item on your agenda,
63 which are the expedited items. Those will also be presented by Ms. Leslie News.

64
65 Ms. News - Sir, we have 3 items on our expedited agenda this morning.
66 The first is on page 3 of your agenda and is located in the Three Chopt District. This is a
67 transfer of approval for POD-38-72 and POD-119-74, Chelsea Square Townhouse
68 Apartments. Staff recommends approval.

69
70 **TRANSFER OF APPROVAL**

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POD-38-72 and 119-74 **Russ Stein for Jarrett, LP:** Request for transfer of
POD2010-00359; approval as required by Chapter 24, Section 24-106 of the
POD2010-00363 Henrico County Code from La Prade Brothers, Harry
Chelsea Square Grandis, and Parham Company to Jarrett, LP. The 31.15-
Townhouse Apartments – acre site is located on the north line of Quarter Mill Road,
8500 Aldeburgh Drive approximately 2,050 feet west of its intersection with
Mayland Drive, on parcel 755-753-5196. The zoning is R-
5, General Residential District. County water and sewer.
(Three Chopt)

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74 Mr. Archer - Is there anyone here in opposition to the transfer of approval
75 for POD-38-72 and POD-119-74, Chelsea Square Townhouse Apartments? No
76 opposition.

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78 Mr. Jernigan - Mr. Chairman, with that I move for approval of transfer of
79 approval for POD-38-72 and POD-119-74, Chelsea Square Townhouse Apartments on
80 the expedited agenda.

81
82 Mrs. Jones - Second.

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

86
87 The Planning Commission approved the transfer of approval request for POD-38-72
88 and POD-119-74, Chelsea Square Townhouse Apartments, from La Prade Brothers,
89 Harry Grandis, and Parham Company to Jarrett, LP, subject to the standard and added
90 conditions previously approved and the following additional condition:

- 91
92 1. The site deficiencies, as identified in the inspection report, dated November 19,
93 2010, shall be corrected by March 31, 2011.

94

95 Ms. News - The next item is found on page 4 of your agenda and is
96 located in the Fairfield District. This is a transfer of approval for POD-37-72, Laburnum
97 Shopping Center. Staff recommends approval.

98
99 **TRANSFER OF APPROVAL**

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102 **POD-37-72** **Seung Lee and Joo Lee:** Request for transfer of approval
103 **POD2010-00386** as required by Chapter 24, Section 24-106 of the Henrico
104 **Laburnum Shopping** County Code from Albert R. Chiocca to Seung Lee and
105 **Center – 2 E. Laburnum** Joo Lee. The 2.1-acre site is located at the northeast
106 **Avenue** corner of Alma Avenue and E. Laburnum Avenue, at 2 E.
107 Laburnum Avenue, on parcel 791-738-6448. The zoning is
108 B-2, Business District. County water and sewer. **(Fairfield)**

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111 **Mr. Archer -** Is anyone here opposed to transfer of approval for POD-37-
112 **72, Laburnum Shopping Center?** Seeing none, I move for approval of transfer of
113 **approval for POD-37-72, Laburnum Shopping Center.**

114
115 **Mr. Vanarsdall -** Second.

116
117 **Mr. Archer -** Motion by Mr. Archer, seconded by Mr. Vanarsdall. All in
118 **favor say aye. All opposed say no. The ayes have it; the motion passes.**

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121 **The Planning Commission approved the transfer of approval request for POD-37-72,**
122 **Laburnum Shopping Center, from Albert R. Chiocca to Seung Lee and Joo Lee, subject**
to the standard and added conditions previously approved.

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125 **Ms. News -** The final item is on page 7 of your agenda is located in the
126 **Three Chopt District. This is POD-46-08, Reconsideration of Architecturals for St.**
127 **Mary's Hospital Emergency Department Expansion – Phase 1. There is an addendum**
128 **item on page 1 of the addendum, which has a revised recommendation indicating that**
129 **staff recommends approval.**

130
131 **PLAN OF DEVELOPMENT – RECONSIDERATION OF ARCHITECTURALS ONLY**

132
133 **POD-46-08** **Timmons Group for Bon Secours St. Mary's Hospital:**
134 **POD2010-00420** Request for approval of revised architectural plans for a
135 **Reconsideration of** plan of development, to construct a second floor
136 **Architecturals** emergency room expansion and patient drop-off loop, as
137 **St. Mary's Hospital** required by Chapter 24, Section 24-106 of the Henrico
138 **Emergency Department** County Code. The 1.46-acre project area is located at the
139 **Expansion – Phase I –** terminus of Chase Street and the east line of Bremono Road,
140 **5811 Bremono Road** approximately 400 feet south of Monument Avenue, on
141 part of parcel 769-737-3039. The zoning is O-3, Office
142 District, and O-3C, Office District (Conditional). County
water and sewer. **(Three Chopt)**

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Mr. Archer - Is there anyone here opposed to POD-46-08, Reconsideration of Architecturals for St. Mary's Hospital Emergency Department Expansion – Phase 1?

Mr. Jernigan - Mr. Chairman, with that I will move for approval of POD-46-08, Reconsideration of Architecturals for St. Mary's Hospital Emergency Department Expansion – Phase 1, with the addendum on page 1, on the expedited agenda.

Mr. Vanarsdall - Second.

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

The Planning Commission approved POD-46-08, Reconsideration of Architecturals for St. Mary's Hospital Emergency Department Expansion – Phase 1, subject to the annotations on the plans and the conditions previously approved by the Planning Commission on July 23, 2008.

Ms. News - That completes our expedited agenda.

Mr. Archer - I'll take just a moment to welcome Mrs. O'Bannon.

Mr. Emerson - Mr. Chairman, the next item on your agenda would be the Subdivision Extensions of Conditional Approval. There are no extensions this month. So that takes us to page 5 of your regular agenda.

ALTERNATIVE FENCE HEIGHT PLAN

LP/POD-62-08
POD2010-00417
Kingdom Hall – 2801
Mechanicsville Turnpike
(U.S. Route 360)

Carter Design for Ginter Park Congregation of Jehovah's Witnesses of Richmond, Virginia: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-95(l)(5) and 24-106.2 of the Henrico County Code, to allow a fence exceeding a height of 42 inches in the front yard. The 3.48-acre site is located on the northeast corner of the intersection of Mechanicsville Turnpike (U.S. Route 360) and St. Claire Lane and the west line of 20th Street, on parcel 800-729-2497. The zoning is B-1C, Business District (Conditional). County water and sewer. **(Fairfield)**

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Mr. Archer - Good morning, Ms. Berndt.

Ms. Berndt - Good morning. The applicant has requested that a perimeter security fence be permitted to exceed the allowable height of 42 inches in the front yard for a distance of approximately 305 feet and roughly parallel to the western

158 property line along Mechanicsville Turnpike. While technically located in the front yard,
159 this fence is set back approximately 100 feet from the actual right-of-way of
160 Mechanicsville Turnpike.

161
162 The proposed fence would be a 6-foot 8-inch-tall black, steel picket fence with concrete
163 piers spaced at 25 feet on center. The fence would be installed with appropriate access
164 gates per the standards suitable to the Divisions of Police and Fire at each of the
165 entrance aisles here and there. Those are further explained in the staff report.

166
167 This alternate fence height would constitute a 3-foot 2-inch height deviation in excess of
168 what is permitted by Code for the portion of the fence that lies in the front yard. The
169 remaining majority of the perimeter security fence shown on this plan is permitted by
170 code.

171
172 The landscape plan shown in gray on this plan is already installed and was approved by
173 the Commission in July 2010. This landscape plan is an enhanced plan as required by
174 proffered conditions with the rezoning case in 2007. There have been multiple security
175 concerns at this site, and the congregation makes this request for enhanced security.

176
177 Staff has received no calls of inquiry or opposition to this request. While staff does not
178 make a recommendation for alternate fence height approvals, staff has no objection.

179
180 Should the Commission act on this request, staff recommends the standard conditions
181 for landscape and fence plans. The applicant, Donovan Greer, representing the
182 congregation, and the engineer, Michele Carter with Carter Design, are here to answer
183 any questions the Commission may have of them. I'm happy to answer questions you
184 may have of staff.

185
186 Mr. Archer - Thank you, Ms. Berndt. Does anybody have any questions?
187 Okay. Would the applicant come forward for just a moment? Good morning, sir. Could
188 you identify yourself for the record?

189
190 Mr. Greer - Yes. I'm Donovan Greer. I'm the project coordinator.

191
192 Mr. Archer - I don't really have any questions, but I'm just curious when
193 we do these alternative fence height plans. Some of the other Commissioners might
194 have a question to ask. I think we understand the reason why you're making the
195 request. The project seems to be coming along quite nicely and is an attractive one. I
196 don't see where this would detract from it. Any questions? You've done your good deed
197 for the day; thank you.

198
199 I've not heard any objection, so I will move for approval of alternative fence height plan
200 LP/POD-62-08, Kingdom Hall.

201
202 Mr. Vanarsdall - Second.

203

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

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207 The Planning Commission approved alternative fence height plan LP/POD-62-08,
208 Kingdom Hall, subject to the annotations on the plans and the standard conditions
209 attached to these minutes for landscape and fence plans.

210

211 Mr. Emerson - Mr. Chairman, that takes us to the next item on your agenda,
212 which would be the consideration of the approval of the minutes for the December 15,
213 2010 meeting.

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215 APPROVAL OF MINUTES: December 15, 2010 Minutes

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217 Mr. Archer - Are there any additions or corrections?

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219 Mr. Vanarsdall - If not, I move approval of the minutes are presented.

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221 Mrs. Jones - Second.

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223 Mr. Archer - Motion by Mr. Vanarsdall, seconded by Mrs. Jones for
224 approval of the minutes as presented. All in favor say aye. All opposed say no. The
225 ayes have it; the motion passes.

226

227 The Planning Commission approved the December 15, 2010 minutes as presented.

228

229 Mr. Emerson - Mr. Chairman, that now takes us to the scheduled work
230 session, and this is the continued discussion of potential amendments to the County
231 Code regarding public street frontage requirements for family subdivisions. This will be
232 presented by Mr. Ben Blankinship. We do have a new proposal for you of some
233 changes based upon the input that we received at your last meeting. Mr. Blankinship
234 has handed that out, and I believe it's making its way down at this time. Of course, the
235 presentation will be made by Mr. Blankinship.

236

237 Mr. Blankinship - Thank you, Mr. Emerson.

238

239 Mr. Archer - Good morning, sir. Nice seeing you here.

240

241 Mr. Blankinship - Good morning, Mr. Chairman, members of the Commission.

242

243 Mr. Vanarsdall - Why don't you just tell us the changes?

244

245 Mr. Blankinship - That was exactly what I had in mind. Without further ado, if
246 you want to flip to page 3. This is the beginning of Section 19-80. This is the beginning
247 of the requirements for what must be submitted with a family subdivision plat. If you turn
248 over to page 4 and scan down to letter "L", one of the requirements is "Profiles along the
249 center of any proposed private drive indicating the type of construction and depth of

250 materials." So, that's merely a requirement they show us the details of the private road
251 they intend to build, if any.

252
253 Now, if you'll turn to page 8, this is where the substantive changes were made. Section
254 19-82, Standards for Review: "All family subdivisions requiring approval by the Planning
255 Commission shall be subject to the following requirements." Most of these remain
256 unchanged, but if you scan down to paragraph "D" on page 9, "Each lot shall be served
257 by either a public street or a private drive. Public streets or private drives shall connect
258 to an existing public street." That has not changed. In other words, they can't have a
259 private drive leading to a private drive, leading to a private drive. "Any private drive shall
260 serve no more than three lots." That has not changed. "Any private drive shall be
261 located within a recorded easement or private right-of-way not less than 30 feet wide,
262 unobstructed from the ground up." The 30 feet is where we are settling at this point.
263 That has been 20 and sometimes has been as much as 50. In addition, "the plat shall
264 designate utility easements as required by the Department of Public Utilities." That has
265 not changed.

266
267 Paragraph E has not changed at all. Those are the requirements for the design of the
268 road, the curves, the slopes, the access points, and those sorts of things. That has not
269 changed.

270
271 Paragraph F is the beginning of the most significant change. This is all new language.
272 "All trees, roots, vegetation, loam, humus, and other organic materials shall be stripped
273 to below the base course for the full width of the roadway and shoulders and replaced
274 with suitable fill materials, compacted in lifts not exceeding 12 inches in depth to a
275 minimum CBR value of 10." That was taken from various sources. We've read several
276 ordinances from different jurisdictions, from VDOT specifications, and other road
277 specifications that we were able to find. That is a compilation of ideas taken from
278 several sources.

279
280 The second sentence of paragraph F says, "Drainage systems adequate to carry
281 surface runoff and groundwater away from finished sub-grade elevation shall be
282 installed." That again was borrowed language. It's going to require a lot of site-specific
283 study. In some cases there may not be any drainage system required at all. In others, if
284 you're crossing ravines or streams or something it might be a substantial network of
285 culverts and whatever else is necessary to carry the drainage away.

286
287 "The driving surface shall be at least 20 feet wide, constructed of 6 inches of compacted
288 #21A stone." As you know, the County Administration's recommendation was and
289 remains that it should be 24 feet wide with 6 inches of stone and 2 inches of asphalt in
290 conformance with the County's public road standard for construction. In our previous
291 work sessions you've expressed you didn't want to work with that standard; you wanted
292 a different standard, and so we've drafted this in order to provide you—

293
294 Mr. Vanarsdall - I thought David Seay said that you could get by with 20.
295

296 Mr. Blankinship - Yes, Mr. Seay did say that would be adequate.
297
298 "Prior to a Certificate of Occupancy being approved for any dwelling, a report shall be
299 submitted to the Planning Department documenting the materials and construction
300 specifications." That is still within what is submitted at the time of application.
301
302 If you skip down to 19-83, Recording: "Prior to final approval of a family subdivision plat
303 for recordation, the subdivider shall complete construction of the private drive, if any, at
304 the subdivider's expense. The subdivider shall provide the Director of Planning and the
305 Director of Public Works certification by a licensed engineer that the private drive was
306 constructed according to the approved plat and in compliance with the design
307 standards" that we just walked through, including proper compaction of the sub-base
308 soils, utility trenches, base stone, and asphalt—I'm sorry; the words, "and asphalt" need
309 to be struck there. I apologize for that. That should say, "and base stone." The words,
310 "and asphalt" should be struck.
311
312 Those are the changes that we have made.
313
314 Mr. Archer - Mr. Blankinship, at the last meeting we talked about having
315 some—I forget the word Mr. Jernigan used—We talked about bump-outs along the
316 road.
317
318 Mr. Blankinship - Thank you, Mr. Archer, we did. I didn't read far enough
319 down; I'm sorry.
320
321 Mr. Archer - Was that something we didn't want to include as a part of
322 this?
323
324 Mr. Blankinship - Paragraph G mentions the requirements for signs that were
325 proposed by the Division of Fire.
326
327 Mr. Emerson - I don't think we put in the bump-out though.
328
329 Mr. Blankinship - I think we had that in one draft and then took it back out.
330
331 Mr. Archer - I just briefly remember that we discussed it.
332
333 Mrs. Jones - And did we not have a request that the distance to the
334 homes be posted?
335
336 Mr. Blankinship - Yes. That's in paragraph G. I apologize; I shouldn't have
337 stopped reading where I did.
338
339 Mr. Emerson - Go ahead and read paragraph G.
340

341 Mr. Blankinship - Yes. Paragraph G on page 10 reads, "All new dwellings shall
342 be within 1,000 feet of a public street, as measured by the path of the vehicle traveling
343 from the dwelling to the public street. The assigned address of every dwelling shall be
344 clearly posted at the intersection of the private street and the public street, and at the
345 end of every driveway where it intersects the private drive."
346

347 Mrs. Jones - That's the assigned address, but it doesn't—I guess they
348 would have other information that would tell them how far back.
349

350 Mr. Blankinship - Mr. Seay's concern was that if it was over 1,000 feet then
351 they needed to know that going in. Instead of putting that in, we just limited it to 1,000
352 feet.
353

354 Mr. Jernigan - So, you've limited the house now to 1,000 feet?
355

356 Mr. Blankinship - Right. He knows that his 1,000-foot hose lay will go from the
357 public street to the dwelling.
358

359 Mr. Emerson - If you want to consider an excess of 1,000 feet, then we will
360 need to add a notation of the length of the road.
361

362 Mr. Archer - And that's for new dwellings?
363

364 Mr. Emerson - Yes, it's all new dwellings.
365

366 Mrs. Jones - I have a general question. In paragraph E you have
367 referenced at the recommendation of the County Engineer, the Commission may
368 decrease or waive these private drive standards. How much discretion does the
369 Commission have for all of the other requirements as listed in this revised Code?
370

371 Mr. Blankinship - The intent is that sentence would apply only to paragraph E,
372 if you wanted to make changes to the sight distance, horizontal curves, vertical curves,
373 or point-of-access in a specific situation.
374

375 Mrs. Jones - But there would be no discretion available for the
376 construction of the actual drive? There would be no discretion as to the design
377 standards, that kind of thing?
378

379 Mr. Blankinship - Not the way this is drafted, no, ma'am. The challenge we run
380 into there is with the difference between a legislative action and an administrative
381 action.
382

383 Mrs. Jones - I know. I'm sorry, Mr. Blankinship. I ask you about this every
384 time. I know even though these come up so infrequently, they are also individual and
385 different. It's a difficult situation for the homeowners. Thank you.
386

387 Mr. Archer - Any further questions or discussion?
388
389 Mr. Jernigan - Yes. I figured I'd let everybody else finish. All right. I happen
390 to have my notes from the last meeting. At the end of the meeting Mr. Seay said they
391 do like to have 20 feet of right-of-way. I noticed now that the right-of-way is 30 feet. The
392 drive is a 30-foot right-of-way not 20 feet.
393
394 Mr. Blankinship - The right-of-way would be 30 feet, yes. The drive surface
395 would be 20.
396
397 Mr. Jernigan - A lot of times when people have a right-of-way, it might only
398 be 25 feet that they have. I agree that we need 20 feet straight up, so no trees or
399 anything so fire equipment can get in. When we left, we had discussed a 20-foot right-
400 of-way with a 12-foot-wide driveway.
401
402 Mr. Blankinship - The width of the travel way is 20, and that was my
403 understanding of where we left last time; perhaps I misunderstood.
404
405 Mr. Jernigan - That might have been where everybody was, but it might not
406 be where I was. I was saying that I thought the 12 feet was adequate. I had on here that
407 if the driveway was 800 feet plus, the length, we'd put in a Hinson curve halfway up.
408
409 Mr. Emerson - I have the same notes, Mr. Jernigan, but then I came down
410 and had 20 feet. I had an 18-foot right-of-way, clear 12-foot drive with crushed stone,
411 drive over 18 feet in length, a bubble for pull-over, marked if over 800. I go on from
412 there with several comments regarding 20 feet. We looked at what other localities had
413 done, and based on your comments and our research we came up with this proposal to
414 you. I think Mr. Jennings will wholeheartedly tell you that he has not moved from the first
415 proposal. We were trying to find some happy medium somewhere in between. That's
416 why we brought this forward.
417
418 Mr. Jernigan - Well, we have gotten rid of the asphalt. It just amazes me.
419 When this was with the BZA and you wanted to put in a road, what regulation—
420
421 Mr. Blankinship - It was done case by case because the BZA has discretion
422 that is not available to you.
423
424 Mr. Jernigan - I'm okay with a 20-foot right-of-way and if you have to have it
425 30 feet—it's just some parcels out there you might have—25 seems to be the number
426 that comes up a lot. So when you go up to 30 as a right-of-way, you're going to have to
427 acquire some more land.
428
429 Mr. Emerson - I think the right-of-way could be narrower if the road were
430 designed up front based on these parameters, but I wouldn't go any less than 20 feet of
431 cleared and prepared width regardless of what the surface treatment is.
432

433 Mr. Jernigan - I know, but what we're going to vote on here says it has to
434 be a 30-foot right-of-way.

435
436 Mr. Emerson - Yes, but it's a 20-foot prepared area. If you have a 20-foot
437 surface, you're probably going to have to have some sort of drainage and ditch work
438 that will go somewhere within that additional 5 feet on either side if it falls in the center.
439 So you have to keep that in mind, too.

440
441 Mr. Blankinship - And we've provided that you may be required to put in utility
442 easements. If a utility line needs to be run parallel to this it has to go somewhere.

443
444 Mr. Emerson - If there is a design for bump-out, which for a bump-out to be
445 designed into the road, I guess we need to know at what distance you'd like that bump-
446 out to be if we go with no more than 1,000 feet. I think the note I have is have one at
447 800 feet. You would still need room for that as well. Of course, the easement could
448 adjust at that point, and may have to, even if you had 30 feet. I believe 30 feet is
449 probably the minimum.

450
451 Mr. Archer - If we went with the 30-foot right-of-way, would that mean that
452 the excess would have to be equal distance on each side?

453
454 Mr. Emerson - No, sir, not necessarily. I just used that as an example,
455 splitting the distance.

456
457 Mr. Jernigan - I know of a case because a guy called me on it a few months
458 ago that he's waiting for this to get through so they can do something. His right-of-way
459 is not on his property. The road that actually goes to his property is on somebody else's,
460 but they have a 25-foot right-of-way [inaudible]. It's been in there for years. The people
461 that own the property are fine with it. It's a 25-foot right-of-way. Then, he's going to have
462 to go in there and acquire 5 more feet. I'm fine with the 20-feet, if you want to make the
463 road 20 feet of crushed gravel, I guess I'm all right with that. A lot of times you're
464 coming off of a road that's 18 feet wide going onto a 20-foot-wide driveway.

465
466 Mr. Emerson - I guess the goal in the future is that public road will be
467 improved at some point to be wider than 18 feet. At what point, none of us obviously
468 know, but that's the ultimate goal.

469
470 Mr. Jernigan - We'll get it as wide as the driveway.

471
472 Mr. Emerson - There you go. You could have a variable width, I guess. We
473 could write in something that it shall be no less than—at no point less than 20 or
474 somehow maybe to accommodate. We could play with that a little bit; I don't know. Ben,
475 what do you think?

476
477 Mr. Jernigan - Now we have the house can be the maximum of 1,000 feet
478 away. Before we had the road at 1,320.

479

480 Mr. Blankinship - At one point it was 800 feet, and then it was increased to
481 1,320.

482

483 Mr. Jernigan - Originally the road was 800 feet.

484

485 Mr. Vanarsdall - When it went to the Board the first time, it was 800.

486

487 Mr. Blankinship - Then when we heard from Mr. Seay that 1,000 was the hose
488 length they carried with them, we thought that 1,000 was a better number than either
489 800 or 1,320.

490

491 Mr. Jernigan - You always learn something in this because I was
492 questioning if you bring the water truck—well first of all, if you're in this area, there are
493 no hydrants, so you have to bring the water truck. They want to leave the water truck on
494 the road and run the hose down the driveway rather than bringing the water truck in. If
495 that's the way they do it, I don't have a problem with that. I don't know that we want to
496 restrict—1,000 feet is not a long way off the road. If you have property and you have 50
497 or 60 acres back there, 1,000 feet—originally we were at 1,320.

498

499 Mr. Archer - I'm wondering if it might make a difference, or could we have
500 some kind of variance if the subject property owner had another source of water, like a
501 swimming pool?

502

503 Mr. Blankinship - Well, fire access is not the only concern involved.

504

505 Mr. Archer - Oh, yes, that's true.

506

507 Mr. Emerson - One thing to keep in mind is this is a document to go to
508 public hearing. You still have the ability to receive public comment, and you don't have
509 to render a decision at the time you schedule your public hearing. You can always take
510 those comments into consideration while you continue to consider the ordinance in front
511 of you. Gain the public input and back it into your discussion as you try to craft your
512 recommendation back to the Board. You do have that option.

513

514 Mr. Jernigan - My house is 500 feet off the road. A thousand feet is not a
515 long distance. I'm more tending to go back with 1,320. It's what we had as a standard.
516 That's the length that a subdivision street can be, correct?

517

518 Mr. Blankinship - That's the length of a block.

519

520 Mr. Jernigan - As I've said before, when you build a house back on
521 property like this, you're rolling the dice anyway. We don't want to lose anybody, but we
522 don't want to put too much over. I'm happy that we're down to crushed stone, don't get
523 me wrong. I would rather see it go to 1,320. That's not the road, that's the distance to
524 the house.

525
526 Mrs. O'Bannon - Is there a way to put a "variable" in it? I agree. This is the
527 discussion we had at the Board level that had to do with the issues you've discussed—
528 paving it, the width, and putting a burden on the homeowner, balancing the safety issue.
529 The whole point with the BZA is that they had variables. If they had a water source, they
530 might give a variable on that or if they could offset it some way. That's what you're trying
531 to do.
532
533 Mrs. Jones - Once this comes to us and it's concretely described, we
534 have no discretion. If it goes elsewhere, like the BZA, there is discretion.
535
536 Mr. Jernigan - It was case-by-case.
537
538 Mrs. Jones - Yes. So, it seems to me that we—I know we have been
539 asked to do this, and I certainly wouldn't dispute that decision. I do think it's a shame we
540 have lost what probably is the biggest factor for assessing these cases, that is, a case-
541 by-case discretionary evaluation that will take into account all of the unusual situations
542 that these—not many, but these cases represent.
543
544 Mr. Jernigan - Because I'm not familiar with this, can you get me a
545 description of a CBR value?
546
547 Mr. Blankinship - Sure.
548
549 Mr. Jernigan - I would like to read over that and see what [inaudible]. I think
550 going with stone is fine. If you want to do 20 feet, if that's what everybody wants, then
551 do that. But when you get in here to a drainage system—
552
553 Mr. Blankinship - If you don't put in a drainage system, there's no point in
554 putting in a gravel road.
555
556 Mr. Jernigan - I know. But what I'm saying—
557
558 Mr. Emerson - That means drain tilings and things that would be necessary
559 to keep the road from washing away. I would hope you would put that in there.
560
561 Mr. Jernigan - You have to have something that's stable, and I agree with
562 that. Like Mrs. Jones said, I like it on a case-by-case basis better than just having a
563 flat—
564
565 Mr. Emerson - Right. Unfortunately, the Commission doesn't have that
566 much leeway within its charge from the Code of Virginia. We can take a look at some of
567 the potential variables, but I think the County Attorney is going to tell us for the most
568 part those aren't available to you.
569

570 Mr. Archer - On all of the rulings that we make, we have a certain amount
571 of discretion and then it's cut off. Then, the remedy is to go to the BZA. We would still
572 have that same remedy here even if we had a concrete set of rules to go by. There is a
573 remedy at the BZA.

574
575 Mr. Emerson - This is the Subdivision Ordinance; you couldn't go to the
576 BZA with this.

577
578 Mr. Blankinship - If a person desires to create a new lot in order to build a
579 dwelling and it would require a variance, it's going to be very, very difficult for the BZA to
580 grant a variance.

581
582 Mr. Archer - It would have to be done beforehand, too, would it not?

583
584 Mr. Blankinship - With an existing lot that had been out there for 50 years and
585 the family had always considered it buildable, always thought it was buildable, and then
586 they find out that it's not, the BZA has some room to work with. But to create a new lot
587 would be almost impossible.

588
589 Mr. Archer - I guess what I'm trying to say is it seems to be like all of the
590 rulings we make are concrete, and we can't surpass whatever the ordinance says.

591
592 Mr. Jernigan - When it leaves here, it goes to Public Works and then you
593 have an ordinance of the way it has to be, so it's kind of cut and dry. Ben, let me ask
594 you this. Let's say that the Planning Commission takes all this over, and we subdivide a
595 lot, a family subdivide, but the individual doesn't agree with the road that he has to put
596 in. Can he take just the BZA portion—can he take the road to the BZA for consideration
597 of the road?

598
599 Mr. Blankinship - No. The BZA doesn't have any authority to grant variances
600 from the Subdivision Ordinance. Their authority is limited to the Zoning Ordinance.

601
602 Mr. Jernigan - Mr. Chairman, what I'd recommend is let's just take it like it
603 is and have a public hearing to see what people have to say.

604
605 Mr. Vanarsdall - We can act on this and then—

606
607 Mr. Archer - At least that will give us an opportunity to put it out there so
608 they can see what we're working on. I don't see us ever having a preponderance of
609 these cases. I don't think there will be very many. When it does come up, it can be
610 messy.

611
612 Mr. Jernigan - How many does the BZA have in a year, Ben?

613
614 Mr. Blankinship - We used to have an average of 22 a year.

615

616 Mr. Archer - Of this kind of case?
617
618 Mr. Blankinship - Proposed dwellings that did not have any public street
619 frontage.
620
621 Mr. Emerson - But they weren't necessarily family subdivisions?
622
623 Mr. Blankinship - An average of 22 a year, requests for variances from the
624 public street frontage requirements.
625
626 Mr. Emerson - How many of those were actually family subdivisions?
627
628 Mr. Blankinship - Not all of those are family divisions, and I couldn't give you—
629 I would guess it was two-thirds or three-fourths.
630
631 Mr. Jernigan - Let's do one other thing on the road. We were talking about
632 the marker out front. At what distance do you think it should be placed?
633
634 Mr. Emerson - As far as the sign at the front?
635
636 Mr. Jernigan - I agree that it would be good to have the address and then
637 have the distance to the house or the length of the driveway.
638
639 Mr. Blankinship - Mr. Seay's concern was if it was over 1,000 feet he needed
640 to know that so that he knew to pull the water truck into the private road 200 or 300 feet.
641
642 Mr. Jernigan - So you just want to post the sign if it's over 1,000 feet?
643
644 Mr. Blankinship - We're just not going to allow it to be over 1,000 feet.
645
646 Mr. Jernigan - Well if we went to 1,320.
647
648 Mr. Emerson - If you went to 1,320, we would need to post it.
649
650 Mr. Jernigan - Post anything over 1,000 feet.
651
652 Mr. Emerson - Yes, sir. That would be a change we would need to make.
653
654 Mr. Archer - I need to be clear. We're talking about the right-of-way as
655 opposed to the 20 feet. The 20 feet is ground to the sky, right? Is the whole right-of-way
656 ground to sky?
657
658 Mr. Blankinship - Yes, sir. In this draft, 30 feet has to be clear from the ground
659 up. The 20 feet is driving surface. So, if you're in a fire truck or something and you're all
660 the way at one edge of the surface with your tires, you have 5 feet of clear span.
661

662 Mr. Archer - That takes care of overhanging trees and all that.
663
664 Mr. Jernigan - An interstate lane is 12 feet wide, right?
665
666 Mr. Blankinship - One lane.
667
668 Mrs. Jones - The 5 feet on either side of the 20 feet doesn't necessarily
669 have to be level and drivable; it can be a drainage kind of an area. So, it isn't like you
670 end up with 30 feet of drivable area. You end with 20 feet of drivable area, correct?
671
672 Mr. Emerson - That's correct.
673
674 Mr. Jernigan - Well, we have 20-foot width of crushed stone and another 5
675 feet on each side that's—
676
677 Mrs. Jones - Chris was asking about is it ground up, and the answer to
678 that is yes. It doesn't necessarily mean that a truck can pull out with 2 tires on that extra
679 5 feet.
680
681 Mr. Emerson - Right. The way the language reads it says, "Shall be stripped
682 to the base course for the full width of the roadway and shoulders." So the 30 feet might
683 not be completely developed. Honestly, once you build the shoulders and things, the
684 actual width of that road is going to be more than 20 feet. Your surface width is 20 feet.
685 You have to build it out so it doesn't erode off the sides. Your gravel width can be 20,
686 and then below that when you add it's going to be what—
687
688 Mrs. Jones - By the time I get finished with this, I might consider moving.
689
690 Mr. Archer - There won't be any land left.
691
692 Mr. Jernigan - Route 60 is 24 feet wide. When you leave Seven Pines and
693 go through there, that's 24 feet wide. An interstate lane is 12 feet, so 2 lanes of an
694 interstate are 24 feet wide, and we're going to do 20.
695
696 Mr. Emerson - This is going to be the Commission's recommendation. If
697 you want to recommend less, that's fully within your authority to do that. I don't think
698 staff is going to recommend less. I guess in good faith of supporting public safety and
699 access to properties so they can be adequately protected, staff isn't going to
700 recommend any less than 20. Actually, at this point we're not recommending you go
701 away from a paved surface. We brought this back in response to your comments. If you
702 choose to reduce this further, that certainly is up to the Commission; just tell us what
703 you'd like to do.
704
705 Mr. Jernigan - The Commission may be good with 20. I guess the best
706 thing to do is just to bring this to a public hearing because I don't think this is going to
707 set well.

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Mr. Emerson - I can put it on your February 10, 2011 agenda to set for March 10, 2011, and you can have time to consider this. If you have other changes—this is the first time you've seen it. I don't want to put any of you in a position of trying to make an immediate decision in regard to this language. Certainly, you can take it away and consider your conversation today. On February 10, 2011, you can make a decision whether or not this is what you want to go to public hearing with or if you want to alter this in some fashion. You don't have to immediately make a decision. We can research some of these things. Again, you need something to go to public hearing with. I think the sooner you get public input—I agree with you, Mr. Jernigan, I think that we will get input from the public, and we will hear what their thoughts are regarding road design from those who are impacted by this. So, you probably want to know those comments to factor into your continuing discussion. You can continue your work session; you can talk about this some more. There is nothing really pushing you on this.

Mr. Jernigan - Well, I think I've beat this horse about as much as I can. When you talk about a drainage system—I understand you have to have a stable driveway. You can't have water sitting in it and all. It scares me when you put language in about a drainage system. What are they going to have to put in there?

Mr. Emerson - Probably drain tiling and ditches—

Mr. Blankinship - It has to be adequate.

Mr. Emerson - —which would be determined by the terrain that you're crossing.

Mr. Jernigan - I know if you're going through a creek or whatever.

Mr. Emerson - You have to slope; you're going to need ditches. Otherwise, it's going to wash away.

Mr. Jernigan - When people put in gravel driveways, I've only known one person, a guy out there with a transit. A gravel driveway, they bring a dump truck through there, pour it out, and then come back and pack it down. It can have a few low spots in it. At this point, I really don't know what to do; I'll be truthful with you. I'm trying to get something that everybody can live with.

Mr. Archer - What we're talking about doing is a minimum standard. Suppose a person who has a lot and does not want to just meet the minimum standard puts asphalt in because they want to do it. Would that asphalt have to meet whatever the County's criteria is for an asphalt driveway?

Mr. Emerson - No, sir.

753 Mr. Jernigan - My driveway's asphalt. I put in a 12-foot drive. That's the
754 reason I know it's expensive. Asphalt, the problem there, too, it requires maintenance.
755 You're going to have to coat it every 2 years. Through time, you're going to have to do it
756 again.

757
758 Mr. Blankinship - Because it varies so much depending on the site, we've had
759 a difficult time getting reliable cost estimates for this. I did get one road builder to say
760 that he thought the road we've specified here would cost about \$30 per foot, and the
761 paved road at 20 feet would have been about \$60 per foot. Just putting that out there
762 for your information and consideration.

763
764 Mr. Jernigan - Sixty dollars per foot to put down asphalt?

765
766 Mr. Blankinship - Yes. The paved road at 20 feet as opposed to 24.

767
768 Mr. Jernigan - I'm not in the construction business, Ben, but I can tell you
769 his figures are way off. Mine is 500 feet, [inaudible]. It was \$10,000 to have it resurfaced
770 to put 2 inches over the existing surface. It's probably 800 feet by the time it comes
771 around. It was \$10,000 on an existing driveway.

772
773 Mr. Blankinship - Somebody help me. Is that \$12.50 per foot?

774
775 Mr. Archer - I should buy myself a calculator.

776
777 Mr. Emerson - How much was it? Ten grand for 800 feet? \$12.50. Why
778 don't you take it, think about it, and I'll put it your agenda for February 10, 2011 to
779 consider setting a public hearing.

780
781 Mr. Archer: March 10, 2011.

782
783 Mr. Emerson - March 10, 2011. That'll give you some time to consider it. If
784 you have any changes over that period of time, give me a call or give Ben call. We can
785 talk about it again on February 10, 2011. You can tell us what direction you'd like to
786 take. If you want to schedule another work session, you could do that as well. You
787 already have a work session—or actually you have an early public hearing scheduled
788 on February 10, 2011 at 6 p.m. for the Capital Improvement Program. Otherwise, I
789 would suggest you could schedule some time to continue to discuss it. You do have
790 several cases on that agenda, I believe, as well.

791
792 Mr. Archer - Well, I guess we have to bring this to some sort of
793 reasonable conclusion, at least for today. Do we need a motion to do that?

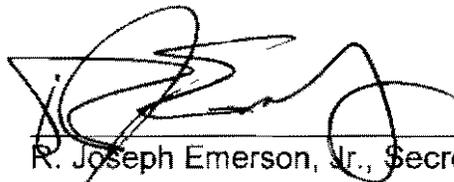
794
795 Mr. Emerson - I don't think that requires a motion if you just want to
796 continue discussion, if that's the consensus. I'll put it on your agenda for February 10,
797 2011.

798

799 Mr. Archer - Is everybody agreeable to that?
800
801 Mrs. Jones - I guess.
802
803 Mr. Vanarsdall - I have a question for Mr. Blankinship. Of these 22 cases, are
804 they all over town, or are they all in Varina?
805
806 Mr. Blankinship - They were spread out fairly widely, yes, sir. If you remember
807 the work session we went through where I had slides showing examples, these aren't all
808 the situations that Mr. Jernigan is considering. He's thinking, I want to say, a worst-case
809 scenario. A lot of these were lots that fronted on a paved private road, might be 200 feet
810 back from the public street, or they might have 30 feet of public street frontage where
811 they're required to have 50 feet of public street frontage. So, it's a wide variety of
812 situations.
813
814 Mr. Vanarsdall - Thank you.
815
816 Mr. Archer - All right, Mr. Secretary, let's move right along.
817
818 Mr. Emerson - Mr. Chairman, we don't have anything else to bring forth to
819 the Commission today. So unless the Commission has something, I believe your next
820 item is adjournment.
821
822 Mr. Archer - Mr. Blankinship, thank you so much for your report, sir.
823
824 Mr. Jernigan - Thank you very much.
825
826 Mr. Vanarsdall - Thank you, Ben.
827
828 Mr. Archer - Is there a motion for adjournment?
829
830 Mr. Vanarsdall - So moved.
831
832 Mrs. Jones - Second.
833
834 Mr. Archer - It's been moved and seconded; the meeting is adjourned.
835



Mr. C. W. Archer, Chairman



R. Joseph Emerson, Jr., Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least **48** hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **January 26, 2011**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

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 **January 26, 2011**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

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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 January 26, 2011, which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on **January 25, 2012**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **January 26, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **January 25, 2012**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 26, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **January 25, 2012**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to

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

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

Standard Conditions for Zero Lot Line Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 26, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **January 25, 2012**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 26, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **January 25, 2012**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

