

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 Springs Roads beginning at 9:00 a.m. Wednesday, January 24, 2018.  
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Members Present: Mrs. Sandra M. Marshall, Chairperson (Three Chopt)  
Mr. Gregory R. Baka, Vice-Chairperson (Tuckahoe)  
Mr. C. W. Archer, C.P.C. (Fairfield)  
Ms. Adrienne F. Kotula (Brookland)  
Mr. Eric S. Leabough, C.P.C. (Varina)  
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning,  
Secretary  
Mrs. Patricia S. O'Bannon, Board of Supervisors' Representative

Others Present: Ms. Jean Moore, Assistant Director of Planning  
Ms. Leslie A. News, PLA, Senior Principal Planner  
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner  
Mr. Michael F. Kennedy, County Planner  
Mr. Tony Greulich, C.P.C., County Planner  
Ms. Christina L. Goggin, AICP, County Planner  
Ms. Aimee B. Crady, AICP, County Planner  
Mr. Matt Ward, County Planner  
Mr. Lee Pambid, C.P.C., County Planner  
Ms. Kate B. McMillion, County Planner  
Mr. Salim Chishti, ASLA, County Planner  
Ms. Sharon Smidler, P.E., Traffic Engineer  
Mr. Henry Rosenbaum, Division of Fire  
Ms. Melissa Ferrante, Office Assistant / Recording Secretary

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6 **Mrs. Patricia S. O'Bannon, the Board of Supervisors' representative, abstains on**  
7 **all cases unless otherwise noted.**

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9 Mrs. Marshall - We have Mrs. Pat O'Bannon, our representative from the  
10 Board of Supervisors who is sitting with the Commission. Good morning.

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12 Mrs. O'Bannon: Good morning.

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14 Mrs. Marshall - Thank you for being here. Mrs. O'Bannon abstains on all  
15 cases unless otherwise noted. All commissioners are present, so we can conduct  
16 business. So at this point, I will turn the agenda over to Mr. Emerson, our secretary.

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18 Mr. Emerson - Thank you, Madam Chairman. First on your agenda this  
19 morning are the requests for deferrals and withdrawals, and we have none of those this  
20 morning unless the Commission has any deferrals they would like to enter. If you have  
21 none, we will move on to the next item on the agenda, which are the expedited items.  
22 Those will be presented by Ms. Leslie News.

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Ms. News - Good morning. Thank you, Mr. Secretary, and good morning members of the Commission. We have twelve items on our expedited agenda this morning. The first item is on page 3 of your agenda and is located in the Varina District. This is transfer of approval for POD-91-89. It's a portion of a POD for East Town Plaza. There is an addendum item on page 1 of our addendum with a revision to the owner's name in the caption. Staff recommends approval.

**TRANSFER OF APPROVAL**

POD-91-89 (pt)  
POD2015-00474  
East Town Plaza – 2901  
Williamsburg Road (U.S.  
Route 60)

**Brookline Development Company, LLC for ~~Peek-East Towne, LLC~~ BL East Towne, LLC and New Coinjock East:** Request for transfer of approval of a portion of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code from East Towne Plaza Associates, LP to BL East Towne, LLC and New Coinjock East. The 8.69-acre site is located on the southern line of Williamsburg Road (U.S. Route 60) and the northeastern line of Charles City Road, southeast of the intersection of Williamsburg Road (U.S. Route 60) and Charles City Road, on parcel 808-713-9182. The zoning is B-3, Business District. County water and sewer. **(Varina)**

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Mrs. Marshall - Is there anyone present in opposition to the transfer request for POD-91-89 (pt) (POD2015-00474), East Town Plaza? I see no opposition, Mr. Leabough.

Mr. Leabough - All right. Madam Chair, I move approval of the transfer request for POD-91-89 (pt) (POD2015-00474), East Town Plaza, subject to previously approved conditions with that case.

Mr. Baka - Second.

Mrs. Marshall - We have a motion by Mr. Leabough and a second by Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

The Planning Commission approved the transfer of approval request for POD-91-89 (pt) (POD2015-00474), East Town Plaza, from East Towne Plaza Associates, LP to BL East Towne, LLC and New Coinjock East, subject to the standard and added conditions previously approved.

Ms. News - The next item is on page 4 of your agenda and located in the Brookland District. This is a transfer of approval for POD-78-84, Maple Springs Apartments, which was formerly The Mark at Maple Run. Staff recommends approval.

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## TRANSFER OF APPROVAL

POD-078-84  
POD2017-00303  
Maple Springs Apartments  
(Formerly The Mark at  
Maple Run) –  
5624 Maple Run Lane

**Capital Square Asset Management for CS 1031 Kay Maple Springs Apartments, DST:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Q Maple, LLC to CS 1031 Kay Maple Springs Apartments, DST. The 18.52-acre site is located on the western line of Hungary Spring Road approximately 1,200 feet north of its intersection with East Parham Road, on parcel 766-755-3768. The zoning is R-5C, General Residential District (Conditional). County water and sewer. **(Brookland)**

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60 Mrs. Marshall - Is there anyone present who is opposed to POD-078-84  
61 (POD2017-00303), Maple Springs Apartments (formerly The Mark at Maple Run)? I see  
62 no opposition, Mrs. Kotula.

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64 Mrs. Kotula - Madam Chair, I move approval of the transfer of approval for  
65 POD-078-84 (POD2017-00303), Maple Springs Apartments (formerly The Mark at Maple  
66 Run), subject to the previously approved conditions on the expedited agenda.

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68 Mr. Archer - Second.

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70 Mrs. Marshall - We have a motion by Mrs. Kotula and a second by Mr. Archer.  
71 All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

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73 The Planning Commission approved the transfer of approval request for POD-078-84  
74 (POD2017-00303), Maple Springs Apartments (formerly The Mark at Maple Run), from  
75 Q Maple, LLC to CS 1031 Kay Maple Springs Apartments, DST, subject to the standard  
76 and added conditions previously approved.

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78 Ms. News - Next on page 5 of your agenda and located in the Fairfield  
79 District is a transfer of approval for POD-02-98. It's a portion of a POD for Park Central I.  
80 Staff recommends approval.

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## TRANSFER OF APPROVAL

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POD-02-98 (pt)  
POD2016-00251  
Park Central I – 8701 Park  
Central Drive

**Kathryn M. Bungo for Baker-Properties Limited Partnership dba Baker Properties-Richmond Limited Partnership:** Request for transfer of approval of a portion of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code from FP Park Central I, LLC to Baker Properties, LP. The 6.68-acre site is located on the eastern line of Park Central Drive, approximately 450 feet north of the intersection of East 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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Mrs. Marshall - Is there anyone present who is opposed to POD-02-98 (pt) (POD2016-00251), Park Central I? I see no opposition, Mr. Archer.

Mr. Archer - Madam Chair, I move approval of POD-02-98 (pt) (POD2016-00251), Park Central I, subject to continued compliance with the original conditions and staff's recommendation.

Mr. Leabough - Second.

Mrs. Marshall - We have a motion by Mr. Archer, a second by Mr. Leabough. All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

The Planning Commission approved the transfer of approval request for POD-02-98 (pt) (POD2016-00251), Park Central I, from FP Park Central I, LLC to Baker Properties, LP, subject to the standard and added conditions previously approved.

Ms. News - The next item is on page 6 of your agenda and located in the Tuckahoe District. This is a transfer of approval for POD-023-07, First-Citizens Bank & Trust Company, which was formerly the Bank of Virginia. Staff recommends approval.

**TRANSFER OF APPROVAL**

<p>POD-023-07 POD2016-00480 First-Citizens Bank &amp; Trust Company (Formerly Bank of Virginia) - 10501 Patterson Avenue</p>	<p><b>Kimley-Horn for First Citizens Bank &amp; Trust Company:</b> Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Bank of Virginia and Mr. Kenneth C. Magalis to First Citizens Bank and Trust. The 1.32-acre site is located on the south west corner of the intersection of Patterson Avenue and Otlyn Road, on parcel 742-741-5389. The zoning is O-2, Office District. County water and sewer. <b>(Tuckahoe)</b></p>
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Mrs. Marshall - Is there anyone present in opposition to POD-023-07 (POD2016-00480) First-Citizens Bank & Trust Company (formerly Bank of Virginia)? I see no opposition, Mr. Baka.

Mr. Baka - Madam Chair, I would move for approval of POD-023-07 (POD2016-00480) First-Citizens Bank & Trust Company (formerly Bank of Virginia), subject to the previously approved conditions, as referenced, on the expedited agenda.

Mr. Leabough - Second.

Mrs. Marshall - We have a motion by Mr. Baka and a second by Mr. Leabough. All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

122 The Planning Commission approved the transfer of approval request for POD-023-07  
123 (POD2016-00480) First-Citizens Bank & Trust Company (formerly Bank of Virginia), from  
124 Bank of Virginia and Mr. Kenneth C. Magalis to First Citizens Bank and Trust, subject to  
125 the standard and added conditions previously approved.  
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127 Ms. News - The next item is on page 7 of your agenda and located in the  
128 Fairfield District. This is a transfer of approval for POD-086-79, City to City Auto Sales,  
129 which was formerly Holly Farms Chicken. Staff recommends approval.  
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### 131 TRANSFER OF APPROVAL

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133 134 135 136 137 138 139 140 141	POD-086-79 POD2017-00076 City to City Auto Sales (Formerly Holly Farms Chicken) – 507 East Laburnum Avenue	133 134 135 136 137 138 139 140 141	Omar White: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Samuel H. Usry to Omar J. White. The 0.59-acre site is located at the southwestern corner of Laburnum Avenue and Richmond-Henrico Turnpike, on parcel 794-738-5343. The zoning is B-2, Business District and B-3, Business District. County water and sewer. <b>(Fairfield)</b>
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133 Mrs. Marshall - Is there anyone present who is opposed to POD-086-79  
134 (POD2017-00076), City to City Auto Sales (formerly Holly Farms Chicken)? I see no  
135 opposition, Mr. Archer.  
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138 Mr. Archer - Madam Chair, I move approval of POD-086-79 (POD2017-  
139 00076), City to City Auto Sales (formerly Holly Farms Chicken), subject to the original  
140 conditions and staff's recommendation.  
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142 Mr. Baka - Second.  
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144 Mrs. Marshall - We have a motion by Mr. Archer, a second by Mr. Baka. All in  
145 favor say aye. Those opposed say no. There is no opposition; that motion passes.  
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147 The Planning Commission approved the transfer of approval request for POD-086-79  
148 (POD2017-00076), City to City Auto Sales (Formerly Holly Farms Chicken), from Samuel  
149 H. Usry to Omar J. White, subject to the standard and added conditions previously  
150 approved.  
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152 Ms. News - The next item is on page 8 of your agenda and is located in  
153 the Varina District. This is a transfer of approval for POD-58-06. This is a portion of a  
154 POD for the Shops at White Oak Village – Junior Anchor and Lifestyle Shops. Staff  
155 recommends approval.  
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161 **TRANSFER OF APPROVAL**

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POD-58-06 (pt)  
POD2015-00346  
The Shops @ White Oak  
Village – Junior Anchor  
and Lifestyle Shops –  
4501 South Laburnum  
Avenue

**DDR Corporation for BRE DDR BR White Oak VA, LLC:**  
Request for transfer of approval of a portion of a plan of  
development as required by Chapter 24, Section 24-106 of  
the Henrico County Code from Forest City Commercial  
Group, Inc. to BRE DDR BR White Oak VA, LLC. The 62-  
acre portion of an existing shopping center is located east  
of South Laburnum Avenue, south of Interstate 64, and  
north of Audubon Drive, on parcel 815-718-5710. The  
zoning is B-3C, Business District (Conditional) and ASO,  
Airport Safety Overlay District. County water and sewer.  
**(Varina)**

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164 Mrs. Marshall - Is there anyone present who is opposed to POD-58-06 (pt)  
165 (POD2015-00346), The Shops at White Oak Village – Junior Anchor and Lifestyle Shops?  
166 Mr. Leabough?

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168 Mr. Leabough - Madam Chair, I move approval of the transfer request for a  
169 portion of POD-58-06 (pt) (POD2015-00346), The Shops at White Oak Village – Junior  
170 Anchor and Lifestyle Shops subject to previously approved conditions on the expedited  
171 agenda.

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173 Mrs. Kotula - Second.

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175 Mrs. Marshall - We have a motion by Mr. Leabough, a second by Mrs. Kotula.  
176 All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

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178 The Planning Commission approved the transfer of approval request for POD-58-06 (pt)  
179 (POD2015-00346), The Shops at White Oak Village – Junior Anchor and Lifestyle Shops,  
180 from Forest City Commercial Group, Inc. to BRE DDR BR White Oak VA, LLC, subject to  
181 the standard and added conditions previously approved.

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183 Ms. News - Next on page 9 of your agenda and located in the Varina  
184 District is a transfer of approval for POD-58-06—another portion of a POD—for Publix,  
185 which was formerly the Ukrop's at the Shops at White Oak Village. There is an addendum  
186 item on page 1 of your addendum, which just adjusts the caption to mention that it's a  
187 portion of the POD. Staff recommends approval.

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**TRANSFER OF APPROVAL**

POD-058-06 (pt)  
POD2016-00354  
Publix (Formerly Ukrops)  
at The Shops at White  
Oak Village –  
4591 South Laburnum  
Avenue

**DDR Corporation for BRE DDR BR White Oak VA, LLC:**  
Request for transfer of approval for a portion of a plan of  
**development** as required by Chapter 24, Section 24-106 of  
the Henrico County Code from Forest City Commercial  
Group, Inc. to BRE DDR BR White Oak VA, LLC. The 5.24-  
acre site is located in an existing shopping center on the  
northern line of Audubon Drive, approximately 500 feet east  
of its intersection with South Laburnum Avenue, on parcel  
815-717-8207. The zoning is B-3C, Business District  
(Conditional) and ASO, Airport Safety Overlay District.  
County water and sewer. **(Varina)**

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Mrs. Marshall - Is there anyone present in opposition to POD-058-06 (pt)  
(POD2016-00354), Publix (formerly Ukrop's), at The Shops at White Oak Village? I see  
no opposition, Mr. Leabough.

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Mr. Leabough - Madam Chair, I move approval of the transfer request for  
POD-058-06 (pt) (POD2016-00354), Publix (formerly Ukrop's) at The Shops at White Oak  
Village, subject to previously approved conditions and also on the expedited agenda.

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Mr. Baka - Second.

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Mrs. Marshall - We have a motion by Mr. Leabough, a second by Mr. Baka.  
All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

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The Planning Commission approved the transfer of approval request for POD-058-06 (pt)  
(POD2016-00354), Publix (formerly Ukrop's) at The Shops at White Oak Village, from  
Forest City Commercial Group, Inc. to BRE DDR BR White Oak VA, LLC, subject to the  
standard and added conditions previously approved.

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Ms. News - Next on page 10 of your agenda and located in the Varina  
District is a transfer of approval for POD-082-07, T.G.I. Friday's at The Shops at White  
Oak Village. Staff recommends approval.

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**TRANSFER OF APPROVAL**

POD-82-07  
POD2016-00355  
T.G.I. Friday's at The  
Shops at White Oak  
Village –  
4459 South Laburnum  
Avenue

**DDR Corporation for BRE DDR BR White Oak VA, LLC:**  
Request for transfer of approval as required by Chapter 24,  
Section 24-106 of the Henrico County Code from Cole MT  
Richmond VA, LLC to BRE DDR BR White Oak VA, LLC.  
The 1.3-acre site is located in an existing shopping center,  
on the eastern line of South Laburnum Avenue,  
approximately 1,300 feet north of Audubon Drive, on parcel  
815-717-0238. The zoning is B-3C, Business District  
(Conditional) and ASO, Airport Safety Overlay District.  
County water and sewer. **(Varina)**

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Mrs. Marshall - Is there anyone present who is opposed to POD-82-07 (POD2016-00355), T.G.I. Friday's at The Shops at White Oak Village? I see no opposition, Mr. Leabough.

Mr. Leabough - Madam Chair, I move approval of the transfer request for POD-82-07 (POD2016-00355), T.G.I. Friday's at The Shops at White Oak Village, subject to previously approved conditions, on the expedited agenda.

Mr. Archer - Second.

Mrs. Marshall - We have a motion by Mr. Leabough, a second by Mr. Archer. All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

The Planning Commission approved the transfer of approval request for POD-82-07 (POD2016-00355), T.G.I. Friday's at The Shops at White Oak Village, from Cole MT Richmond VA, LLC to BRE DDR BR White Oak VA, LLC, subject to the standard and added conditions previously approved.

Ms. News - On page 11 of your agenda and located in the Varina District is a transfer of approval for POD-83-07, 7-Eleven Convenience Store at The Shops at White Oak Village. Staff recommends approval.

#### **TRANSFER OF APPROVAL**

POD-083-07  
POD2016-00356  
7-Eleven Convenience  
Store at The Shops at  
White Oak Village – 4475  
South Laburnum Avenue

**DDR Corporation for BRE DDR BR White Oak VA, LLC:**  
Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Cole MT Richmond and 7-Eleven, Inc. to BRE DDR BR White Oak VA, LLC and 7-Eleven, Inc. The 1.06-acre site is located in an existing shopping center on the eastern line of South Laburnum Avenue, approximately 450 feet north of Audubon Drive, on parcel 815-716-4194. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Mrs. Marshall - Is there anyone present who is opposed to POD-083-07 (POD2016-00356), 7-Eleven Convenience Store at The Shops at White Oak Village?

Mr. Leabough - Madam Chair, I move approval of the transfer request for POD-083-07 (POD2016-00356), 7-Eleven Convenience Store at The Shops at White Oak Village, subject to previously approved conditions on the expedited agenda.

Mr. Baka - Second.



258 Mrs. Marshall - We have a motion by Mr. Leabough and a second by  
259 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition; that motion  
260 passes.

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262 The Planning Commission approved the transfer of approval request for POD-083-07  
263 (POD2016-00356), 7-Eleven Convenience Store at The Shops at White Oak Village, from  
264 Cole MT Richmond and 7-Eleven, Inc. to BRE DDR BR White Oak VA, LLC and 7-Eleven,  
265 Inc., subject to the standard and added conditions previously approved.

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267 Ms. News - On page 12 of your agenda and located in the Varina District  
268 is a transfer of approval for POD-002-08, Cracker Barrel at The Shops at White Oak  
269 Village. Staff recommends approval.

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## 271 TRANSFER OF APPROVAL

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POD-002-08 POD2016-00357 Cracker Barrel at The Shops at White Oak Village – 4435 South Laburnum Avenue	<b>DDR Corporation for BRE DDR BR White Oak VA, LLC:</b> Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Cole MT Richmond VA, LLC to BRE DDR BR White Oak, VA, LLC. The 2.21-acre site is located in an existing shopping center on the eastern line of South Laburnum Avenue, approximately 1,200 feet south of I-64, on parcel 814-717- 5594. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. <b>(Varina)</b>
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274 Mrs. Marshall - Is there anyone present who is opposed to POD-002-08  
275 (POD2016-00357), Cracker Barrel at The Shops at White Oak Village? I see no  
276 opposition, Mr. Leabough.

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278 Mr. Leabough - Madam Chair, I move approval of the transfer request for  
279 POD-002-08 (POD2016-00357), Cracker Barrel at The Shops at White Oak Village,  
280 subject to previously approved conditions on the expedited agenda.

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282 Mrs. Marshall - Second. We have a motion Mr. Leabough, a second by  
283 Mrs. Marshall. All in favor say aye. Those opposed say no. There is no opposition; that  
284 motion passes.

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286 The Planning Commission approved the transfer of approval request for POD-002-08  
287 (POD2016-00357), Cracker Barrel at The Shops at White Oak Village, from Cole MT  
288 Richmond VA, LLC to BRE DDR BR White Oak, VA, LLC, subject to the standard and  
289 added conditions previously approved.

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291 Ms. News - On page 13 of your agenda and located in the Varina District  
292 is the transfer of approval for POD-012-08, Chick-Fil-A at The Shops at White Oak Village.  
293 Staff recommends approval.

294 **TRANSFER OF APPROVAL**

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POD 012-08  
POD2016-00358  
Chick-Fil-A at The Shops  
at White Oak Village –  
4443 South Laburnum  
Avenue

**DDR Corporation for BRE DDR BR White Oak VA, LLC:**  
Request for transfer of approval as required by Chapter 24,  
Section 24-106 of the Henrico County Code from Cole MT  
Richmond VA, LLC and Chick-Fil-A to BRE DDR BR White  
Oak VA, LLC and Chick-Fil-A. The 1.18-acre site is located  
in an existing shopping center on the eastern line of South  
Laburnum Avenue, approximately 1,600 feet north of  
Audubon Drive, on parcel 814-717-7468. The zoning is B-  
3C, Business District (Conditional) and ASO, Airport Safety  
Overlay District. County water and sewer. **(Varina)**

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297 Mrs. Marshall - Is there anyone present who is opposed to POD-012-08  
298 (POD2016-00358), Chick-Fil-A at The Shops at White Oak Village? I see no opposition,  
299 Mr. Leabough.

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301 Mrs. Marshall - Madam Chair, I move approval of the transfer request for  
302 POD-012-08 (POD2016-00358), Chick-Fil-A at The Shops at White Oak Village, subject  
303 to previously approved conditions on the expedited agenda.

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305 Mr. Archer - Second.

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307 Mrs. Marshall - We have a motion by Mr. Leabough, a second by Mr. Archer.  
308 All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

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310 The Planning Commission approved the transfer of approval request for POD-012-08  
311 (POD2016-00358), Chick-Fil-A at The Shops at White Oak Village, from Cole MT  
312 Richmond VA, LLC and Chick-Fil-A to BRE DDR BR White Oak VA, LLC and Chick-Fil-  
313 A, subject to the standard and added conditions previously approved.

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315 Ms. News - The final item is on page 14 of your agenda and located in the  
316 Varina District. This is a transfer of approval for POD-027-08, McDonald's at The Shops  
317 at White Oak Village. Staff recommends approval.

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319 **TRANSFER OF APPROVAL**

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POD-027-08  
POD2016-00359  
McDonald's at The Shops  
at White Oak Village –  
4423 South Laburnum  
Avenue

**DDR Corporation for BRE DDR BR White Oak VA, LLC:**  
Request for transfer of approval as required by Chapter 24,  
Section 24-106 of the Henrico County Code from Cole MT  
Richmond VA, LLC and McDonald's USA, LLC to BRE DDR  
BR White Oak VA, LLC and McDonald's USA, LLC. The  
0.99-acre site is located in an existing shopping center on  
the eastern line of South Laburnum, approximately 1,000  
feet south of I-64, on parcel 814-718-3415. The zoning is B-  
3C, Business District (Conditional) and ASO, Airport Safety  
Overlay District. County water and sewer. **(Varina)**

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 322 Mrs. Marshall - Is there anyone present who is opposed to POD-027-08  
 323 (POD2016-00359), McDonald's at The Shops at White Oak Village? I see no opposition,  
 324 Mr. Leabough.

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 326 Mr. Leabough - Madam Chair, I move approval of the transfer request for  
 327 POD-027-08 (POD2016-00359), McDonald's at The Shops at White Oak Village, subject  
 328 to previously approved conditions on the expedited agenda.

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 330 Mr. Baka - Second.

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 332 Mrs. Marshall - We have a motion by Mr. Leabough, a second by Mr. Baka.  
 333 All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

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 335 The Planning Commission approved the transfer of approval request for POD-027-08  
 336 (POD2016-00359), McDonald's at The Shops at White Oak Village, from Cole MT  
 337 Richmond VA, LLC and McDonald's USA, LLC to BRE DDR BR White Oak VA, LLC and  
 338 McDonald's USA, LLC., subject to the standard and added conditions previously  
 339 approved.

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 341 Ms. News - That completes our expedited agenda.

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 343 Mr. Leabough - Madam Chair, there are no other cases for Varina?

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 345 Mr. Emerson - Madam Chair, we now move on to the next item on the  
 346 agenda, which are Subdivision Extension of Conditional Approval. You do have one for  
 347 informational purposes, and that will be presented by Mrs. Kate McMillion.

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350 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

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352 **EXTENSIONS - FOR INFORMATIONAL PURPOSES ONLY**

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Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2016-00199 Glens at Scott Place, The (January 2017 Plan)	115	115	0	Fairfield	January 24, 2019

354  
 355 Ms. McMillion - Good morning. There is one informational conditional  
 356 subdivision extension on the agenda this morning, as Mr. Emerson indicated. The map  
 357 indicates in red the location of the subdivision, The Glens at Scott Place (January 2017  
 358 Plan) which is presented for the extension of approval. This case, which is located in the

359 Fairfield District, is eligible for a one-year extension, which does not require Commission  
360 action and is for informational purposes only.

361  
362 I am available for any questions you may have.

363 Mrs. Marshall - Questions?

364  
365 Mr. Archer - No ma'am, no questions.

366  
367 Mrs. Marshall - No questions, thank you.

368  
369 Mr. Emerson - Madam Chair, we now move on to page 15 of your regular  
370 agenda and page 2 of your amended agenda for POD2017-00625, Timmons Group for  
371 4100 Tomlynn Street-Rebkee, LLC and Arco Murray National Construction. The staff  
372 report will be presented by Mr. Mike Kennedy.

373  
374  
375 **PLAN OF DEVELOPMENT, SPECIAL EXCEPTION, ALTERNATIVE FENCE HEIGHT**  
376 **PLAN, AND LIGHTING PLAN**

377  
POD2017-00625  
2308 Westwood Avenue –  
2308 Westwood Avenue  
**Timmons Group for 4100 Tomlynn Street-Rebkee, LLC and Arco Murray National Construction:** Request for approval of a plan of development, special exception, alternative fence height plan, and lighting plan as required by Chapter 24, Sections 24-2, 24-94(b), 24-95(l)(5) c, and 24-106 of the Henrico County Code, to authorize construction of a three-story, 55,476 square foot golf entertainment complex. The special exception would authorize the proposed building to exceed 45 feet in height, to allow a building height of approximately 53 feet. The alternative fence height would authorize a fence exceeding 42 inches in height within the required front yard along Westwood Avenue, to allow a six-foot high decorative metal fence along a drainage channel for pedestrian protection. The 23.93-acre site is located on the north line of Westwood Avenue, approximately 470 feet east of its intersection with Tomlynn Street, on parcel 779-735-1860. The zoning is M-1, Light Industrial District and M-2, General Industrial District. County water and sewer. **(Brookland)**

378  
379 Mr. Kennedy - Good morning, members of the Commission.

380  
381 The Plan of Development proposes a three-story Top Golf driving range and multi-  
382 purpose entertainment facility on an undeveloped 14-acre site. The site fronts on  
383 Westwood Avenue, (State Route 197), which is maintained by VDOT. And a portion  
384 Interstate 195 crosses over the property.

385

386 The proposed 55,500-square-foot building will have 24 climate-controlled hitting bays on  
387 each level, for a total of 72 tees. These are the tee-off levels here. The building will also  
388 have 14,000 square feet of restaurant space, as well as an arcade and other accessory  
389 entertainment facilities. So the hitting bays are on the back of the buildings, and the front  
390 of the building is going to have a kitchen area, dining areas, and other accessory features.  
391 That's the first floor. The second floor, again, hitting bays and accessory features.

392  
393 Top Golf has 37 of these facilities in operation in the United States and another 12  
394 facilities under development. They also have three facilities in operation and another five  
395 facilities under development at various international locations. The nearest Top Golf  
396 facilities in operation are in Fredericksburg and Virginia Beach

397  
398 Since the preparation of the agenda, the applicant submitted a revised plan, which was  
399 received in a timely manner. The revised plan provides additional on-site parking, that  
400 would accommodate future outdoor dining areas. And additional parking is here that was  
401 added on the revised plan. It was not on the original plan.

402  
403 Along with the resubmission, developer submitted some documentation from previous  
404 developments indicating the number of parking spaces is adequate.

405  
406 The revised plan also included revised grading and drainage sheets to address  
407 Department of Public Works' concerns. So the BMP here has been redesigned at this  
408 location, and they revised the location of the pump station.

409  
410 The Director of Public Works has approved an exception to the Henrico County Storm  
411 Water Protection Area on the site permitting the relocation of an existing man-made  
412 channel into a concrete channel. The existing channel across the property is subject to  
413 severe erosion. The new channel will improve that condition. This channel here is 25 feet  
414 wide and between 10 and 11 feet deep on this portion of the property right next to the  
415 Interstate. The new channel is intended to reduce erosion in that area as well.

416  
417 The Director of Public Works has also approved a private storm water pump station to  
418 accommodate the unique characteristics of the storm water drainage system for the  
419 driving range playing field. These targets here are actually set low into the property and  
420 they collect golf balls. So actually they're below grade. What the pump station does is  
421 pick up water and pump it out. Should the pump system fail, backup flooding would occur  
422 on the field and not impact any occupied structures.

423  
424 The proposed building will be 53 feet in height. And as the director of Planning indicated,  
425 it would need special exception and staff does not express opposition to that.

426  
427 The playing field for the golf driving range is enclosed with netting supported by a series  
428 of 27 poles that range in height from 90 to 170 feet. The Zoning Code provides that the  
429 Board of Supervisors may authorize structures up to 200-feet in height within the M-1  
430 Zoning District by approval of a Provisional Use Permit.

431

432 The Planning Commission recommended approval of the required PUP at their January  
433 11th meeting. The proposed PUP is scheduled to be considered by the Board of  
434 Supervisors at their February 13th meeting. The staff report supports the request, noting  
435 that the conditions necessary to approve a provisional use permit are satisfied. Staff also  
436 noted in their report that the property is surrounded by industrially zoned property and an  
437 elevated segment of 195, and has no impact on other properties.  
438

439 As I said, the proposed building will be 53 feet in height and will require a special  
440 exception. And like I said before, staff indicates that it meets the conditions of the special  
441 exception.  
442

443 The POD proposes a six-foot high black aluminum fence along the proposed concrete  
444 channel. The fence is intended to serve as a pedestrian barrier adjacent to the proposed  
445 11-foot-deep and 25-foot-wide concrete channel. There are gates along the channel and  
446 there will be ladders. It's kind of interesting. The channel actually takes water from the  
447 City. It could be raining in the City, and you wouldn't even know it here. So flooding could  
448 start. But safety features are provided.  
449

450 The alternative fence height is in this section here and will exceed 42 inches in the front  
451 yard. It will be 6 feet in height. Obviously, it's necessary to protect people from falling into  
452 the channel. It will be a decorative fence, and it will be screened with evergreen shrubs  
453 across the front of the property where the fence faces Westwood Avenue. Staff expressed  
454 no opposition to that request, and it meets the requirements for approval of the special  
455 exception.  
456

457 A portion of the property is in the 100-year floodplain, which is generally enclosed within  
458 the channel itself on this property. The portion that exceeds that does not affect any  
459 buildings. The developer had to provide documentation for a "No Rise" certificate to Public  
460 Works. That has been submitted and approved.  
461

462 Staff notes the development will impact Waters of the United States—that creek there—  
463 and the developer will need to obtain approval for those impacts by the Army Corps of  
464 Engineers and the Virginia Department of Environmental Quality before beginning  
465 construction.  
466

467 The revised plan has now been reviewed by Virginia Department of Transportation staff,  
468 and they have indicated the plans will require additional review of the driveway entrance  
469 along Westwood Avenue and construction details for this channel. As a result, condition  
470 42 has been added to the addendum, which states:  
471

472 42. Evidence that VDOT has reviewed and approved the construction plans for  
473 this project shall be provided prior to final approval of construction plans by Henrico  
474 County.  
475

476 Should the Planning Commission approve the Special Exception and Alternative Fence  
477 Height, staff recommends approval of the POD and lighting plan, subject to the

478 annotations on the plans, the standard conditions for developments of this type, the  
479 additional conditions 11B and 29 through 41 in the agenda, and added condition 42 in the  
480 addendum.

481  
482 Lighting for the field is actually mounted on the building, so it faces away from the  
483 Interstate, which is here. The lighting in the parking lot is generally below the height of the  
484 Interstate. So it won't be visible or cause any glare.

485  
486 This is a copy of the schematic landscape plan, which is not before us for approval, but  
487 just to indicate that the majority of the trees on the site will be removed. This is typical for  
488 an industrial site. But they will be replanting and providing a 10 percent tree canopy as a  
489 result of that.

490  
491 Here is an exterior perspective of the building. The building primarily consists of EIFS. At  
492 other sites, the Top Golf name, as shown here, is illuminated in neon. These are within  
493 the sign limits of the County.

494  
495 Mr. Emerson - Mr. Kennedy, sign approvals are not being provided at this time.

496  
497 Mr. Kennedy - Right.

498  
499 Mr. Emerson - So let's watch what we say there, please.

500  
501 Mr. Kennedy - Okay, sure.

502  
503 So you see some exterior perspectives of the buildings. This is what faces the Interstate.  
504 This is what faces Westwood Avenue. This is the outdoor dining area that they have,  
505 which may need additional parking.

506  
507 With that I conclude my presentation. Sharon Smidler with Traffic Engineering is here.  
508 Jen Cobb, the Division Manager for Engineering and Environmental Services with Public  
509 Works, is here. The developer's engineer, Roger Rodriguez, with Timmons is here. And  
510 their attorney, Jim Theobald, and other representatives are here as well. I am available  
511 to answer any questions you may have. If you have any questions, I'll be happy to answer  
512 them.

513  
514 Mrs. Marshall - Mr. Kennedy, I had a question about the channel. Is the  
515 channel itself a free-flowing channel or is it a controlled channel?

516  
517 Mr. Kennedy - The stream is actually intermittent, so it's dry part of the time.  
518 Storm water backs up where the creek crosses over. The CSX railyard, that's where it  
519 backs up, actually. So it backs up further down the stream.

520  
521 Mrs. Marshall - Thank you. Mrs. Kotula, how would you like to proceed from  
522 here?

523

524 Mrs. Kotula - Have we heard if there's any opposition? Have we asked?  
525  
526 Mrs. Marshall - Is there any opposition for POD2017-00625?  
527  
528 Mrs. O'Bannon: I have one question. The dry BMP, that's where it backs up?  
529  
530 Mr. Kennedy - Actually, it backs up across the site, let me go back to the plan.  
531  
532 Mrs. O'Bannon: There's a lot of drainage—  
533  
534 Mr. Emerson - Mr. Kennedy, should we let Public Works come up and explain  
535 how the BMP's going to operate?  
536  
537 Ms. Cobb - Good morning, Commission. Jen Cobb, Engineering and  
538 Environmental Services Division director. Let me make sure I understand your question  
539 correctly. How does the dry BMP work? Was that the question? Okay, certainly. The dry  
540 BMP is going to collect runoff from the target area, the outfield that you see there. The  
541 water will be collected in that dry BMP. Then by gravity, it will outflow from the BMP to the  
542 stormwater lift station. The design engineer has not yet finalized calculations, but one of  
543 the conditions that we've requested is to make sure that the design does meet stormwater  
544 quality regulations. And it is a 50/10 detention area, which means there are additional  
545 outflow quantity regulations that are required. Does that answer your question?  
546  
547 Mrs. O'Bannon: Yes, thank you.  
548  
549 Ms. Cobb - You're welcome.  
550  
551 Mrs. O'Bannon: There are just a lot of engineered stormwater things on this.  
552  
553 Ms. Cobb - Yes ma'am.  
554  
555 Mrs. O'Bannon: I really appreciate it. That's the first thing I want to say. Just  
556 curious. Thank you.  
557  
558 Ms. Cobb - You're welcome.  
559  
560 Mrs. Kotula - Ms. Cobb, could you talk about—Mr. Kennedy had referenced  
561 the backup and flow from the CSX property downstream. Could you talk about how that's  
562 being addressed?  
563  
564 Ms. Cobb - Certainly. The existing site has a backwater from the  
565 stormwater pipes just off site. So, the water is very slowly moving. And when there is a  
566 larger storm event, the water's not moving so far down stream but is getting backed up  
567 because you have your choke point from those culverts. So, the water is moving slowly,  
568 and that's where you're going to see more of the water as the backup from the constriction  
569 of the stormwater pipes downstream.



570  
571 Mrs. Kotula - And that's being addressed through the depth and width of the  
572 channel proposed? Right?  
573  
574 Ms. Cobb - Correct. Yes ma'am. Any other questions?  
575  
576 Mrs. Marshall - Any other questions?  
577  
578 Mr. Baka - Just one for staff. A tremendous amount of capital investment  
579 has gone into this by the applicant and a lot of thought on the site planning and drainage.  
580 There's no one here today, but did the staff receive any comments or questions—not  
581 necessarily opposition—from any adjacent business owners prior to the meeting?  
582  
583 Mr. Kennedy - No. In fact, when the pole height PUP was heard by the  
584 Planning Commission previously, it was recommended for approval on the expedited  
585 agenda.  
586  
587 Mrs. Marshall - Mrs. Kotula, would you like to hear from the applicant?  
588  
589 Mrs. Kotula - Sure, if they have anything they would like to add.  
590  
591 Mr. Rodriguez - Good morning, Madam Chair, members of the Commission.  
592 I'm Roger Rodriguez with Timmons Group, representing the applicant. We've been  
593 working very diligently with staff and even executive leadership for the past couple of  
594 months on this project. We're very excited with the progress we've made. We are  
595 definitely in agreement with all of staff's conditions, all of the recommended conditions  
596 with the POD approval. And we respectfully request a "yes" vote. Happy to answer any  
597 questions if you have any.  
598  
599 Mrs. Marshall - Any questions? Thank you.  
600  
601 Mr. Archer - Excuse me, sir. When is this supposed to be finished?  
602  
603 Mr. Rodriguez - As quickly as possible. In all candidness, we do expect  
604 groundbreaking this year. There is probably a several-month construction period. But we  
605 are motivated to get it out of the ground and open very quickly.  
606  
607 Mrs. O'Bannon: Mr. Archer has custom-made clubs.  
608  
609 Mr. Rodriguez - We'll make sure you get a personal invite.  
610  
611 Mrs. Marshall - And Mr. Archer, you might want to invite Mr. Witte for a fun  
612 event.  
613  
614 Mr. Archer - That's a good thought.  
615

616 Mrs. Marshall - Thank you.  
617  
618 Male - [Off microphone] May I make a comment? Is it too late?  
619  
620 Mrs. Marshall - Yes. Please come forward.  
621  
622 Mr. Porter - I'm Robert Porter, one of the owners of a site nearby. We're  
623 right on Westwood Trail. Our property is not adjacent to this site, but it does drain into a  
624 drainage area. I believe it was you that made this comment about the CSX drainage that's  
625 coming off their site. It comes through the back of our site. And those culverts in the  
626 ground, we've met with CSX on the site. There's a huge drainage problem right there.  
627 The culverts are down in the ground. Who knows when they were put there. But CSX is  
628 trying to do some improvements I guess from upstream for all their drainage. And it's  
629 getting through I guess our site, and then it just totally bottlenecks. And then I believe you  
630 made a comment; maybe you all are reviewing it. I think I'd like to get my engineer, maybe  
631 sit down and try to see what the situation is to make sure that the water keeps going down  
632 that creek. Otherwise, it's just going to be a big bottleneck, like somebody said.  
633  
634 What's your name?  
635  
636 Ms. Cobb - [Off microphone] I'm Jen Cobb.  
637  
638 Mr. Porter - I'd like to sit down and get my engineer, and maybe Roger  
639 there, and just see what can be done. I think CSX is trying to work something out to  
640 improve the drainage, but it's going to be a problem. Thank you.  
641  
642 Mrs. Marshall - Thank you.  
643  
644 Mrs. Kotula - I think Ms. Cobb, it sounded like you are amenable to a  
645 meeting with Mr. Porter?  
646  
647 Ms. Cobb - [Off microphone] Yes, ma'am.  
648  
649 Mrs. Kotula - Okay. Great.  
650  
651 Mrs. Marshall - Mrs. Kotula, a motion?  
652  
653 Mrs. Kotula - Yes. With that agreement to resolve Mr. Porter's concerns, I  
654 move POD2017-00625, 2308 Westwood Avenue, including the special exception,  
655 alternative fence height plan, and lighting plan be approved, subject to the annotations  
656 on the plan, the standard conditions for developments of this type, additional conditions  
657 11B and 29 through 41 in the agenda, added condition #42 in the addendum, and  
658 including the revised plans in the addendum.  
659  
660 Mr. Baka - Second.  
661

662 Mrs. Marshall - We have a motion by Mrs. Kotula, a second by Mr. Baka. All  
663 in favor say aye. Those opposed say no. There is no opposition; that motion passes.  
664

665 The Planning Commission approved POD2017-00625 2308 Westwood Avenue  
666 (including the special exception alternative fence height plan, and lighting plan), subject  
667 to the annotations on the plans, the standard conditions attached to these minutes for  
668 developments of this type, and the following additional conditions:  
669

- 670 11B. Prior to the approval of an electrical permit application and installation of the site  
671 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
672 specifications and mounting heights details shall be revised as annotated on the  
673 staff plan and included with the construction plans for final signature.
- 674 29. The right-of-way for widening of Westwood Avenue (State Route 197) as  
675 determined necessary by the resident engineer of VDOT's Ashland Residency.
- 676 30. The entrances and drainage facilities on State Route 197 shall be approved by the  
677 Virginia Department of Transportation and the County.
- 678 31. 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 32. Prior to issuance of a certificate of occupancy for any building in this development,  
683 the engineer of record shall certify that the site has been graded in accordance  
684 with the approved grading plans.
- 685 33. Details for the gate and locking device for the access gates to the concrete channel  
686 shall be submitted for review by the Traffic Engineer, Police and approved by the  
687 County Fire Marshal. The owner or owner's contractor shall contact the County  
688 Fire Marshal prior to completion of the fence installation to test and inspect the  
689 operations of the gates. Evidence of the Fire Marshal's approval shall be provided  
690 to the Department of Planning by the owner prior to issuance of occupancy  
691 permits. 34. Outside storage shall not be permitted.
- 692 35. In order to maintain the effectiveness of the County's public safety radio  
693 communications system within buildings, the owner will install radio equipment that  
694 will allow for adequate radio coverage within the building, unless waived by the  
695 Director of Planning. Compliance with the County's emergency communication  
696 system shall be certified to the County by a communications consultant within  
697 ninety (90) days of obtaining a certificate of occupancy. The County will be  
698 permitted to perform communications testing in the building at anytime.
- 699 36. Evidence that an engineer has certified the height of the building shall be provided  
700 to the Director of Planning prior to the issuance of a Certificate of Occupancy.
- 701 37. The conditions approved as a part of provisional use permit PUP2018-00002 shall  
702 be incorporated in this approval.
- 703 38. Approval of the construction plans by the Department of Public Works does not  
704 establish the curb and gutter elevations along the Virginia Department of  
705 Transportation maintained right-of-way. The elevations will be set by the contractor  
706 and approved by the Virginia Department of Transportation.

- 707 39. Evidence of a joint ingress/egress and maintenance agreement must be submitted  
 708 to the Department of Planning and approved prior to issuance of a certificate of  
 709 occupancy for this development.
- 710 40. The location of all existing and proposed utility and mechanical equipment  
 711 (including HVAC units, electric meters, junctions and accessory boxes,  
 712 transformers, and generators) shall be identified on the landscape plan. All building  
 713 mounted equipment shall be painted to match the building, and all equipment shall  
 714 be screened by such measures as determined appropriate by the Director of  
 715 Planning or the Planning Commission at the time of plan approval.
- 716 41. Except for junction boxes, meters, and existing overhead utility lines, and for  
 717 technical or environmental reasons, all utility lines shall be underground.
- 718 42. **ADDED:** Evidence that VDOT has reviewed and approved the construction plans  
 719 for this project shall be provided prior to final approval of construction plans by  
 720 Henrico County.

721  
 722 Mr. Emerson - Madam Chair, we now move on to page 19 of your regular  
 723 agenda and page 3 of your amended agenda for POD2017-00627, VHB for Federal  
 724 Realty Investment Trust. The staff report will be presented by Mr. Ward.

725  
 726 **PLAN OF DEVELOPMENT**

727 POD2017-00627 Starbucks at Willow Lawn – 1601 Willow Lawn Drive	<b>VHB for Federal Realty Investment Trust:</b> Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish 1,700 square feet of an existing building and construct a detached, one-story, 2,214-square foot restaurant with drive through facilities in an existing shopping center. The 2.04- acre portion of the 20.332-acre site is located on the east line of Willow Lawn Drive, at its intersection with Fitzhugh Avenue, on part of parcel 773-736-2198. The zoning is B-2, Business District. County water and sewer. <b>(Brookland)</b>
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728  
 729 Mr. Ward - Good morning, members of the Commission. No one for  
 730 opposition, I guess?  
 731

732 Mrs. Marshall - Is anyone present in opposition to POD2017-00627,  
 733 Starbucks at Willow Lawn?  
 734

735 Mr. Ward - Good morning again.  
 736

737 This proposal is to demolish part of a building that is separate from the Chopt restaurant  
 738 and reconfigure some parking spaces. As you can see, the extra space will make room  
 739 for the Starbucks with a drive-through and outdoor convenience seating. As shown, the  
 740 drive-through will go between the buildings located here, the existing Chopt building and  
 741 the proposed Starbucks, which will be near the intersection of Willow Lawn Drive and  
 742 Fitzhugh Avenue.

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The revised plan here provides adequate parking, building setbacks, traffic circulation, and pedestrian connectivity to comply with shopping center guidelines. Also, a sidewalk extension from the GRTC bus stop will be provided for additional pedestrian access along Willow Lawn Drive, as well as a crosswalk into the shopping center.

As shown, the building elevations provide a building primarily constructed of medium-grey EIFS with a darker brick base. Other building features will include wood veneer and metal building materials.

At this time, staff can recommend approval of the plan subject to the annotations, the revised plan on the addendum on page 3, standard conditions for developments of this type, and conditions 29 through 35.

This completes my presentation. We do have Jonathan Winks if you have any questions of him. And if you have any questions or concerns, I'm happy to address those too.

Mrs. Kotula - Any questions?

Mr. Leabough - Just one comment, if I may, Mrs. Kotula. I'm glad to see there is adequate stacking space. Anyone that knows any Starbucks, in the morning it's—

Mrs. O'Bannon: That's exactly what I was going to say. Every single Starbucks we have in the County has that problem.

Mr. Leabough - Yes, and it creates a traffic issue. So I'm glad to see you have all that stacking space in the parking lot of the mall. So just a quick comment. Hindsight is always 20/20, so it looks like we've learned from other localities that have made that mistake. Thank you. That's all I have to add.

Mrs. Marshall - Mrs. Kotula, would you like to hear from the applicant?

Mrs. Kotula - Yes, I'd love to hear from the applicant about how those concerns are being addressed.

Mrs. Marshall - Please come forward.

Mr. Winks - Good morning. Jonathan Winks with VHB. What specific concerns would you like me to address?

Mrs. Kotula - Just about the stacking.

Mr. Winks - We're providing about 250 feet of stacking wrapping around the building until you get in front of the adjacent Chopt building. You then have additional stacking past Chopt. You probably have another 500 feet or so of stacking before you get out into a major drive aisle within the shopping center.

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Mrs. Marshall - About how many parking spaces would you say?

Mr. Winks - We're taking away parking with this plan and then providing new parking. It's a total reduction of I believe 15 spaces to the shopping center, which is over-parked by more than 100 spaces.

Mrs. Marshall - Okay.

Mrs. Kotula - Great. Thank you.

Mrs. Marshall - Any more questions? Thank you. Mrs. Kotula?

Mrs. Kotula - All right. I move POD2017-00627, Starbucks at Willow Lawn, be approved subject to the annotations on the plan, the standard conditions for developments of this type, additional conditions 29 through 35 in the agenda, and including the revised plans in the addendum.

Mr. Archer - Second.

Mrs. Marshall - We have a motion by Mrs. Kotula, a second by Mr. Archer. All in favor say aye. Those opposed say no. There is no opposition; that motion passes.

The Planning Commission approved POD2017-00627, Starbucks at Willow Lawn, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

29. Only retail business establishments permitted in a B-2 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).
32. Outside storage shall not be permitted.
33. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.
34. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up delivery facilities, the owner/occupant shall close the drive-up delivery facilities until a solution can be designed to prevent traffic backup.
35. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall

835 be screened by such measures as determined appropriate by the Director of  
836 Planning or the Planning Commission at the time of plan approval.

837  
838 Mr. Emerson - Madam Chair, we now move on to the next item, which is the  
839 consideration of approval of the minutes of your December 13, 2017 meeting. I don't have  
840 an errata sheet, and I'm seeing staff saying we don't have one. If the Commission has  
841 any corrections, additions, or comments regarding the minutes, of course we'll be happy  
842 to make those revisions.

843  
844 APPROVAL OF MINUTES: December 13, 2017

845  
846 Mrs. Marshall - A motion would be in order.

847  
848 Mr. Leabough - Madam Chair, I move approval of the minutes.

849  
850 Mr. Baka - Second.

851  
852 Mrs. Marshall - We have a motion to approve the minutes by Mr. Leabough,  
853 second by Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition;  
854 that motion passes.

855  
856 Mrs. Kotula - Madam Chair, I just want to note that I abstain from the vote  
857 since I was not present.

858  
859 Mrs. Marshall - Okay. Please note that Mrs. Kotula abstained from the vote.

860  
861 The Planning Commission approved the December 13, 2017 minutes are presented.

862  
863 Mr. Emerson - Madam Chair, I do have one other item to bring in front of you  
864 this morning. It's in the form of a reminder. Regarding the February 15th meeting, don't  
865 forget that you have the CIP hearing. It will be at 6 p.m. It's not on Sunday. It was corrected  
866 in your addendum. It is on February 15th, which is a Thursday. We will have some food  
867 for you beginning between 5 and 5:15 p.m. in the large conference room of the Planning  
868 Department. So please plan to come on in and eat prior to the meeting. That meeting  
869 does have quite a few items on the agenda right now based on the deferrals and new  
870 submissions that you have not had on your agenda previously. So that could be a lengthy  
871 evening.

872  
873 Mr. Archer - What time did you say we should arrive, Mr. Secretary?

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875 Mr. Emerson - I would say between 5 and 5:15, Mr. Archer, to give you  
876 enough time to eat and then arrive in this room by 6 p.m. for the hearing.

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878 Mr. Archer - Thank you.

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880 Mrs. Marshall - Do we have any more business to conduct this morning?

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Mr. Emerson -

I have nothing further for the Commission, Madam Chair.

Mrs. Marshall -

If not, a motion to adjourn would be in order.

Mr. Baka -

So moved, Madam Chair.

Mr. Leabough -

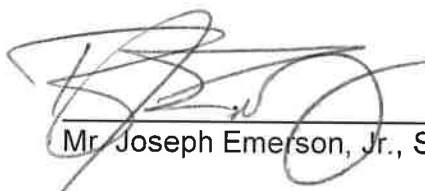
Second.

Ms. Marshall -  
adjourned.

So moved and a second by Mr. Leabough. This meeting is

*Sandra Marshall*

\_\_\_\_\_  
Mrs. Sandra M. Marshall, Chairperson

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



## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

### Conventional Single-Family Subdivisions Served By Public Utilities

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, a minimum of sixteen (16) 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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 24, 2018**, 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 23, 2019**, 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.

## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

### Conventional Single-Family Subdivisions Not Served By Public Utilities

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, a minimum of eleven (11) 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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **January 24, 2018**, 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 23, 2019**, 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.

## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

### Residential Townhouse for Sale (RTH) Subdivisions

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, a minimum of fourteen (14) 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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 24, 2018**, 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 23, 2019**, 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.

## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

### Zero Lot Line Subdivisions

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, a minimum of fourteen (14) 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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 24, 2018**, 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 23, 2019**, 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.



## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

### Road Dedication with No Lots

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, a minimum of sixteen (16) 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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 24, 2018**, 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 23, 2019**, 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.

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 sewer. 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 water. 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 24, 2018**, which shall be as much a part of this approval as if details were fully described herein. Nine (9) 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, a minimum of fourteen (14) 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 October 2015)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.

11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature. **(For POD which includes lighting plan approval)**
12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. **(Revised January 2008)**
17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the POD.
20. The approved Plan of Development is granted by the Planning Commission only to the owners(s)/applicant(s) listed on the Plan of Development application on file for this project. Upon written notification to the Director of Planning, the Plan of Development approval may be transferred to subsequent owner(s) subject to approval by this Commission, or approval by the Director of Planning provided the property is transferred to new ownership no later than 24 months following initial construction plan approval. **(Revised August 2016)**

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 24, 2018**, which shall be as much a part of this approval as if all details were fully described herein. Four (4) 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.
33. The mechanical equipment for each building shall be located on its respective lot. Except for wall-mounted electric meters, in no case shall the eight-foot easement for construction, drainage, and maintenance access on the abutting lot be used to locate other mechanical equipment (such as HVAC equipment, generators, and the like) for the subject lot.

**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-flammable 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)**