Minutes of the regular monthly meeting of the Planning Commission of Henrico County, held in the County Administration Building in the Government Center at Parham and Hungary Spring Roads beginning at 9:00 a.m. Wednesday, July 28, 2010.

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

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

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

Mr. Vanarsdall - Good morning, everybody. The Henrico County Planning Commission will now come to order.

Mr. Jernigan - Good morning, Mr. Chairman.

Mr. Vanarsdall - Glad to have everybody. Good morning, fellow Commissioners. A special good morning to Mr. Kaechele on the left down there who represents the Board of Supervisors.

Mr. Kaechele - Good morning.

Mr. Vanarsdall - Director of Planning, Mr. Emerson. Is anyone from the news media here this morning? Now, I would like to ask you to stand and Pledge Allegiance to the Flag.
Thank you for standing. I never have turned around to see if anyone wasn’t standing. Now, we'll turn the meeting over to Mr. Emerson, our secretary.

Mr. Emerson - Thank you, Mr. Chairman. The first item on your agenda today is the requests for deferrals and withdrawals, and I believe you have one request for deferral. That will be presented by Ms. Leslie News.

Ms. News - Thank you, Mr. Chairman. Good morning, members of the Commission. We have one request for deferral that is located in the Brookland District. It is found on page 19 of your agenda. This is SUB-60-07, Winfrey Meadows (November 2007 Plan). This is a reconsideration to request a withdrawal, and the applicant has requested that this reconsideration be deferred to September 22, 2010.

**SUBDIVISION - REQUEST FOR WITHDRAWAL**

SUB-60-07
SUB2008-00070
Winfrey Meadows (November 2007 Plan)
Reconsideration - Request for Withdrawal - 10885 Old Greenwood Road

David Jinnett for Madeline, LLC: Request for withdrawal of conditional subdivision approval. The 6.39-acre site is located on the northeast side of Old Greenwood Road at its intersection with Greenwood Road, on parcel 777-770-3917. The zoning is A-1, Agricultural District. County water and sewer. (Brookland) 1 Lot


Mr. Jernigan - Second.

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

At the request of the applicant, the Planning Commission deferred SUB-60-07, Winfrey Meadows (November 2007) Reconsideration, to its September 22, 2010 meeting.

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

Ms. News - The first item is found on page 3 of your agenda and is located in the Three Chopt District. This is a transfer of approval for POD-35-84, West Broad Commons Shopping Center. Staff recommends approval.
TRANSFER OF APPROVAL

POD-35-84
POD2010-00099
West Broad Commons
Shopping Center – 9031
W. Broad Street (U.S.
Route 250)

DLC Management Corp for West Broad Improvements,
LLC: Request for transfer of approval as required by
Chapter 24, Section 24-106 of the Henrico County Code
from W. Broad St. Land Co., John M. Purcell, Jr. et. al.,
Western Associates, Little-McMahon Properties, Inc., and
West Broad Associates of Richmond to West Broad
Improvements, LLC. The 11.83-acre site is located at the
southeast corner of W. Broad Street (U.S. Route 250) and
Tuckernuck Drive, on parcel 758-755-0890. The zoning is
B-2, Business District. County water and sewer. (Three
Chopt)

Mr. Vanarsdall - Is there any opposition to POD-35-84, West Broad
Commons Shopping Center in the Three Chopt District? No opposition, Mr. Branin.

Mr. Branin - Mr. Chairman, I’d like to move that the transfer of approval
for POD-35-84, West Broad Commons Shopping Center, be approved on the expedited
agenda.

Mr. Jernigan - Second.

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

The Planning Commission approved the transfer of approval request for POD-35-84,
West Broad Commons Shopping Center, from W. Broad St. Land Co., John M. Purcell,
Jr. et. al., Western Associates, Little-McMahon Properties, Inc., and West Broad
Associates of Richmond to West Broad Improvements, LLC, subject to the standard and
added conditions previously approved.

Ms. News - Next, on page 4 of your agenda and located in the Fairfield
District, is LP/POD-62-08. This is Kingdom Hall lighting plan. Staff recommends
approval.

July 28, 2010

Planning Commission – POD
LANDSCAPE PLAN

LP/POD-62-08
POD2010-00007
Kingdom Hall - 2801 Mechanicsville Turnpike (U.S. Route 360)

Carter Design for Ginter Park Congregation of Jehovah's Witnesses of Richmond, Virginia: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 3.48-acre site is located on the northeast corner of the intersection of Mechanicsville Turnpike (U.S. Route 360) and St. Claire Lane and the west line of 20th Street, on parcel 800-729-2497. The zoning is B-1C, Business District (Conditional). County water and sewer.  

(Fairfield)

Mr. Vanarsdall - Is there any opposition to LP/POD-62-08, Kingdom Hall?
Ms. News - Excuse me; let me correct myself. This is actually for the landscape plan, not the lighting plan.
Mr. Vanarsdall - No opposition.
Mr. Archer - We already approved the lighting plan, I believe.
Ms. News - Correct.
Mr. Archer - Mr. Chairman, I move that LP/POD-62-08, Kingdom Hall, be approved subject to the standard conditions for developments of this type.
Mr. Jernigan - Second.
Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Jernigan. All in favor say aye. All opposed say no. The ayes have it, the motion passes.

The Planning Commission approved the landscape plan for LP/POD-62-08, Kingdom Hall, subject to the standard conditions attached to these minutes for landscape plans.

Ms. News - Next, on page 11 of your agenda and located in the Brookland District, is AutoZone at Sam's Club Shopping Center. There is an addendum item on page 2 of your addendum which simply states that there is a better quality print of the original staff plan in the addendum. Staff continues to recommend approval.
Mr. Vanarsdall - What page did you say?

Ms. News - Page 11.

Mr. Vanarsdall - All right. I want to add 2 items, #9 amended and #34, which talks about the location's existing utilities and mechanical equipment. It's #42 on the Inglenook Cottages. I apologize to Aimee because she asked if I was okay with this, and I was until I drove down Broad Street and remembered all the boxes and ugliness that was on the back of one of the buildings sometime ago, so I didn't want that to happen this time. With that, I recommend approval of POD-09-10, AutoZone at Sam's Club Shopping Center.

Mr. Archer - Second.

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

The Planning Commission approved POD-09-10, AutoZone at Sam's Club Shopping Center, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

9. AMENDED - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.

29. Outside storage shall not be permitted.

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

31. Only retail business establishments permitted in a B-2 zone may be located in this center.

32. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
33. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

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

Ms. News - The next item is on page 12 of your agenda and is located in the Varina District. This is Pleasanton Subdivision (July 2010 Plan). There’s an addendum item on page 2 of the addendum with a revised plan that changes the request to 1 lot and a reserved parcel instead of 2 lots as originally proposed. Staff recommends approval.

SUBDIVISION

SUB-11-10
SUB2010-00087 Pleasanton (July 2010 Plan) 2510 Gay Avenue

Engineering Design Associates for Josephine Crafton and F. R. and LeeAnn Blankenship: The 3.67-acre site proposed for a subdivision of 1 single-family home and a reserved parcel is located on the north side of Gay Avenue, approximately 300 feet east of Samara Drive, on parcels 807-716-6225 and 6995. The zoning is R-4, One Family Residential District. County water and sewer. (Varina) 1 Lot

Mr. Vanarsdall - Is anyone in opposition to SUB-11-10, Pleasanton (July 2010 Plan)? No opposition, Mr. Jernigan.

Mr. Jernigan - Mr. Chairman, with that I will move for approval of SUB-11-10, Pleasanton (July 2010 Plan), with standard conditions for subdivisions served by public utilities and the following additional Condition #13 and the addendum changing it to 1 lot rather than 2.

Mrs. Jones - Second.

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

The Planning Commission granted conditional approval to SUB-11-10, Pleasanton (July 2010 Plan), subject to the standard conditions attached to these minutes for subdivisions served by public utilities, the annotations on the plans, and the following additional condition:

13. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.
Next, on page 13 of your agenda and located in the Varina District, is SUB-12-10, Scaffold Court (July 2010 Plan). Staff recommends approval.

**SUBDIVISION**

SUB-12-10
SUB2010-00089
Scaffold Court
(July 2010 Plan)
6196 Scaffold Court

Mr. Vanarsdall - Is anyone in the audience in opposition to SUB-12-10, Scaffold Court (July 2010 Plan)? No opposition, Mr. Jernigan.

Mr. Jernigan - Mr. Chairman, with that I'll move for approval of SUB-12-10, Scaffold Court (July 2010 Plan), subject to the annotations on the plan and the standard conditions for subdivisions not served by public utilities.

Mr. Archer - Second.

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

The Planning Commission granted conditional approval to SUB-12-10, Scaffold Court (July 2010 Plan), subject to the standard conditions attached to these minutes for subdivisions not served by public utilities and the annotations on the plans.

Ms. News - Next, on page 14 of your agenda and located in the Varina District, is SUB-07-10, Halie's Corner (July 2010 Plan). Staff recommends approval.

**SUBDIVISION**

SUB-07-10
SUB2010-00076
Halie's Corner
(July 2010 Plan)
5300 Nine Mile Road
(State Route 33)

HIS Land Surveying, Inc. for DL Hurst Homes, LLC:

The 1.48-acre site proposed for a subdivision of 3 single-family homes is located at the northeast corner of Nine Mile Road (State Route 33) and Bayard Street, on parcel 814-725-6975. The zoning is R-2, One-Family Residential District. County water and sewer. (Varina) 3 Lots

Mr. Vanarsdall - Is anyone in the audience in opposition to SUB-07-10, Halie's Corner (July 2010 Plan)? No opposition, again, Mr. Jernigan.
Mr. Jernigan - Mr. Chairman, I move for approval of SUB-07-10, Halie's Corner (July 2010 Plan), subject to the annotations on the plans, standard conditions for subdivisions served by public utilities, and the following additional conditions, #13 and #14.

Mrs. Jones - Second.

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

The Planning Commission granted conditional approval to SUB-07-10, Halie's Corner (July 2010 Plan), subject to the standard conditions attached to these minutes for subdivisions served by public utilities, the annotations on the plans, and the following additional conditions:

13. Each lot shall contain at least 18,000 square feet.
14. Detailed construction plans shall be submitted to the Department of Planning before the final plats are submitted for final approval.

Ms. News - Next, on page 15 of your agenda and located in the Varina District, is SUB-09-10, Woodlawn Terrace (July 2010 Plan). Staff recommends approval.

SUBDIVISION

SUB-09-10
SUB2010-00084
Woodlawn Terrace
(July 2010 Plan)
252 Defense Avenue

Werner Engineering, LLC for Stephen R. Marks and Emerald Land Development, LLC: The 5.89-acre site proposed for a subdivision of 1 single-family home is located on the east line of Defense Avenue, approximately 300 feet from its intersection with Dakar Drive, on parcel 830-717-7954. The zoning is R-4, One-Family Residential District and ASO, Airport Safety Overlay District. County water and sewer. (Varina) 1 Lot

Mr. Vanarsdall - Is anyone in the audience in opposition to SUB-09-10, Woodlawn Terrace (July 2010 Plan)? Mr. Jernigan, you're pretty busy this morning with her.

Mr. Jernigan - Mr. Chairman, I move for approval of SUB-09-10, Woodlawn Terrace (July 2010 Plan), subject to the standard conditions for subdivisions served by public utilities and the following additional conditions #13, #14, and #15.

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

The Planning Commission granted conditional approval to SUB-09-10, Woodlawn Terrace (July 2010 Plan), subject to the standard conditions attached to these minutes for subdivisions served by public utilities, the annotations on the plans, and the following additional conditions:

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

14. Each lot shall contain at least 8,000 square feet, exclusive of the floodplain areas.

15. Prior to preparing the recordation plat, the engineer or surveyor shall furnish the Planning Staff a plan showing a dwelling situated on the lot to determine if the lot design is adequate to meet the requirements of Chapter 24 of the Henrico County Code.

Ms. News - The final item is found on page 18 of your agenda and is located in the Three Chopt District. This is SUB-01-06, West Broad Village (July 2006 Plan). This is a reconsideration of Blocks B and H. Staff recommends approval.

SUBDIVISION

SUB-01-06  
SUB2010-00096  
West Broad Village (July 2006 Plan)  
Reconsideration of Blocks B and H

Timmons Group for West Broad Village, LLC and Markel I Eagle Advisors, LLC: Request for reconsideration of Blocks B and H of West Broad Village (July 2006 Plan). The original 35.72-acre site is located along the southern line of W. Broad Street (U.S. Route 250), west of the Interstate-64 interchange at Short Pump. The revised conditional subdivision plat deletes 3 townhouse lots in Block B, located between Powhatan's Trail and Redbud Road, and adds those 3 townhouse lots to Block H, located between Strolling Lane and Fishpond Lane. There is no net increase to the total number of lots. The affected blocks are located on parcels 741-760-5363, 743-760-7234, 8132, 6919, and 7818. The zoning is UMU, Urban Mixed Use District and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt) 0 Lots

Mr. Vanarsdall - Is there any opposition to SUB-01-06, West Broad Village (July 2006 Plan), Reconsideration of Blocks B and H? No opposition, Mr. Branin.
Mr. Branin - Mr. Chairman, I'd like to move that SUB-01-06, West Broad Village (July 2006 Plan), Reconsideration of Blocks B and H, be approved on the expedited agenda.

Mrs. Jones - Second.

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

The Planning Commission approved SUB-01-06, West Broad Village (July 2006 Plan) Reconsideration of Blocks B and H subject to the previously approved conditions, dated October 12, 2006.

Ms. News - That completes our expedited agenda.

Mr. Vanarsdall - Thank you, Ms. News.

Mr. Emerson - Mr. Chairman, that now takes us to the Subdivision Extensions of Conditional Approval. Those will be presented by Mr. Lee Pambid.

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL

FOR INFORMATIONAL PURPOSES ONLY – SUBDIVISION EXTENSIONS

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Original No. of Lots</th>
<th>Remaining Lots</th>
<th>Previous Extensions</th>
<th>Magisterial District</th>
<th>Recommended Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUB2009-00073 (SUB-10-09) Oakleys Chase (June 2009 Plan)</td>
<td>145</td>
<td>135</td>
<td>0</td>
<td>Fairfield</td>
<td>7/27/2011</td>
</tr>
</tbody>
</table>

Mr. Vanarsdall - Good morning, Mr. Pambid.

Mr. Pambid - Good morning, Mr. Chairman, members of the Planning Commission. This map indicates the location of 1 subdivision that is presented for extension of conditional of approval this month. It's eligible for a one-year extension to July 27, 2011. This is for informational purposes only. I can field any questions you have regarding this one.

Mr. Vanarsdall - All right. Any questions for Mr. Pambid? Thank you, Mr. Pambid.

Mr. Pambid - You're welcome.

Mr. Emerson - Mr. Chairman, that takes us to the first case on your regular agenda.

July 26, 2010
Kimley-Horn and Associates, Inc. for The Rebkee Company: Request for approval of a landscape and lighting plan and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The transitional buffer deviation would permit 2 light poles to be located in the transitional buffer north of the property. The 2.6-acre site is located on the northeast corner of Patterson Avenue (State Route 6) and Lauderdale Drive, on parcel 738-742-9542. The zoning is B-2C, Business District (Conditional). County water and sewer. (Tuckahoe)

Is anyone in the audience in opposition to LP/POD-30-08, CVS Pharmacy #1991?

Mr. Garrison - The applicant is requesting approval of a landscape and lighting plan and a transitional buffer deviation for the CVS at Patterson and Lauderdale. The staff plan before you today is a revised plan that addresses staff’s comments regarding additional plant material along Lauderdale Drive and the retention pond, as well as an alternate plant material within a portion of the transitional buffer to the north and along Patterson Avenue to accommodate existing utilities.

The transitional buffer deviation request would allow 2 light poles in an alternate transitional buffer along the north property line. The alternate transitional buffer allows a 12-foot reduction of the required 25-foot transitional buffer with a 6-foot-tall masonry wall.

Staff has suggested that the applicant provide external house-side shields to effectively mitigate glare from the adjacent residential property. As of this morning, the applicant has agreed to provide those.

As you know, CVS was approved with a BMP adjacent to Patterson Avenue that is required to function as a dry basin except during a rain event. According to Public Works, the BMP is functioning properly as a dry basin, and an erosion and sediment control bond is in place to ensure that it continues to function as it should. This bond is typically released once the site is stabilized according to the approved plan and the BMP is certified by the engineer.

Should the Commission approve the applicant’s request for a transitional buffer deviation, staff recommends approval of LP/POD-30-08, subject to the annotations on the plans and the standard conditions for landscape and lighting plans.
Brian McNeal and Christina Willis with Rebkee and David Ellington with Kimley-Horn are available to answer any questions you may have.

Mr. Vanarsdall - Any questions for Mr. Garrison by Commission members?

Mrs. Jones - I have just a couple if no one else does.

Mr. Vanarsdall - Fire away.

Mrs. Jones - Okay. Good morning, Mr. Garrison. We've been a long way with this case. I did want to just have you mention on the record about the landscaping, the remaining landscaping at the basin.

Mr. Garrison - Yes. The remaining landscaping is right in here. These trees right along in here have not been installed as of today due to water being in the pond. It was acting as a sediment basin. Once the site is stabilized, it turns over to a dry BMP basically.

Mrs. Jones - So installation will be done once that has worked its way to some level of dryness?

Mr. Garrison - Yes, and we have a bond in place. The applicant has requested a temporary CO, and in order to grant that temporary CO, we take out a bond for the remaining deficient landscaping.

Mrs. Jones - The temporary CO that's in place right now is a 90-day?

Mr. Garrison - Yes, ma'am.

Mrs. Jones - Okay. The other Commissioners should know if you've been by the CVS, this is an extremely large basin which has been in process to get it up and running as it should. Even last week there was continued re-grading and flushing out of the outfall so that it would work properly. This is a very, very challenging site so some of the remaining landscaping can't be put in right now. But it will be and the bond is in place, correct?

Mr. Garrison - Yes, ma'am.

Mrs. Jones - Okay. The bond also is in place for the actual functioning of the basin?

Mr. Garrison - Yes, ma'am.

Mrs. Jones - Okay. There has been a perfect storm of issues with this case through no one's fault, but it's just happened. We have had some complaints about trash along Careybook. Can you just update me on that?
Mr. Garrison - As of yesterday, the trash was removed. I believe you’re referring to the area over here in the wetlands.

Mrs. Jones - Correct.

Mr. Garrison - It was removed, I believe, by Wilton Company.

Mrs. Jones - The owner of the property?

Mr. Garrison - The owner of the property.

Mrs. Jones - Okay. I know that a number of the installations on this site were done by the applicant at their own risk because the timing was such that they wished to open prior to the approvals being in place.

Mr. Garrison - Yes, ma’am.

Mrs. Jones - While I suggest this isn’t a good long-term approach to the development process, here we are, and I guess they’ve met all of staff’s concerns at this point. Correct?

Mr. Garrison - Yes.

Mrs. Jones - Okay. The neighborhood entrance column, the other Commissioners need to know that in this case we also have a hit-and-run involved. There was an entry column to the neighborhood for which the sidewalk was specially designed to accommodate. Then, in December it was demolished by a hit-and-run accident which cannot be traced to anyone except a Volvo owner because the grill was left on site. If there is anything that could happen in this case, I think it’s happened. The entry column is not going to be put back at the moment, but that’s another little glitch. I do want to ask whether you have Mr. Gibbons’ e-mail. I’ll ask the applicant about asking CVS to potentially put some money into replacement, if requested.

Mr. Garrison - I do have that e-mail, and I can put that in the file.

Mrs. Jones - Okay, if you would do that, please. All right. The only other thing that I need to confirm with you on the record is the big recycle bin, which we discussed this morning. Could you go ahead and just touch on that briefly?

Mr. Garrison - Sure. The recycle bin was not approved with the POD. A dumpster was approved with the POD, and it had to be enclosed. The recycle bin is not in the enclosure, therefore, it would have to be removed or the POD amended to show an additional dumpster in place.
And as of our conversation this morning, the applicant has agreed that it will be removed, correct?

Yes, ma'am.

Thank you. Those are the points I wanted to touch on. I would like to hear from the applicant.

Absolutely. Good morning.

Good morning. I'm Brian McNeal with the Rebkee Company, developer for CVS.

Good morning, Brian. We're here. Yea! This has been a long, drawn-out process. It's been several years since the project first was proposed, so I'm sure you and others are very happy to be close to the end. Would you just tell us for purposes of the other Commissioners what your timing is? You are already open, correct?

Yes. We opened this past Sunday.

How's business been?

It's been very good so far.

I know; I was being chased around the parking lot for a parking space. This is not the usual order of things. I'd just like to suggest that in the future we all keep in mind that timing and deadlines are pretty set, and it works really well when we work within them. I'll leave that to you. I think Rebkee, CVS, and the County will probably be doing business for a long time together; I hope so. We need to cooperate on that so we don't have tugs and pulls of timing. I wanted to just ask you to confirm our arrangement about the shields on the light poles. It's very important to me being in such close proximity to residential. You confirm that you are willing to install the 4 light poles with shields to reduce the glare?

Yes, four shields will be installed on those light poles that are adjacent to the screen wall.

And could you confirm that the recycle bin will be taken away?

The recycle bin was delivered in error and is scheduled to be removed, and I will confirm back to both you and Greg.
Mrs. Jones - Okay. The basin has been a challenge. This is a hugely challenging site. I appreciate your continually working with that. Has the final grading and flushing been done?

Mr. McNeal - It has not. We need it to dry out a little bit so we can get the topography to know exactly what needs to be graded so it is installed per plan. As soon as that happens, we'll do that grading, the final flush, and then begin the stabilization. Instead of putting just seed and straw down, we're going to put seed, straw, and matting down so it actually stays in place and has a better chance of germinating during the summer months.

Mrs. Jones - Because of the conditions right now, when do you expect that might be done, given the fact that it will dry out here over the next—you know—?

Mr. McNeal - I would say approximately a week with continued dry weather. We just lose a little bit of time every time we get some rain. It has dried out substantially since we removed the sediment blockage in the VDOT stormwater pipe there. Hopefully within a week.

Mrs. Jones - Okay, I really appreciate the fact that you've created a very attractive site. With all of the problems we've been having, I don't want to overlook the fact that you've created visually a very nice site. You've created, hopefully, a very successful enterprise and a real complement to the area and the community. I think that once the basin is all done and landscaping in place, it will be attractive at a visible corner. Okay, I don't have any other questions for you because we've covered it, I think. But I wish you well.

Mr. Vanarsdall - Anyone else have any questions?

Mr. Jernigan - I have a question for you.

Mrs. Jones - Yes.

Mr. Jernigan - Did you have rain?

Mrs. Jones - Did we have rain? Yes, we did.

Mr. Jernigan - I think I got slighted again. We didn't get any.

Mrs. Jones - It wasn't enough to write home about, but yes, we had rain, yes, we did. All right. Thank you. All righty. If there's nothing else, I'll proceed with a motion, Mr. Chairman.

Mr. Vanarsdall - Yes, ma'am, thank you.
Mrs. Jones - All right. I move that LP/POD-30-08, for POD2010-00178 and POD2010-00179. This is the landscape and lighting plan. Let’s stop there. Should I do a transitional buffer deviation first or can I do them together?

Mr. Emerson - You can do them together.

Mrs. Jones - Okay. Then I’ll continue with my motion, that the landscape and lighting plan, and the transitional buffer deviation be approved. This is subject to all of the annotations on the plan and standard conditions for landscape and lighting plans.

Mr. Jernigan - Second.

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

The Planning Commission approved the landscape and lighting plan and the transitional buffer deviation for LP/POD-30-08, CVS Pharmacy #1991, subject to the standard conditions attached to these minutes for landscape and lighting plans.

Mr. Vanarsdall - Before you go to the next one, I want to thank Mr. Archer for sitting in for me last meeting. One thing about the arrangements of our Commission, the Vice Chairman is just as good as the Chairman, so you never miss the Chairman. Thank you, Mr. Archer.

Mr. Archer - Thank you for that compliment, Mr. Chairman.

Mr. Vanarsdall - You’re welcome, sir.
Mr. Vanarsdall - Mr. Vanarsdall - Mr. Vanarsdall -

Is anyone in the audience in opposition to this case? No opposition. Good morning, Mr. Kennedy, Mr. Perry.

Good morning, Mr. Chairman.

Glad to have you as a guest.

It's always a pleasure to be here. The Henrico County Code provides for the establishment of a Resource Protection Area adjacent to perennial streams and related water resources to provide for the removal and the reduction of sediments, nutrients, and other unnatural substances in the runoff entering the Chesapeake Bay or its tributaries. An RPA is a vegetated buffer 100 feet in width located adjacent to and landward of a designated tributary. The Code permits the Director of Public Works to review and approve certain exceptions within the landward 50 feet of the required RPA buffer subject to several specific conditions. However, where the proposed encroachment into the RPA would exceed that 50 feet and be in the seaward 50 feet, the Code requires that these encroachments be reviewed and may
be granted by the Planning Commission if they find, a) the exception would not confer a
special privilege denied to similarly situated property owners; b) the exception is not
based on conditions that are self-created; c) the exception is the minimum necessary to
afford relief; d) the exception is in keeping with the intent of the Code and is not of
substantial detriment to water quality; and e) that the Planning Commission has
imposed reasonable conditions to the exception which will prevent degradation of water
quality.

The existing Strawberry Hill Sanitary Sewer Pumping Station was acquired by the
Department of Public Utilities from the City of Richmond in 1977, prior to the adoption of
the provisions of the Henrico County Code regarding the Chesapeake Bay Protection
Area. The pump station is located in the lowest point within the sewer shed in order to
have the greatest service area. All the wastewater from the western portion of Henrico
County is routed through the Strawberry Hill Pump Station. The proposed generator
building would provide triple redundancy to power the pump station. The pump station is
currently served by redundant Virginia Dominion Power connections; however, both
connections were knocked out of service during Hurricane Isabel in 2003 and tropical
storm Gaston in 2004, resulting in a sanitary sewer discharge into the abutting stream.
The Department of Public Utilities has proposed an on-site generator building as a
backup power supply when both Virginia Power feeds are out of service. The
Department of Public Utilities indicates there are no other suitable locations for these
facilities at the Strawberry Hill Pump Station. These facilities would reduce the potential
for discharges of untreated sewage into the adjoining stream. Subsequently, their
construction may improve, rather than degrade, downstream water quality.

Upon review of the proposed provisions of Section 24-106.3 of the Zoning Ordinance,
the Department of Public Works recommends the Planning Commission approve the
proposed encroachments into the RPA, provided that all appropriate non-forested areas
on the site are reforested as part of the pump station improvements. These areas will be
identified during the administrative plan of development review process. Should the
Commission act on this request, staff recommends approval of this exception subject to
the following condition, which is, the applicant shall include a reforestation plan as a
component of the Plan of Development for administrative approval.

Do you have any questions?

Mr. Vanarsdall - Any questions for Mr. Perry?

Mr. Archer - Mr. Perry, I just have one question. What you read a few
minutes ago—"provided all appropriate non-forested areas on the site are reforested"—
Should that be non-forested, should that indicate something that there was forestation
and we took it out and have to put it back, or is that talking about putting forestation in
an area that doesn’t have any now? Because it does say non-forested areas.

Mr. Perry - When we review, it will be both. There is a provision within
the Code that if something is not vegetated or forested now—
Mr. Archer - We can do it.

Mr. Perry -—they should put it back.

Mr. Archer - Okay.

Mr. Perry - So basically, you'd be enhancing that as well as going back and putting back areas that you had removed.

Mr. Archer - That was a little confusing when I first read it.

Mrs. Jones - I have a question. In the standards by which the Planning Commission must judge this request, these four points, [inaudible] that this request meets those standards that we are to approve?

Mr. Perry - We do. We have a very rigorous test. When this plan first came through, we rejected it, Public Works. We needed more information. Public Utilities was able to show us where they had a force main underground, where they basically had infrastructure where we couldn't move the facility out of the RPA. I think the Planning Commission basically hears very, very few of these cases. As a matter of fact, I'd say maybe the fewest in the State because we have such a rigorous review that you have to go through to ensure that you have to be in the RPA. That includes not just seaward but also a landward RPA, and there are probably some engineers here that could attest to that.

Mrs. Jones - It's a high standard, I'm sure. Whether or not this could be granted to a similarly-situated property owner—and those kinds of standards always seem so vague to me—that I'm not sure that it wouldn't be granted at times.

Mr. Perry - Yes. In a case like this where it's a utility, public works, basically a pump station, there are really not too many similar cases out there, but we would apply that to all pump stations, the same standard.

Mr. Branin - Mrs. Jones, I don't think any of the neighbors are going to say if we don't get this addition we're going to be pumping raw sewage into a creek.

Mrs. Jones - I don't think so either, but I take my standards very seriously.

Mr. Kaechele - Mr. Perry, just to understand this operation a little bit. The storage tanks, how tall are they?

Mr. Perry - I probably have someone here from Utilities that could actually tell me how tall those things are.

Mr. Kaechele - Huge tanks.
Mr. Perry - Very big tanks.

Mr. Kaechele - They contain raw sewage during wet weather? You pump it in there?

Mr. Perry - Right. I guess when power goes out when we've had big storms. Yes, there's raw sewage in there.

Mr. Kaechele - And are they empty most of the time?

Mr. Perry - Well, if you want me to help with that. I'm sorry; I'm not the expert on that.

Mr. Claytor - Good morning, Mr. Chairman, members of the Commission. I'm Ralph Claytor with Public Utilities. The wet-weather element, the tanks, is a newer technology that we've employed in a couple other locations. In the event that we lost all power or the wet weather creates flows that exceed the capacity of the downstream sewer system, the excess flow would be diverted into these tanks. When the rainfall abates and we regain capacity, we would empty the tanks and clean them out. The tanks I would expect would be concrete tanks, given what we've built at other sites. They look pretty much like a water tank, actually. Sidewall height would be on the order of 40 feet, so they should fall within the elevation requirements without need for a height exception. We would have odor control on the facilities so that it would minimize the potential for odor associated with it.

Mr. Kaechele - But they're dry mostly during the year, and you clean them out after each time they're used?

Mr. Claytor - That's correct.

Mr. Kaechele - Okay. Thank you.

Mr. Jernigan - I have a question. We'd still keep the 4 ponds that we have plus the tanks?

Mr. Claytor - That's correct. The open basins are an older technology, but we'd still need the storage that they afford.

Mr. Vanarsdall - Thank you. Any more questions? Thank you, Mr. Perry. Nice to see you again. Mr. Archer?

Mr. Archer - Okay, Mr. Chairman. In the specific conditions listed in the proposal, the second paragraph, delineated as A through E have been met, I move that F-130 Chesapeake Resource Protection Area Exception be approved.
Mr. Jernigan - Second, Mr. Chairman.

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

The Planning Commission approved the Chesapeake Bay Resource Protection Area Exception for F-130, Strawberry Hill Sewer Pumping Station Master Plan - Chesapeake Resource Protection Area Exception subject to the following condition:

1. The applicant shall include a reforestation plan as a component of the plan of development for administrative approval.

**PLAN OF DEVELOPMENT**

POD-011-10
POD2010-00082
Inglenook Cottages (Formerly Maybeury) – 9301 Patterson Avenue (State Route 6)

E.D. Lewis and Associates, P.C. for Patterson Investments, Inc. and IC, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 30 detached dwellings for sale with zero lot lines. The 6.06-acre site is located at the southeast corner of Patterson Avenue (State Route 6) and Maybeury Drive, on parcel 748-741-8046. The zoning is R-5AC, General Residential District (Conditional). County water and sewer.

(Tuckahoe)

Mr. Vanarsdall - Is anyone in the audience in opposition to this case, POD-11-10, Inglenook Cottages (Formerly Maybeury)? On a sad note, one of the teachers who would be teaching this September at the school was killed in a boating accident at 25 years old.

Mrs. Jones - Mr. Chairman, she was a teacher at Longan.

Mr. Vanarsdall - Oh, okay. Excuse me.

Mrs. Jones - But it was a very—

Mr. Vanarsdall - It has no bearing on the case, I just thought I'd—

Mrs. Jones - Well, it was very sad.

Mr. Emerson - I think you may have that confused with one of the students from University of Richmond that was killed. I believe I read that one of those, they had been a student teacher at Maybeury and that may be where you're confused.

Mrs. Jones - That is true.
Mr. Vanarsdall - They had 2 boating accidents. They were killed in an automobile, weren’t they?

Mr. Emerson - They were, yes, sir.

Mr. Vanarsdall - Thank you. Mr. Wilhite?

Mr. Wilhite - Good morning. The packet of plans just handed out to you includes an overall plan. The only revision here is the location of the free-standing garages has been adjusted to meet the requirements that they all be in the rear yards; some of them were encroaching into the side yards. There are also some revised architectural elevations that are included in there.

The site plan for this project conforms to the zoning exhibit and also the conditional subdivision that was approved. There are 30 lots being proposed for this POD. The POD includes a sidewalk along the south side of the entrance drive from Maybeury, wraps around both cul-de-sacs, and would connect with the pedestrian access to the Y at the eastern end of the property. A minimum of 10-foot landscape buffers are included along Patterson Avenue and Maybeury Drive and along the southern property line next to Maybeury Elementary School. The easement crossings through these buffers have been minimized as much as possible. They’re all crossing perpendicular in about 5 places. Fences are going to be provided along Patterson Avenue, a 42-inch-high picket fence. Along the southern property line, a 6-foot-high board fence will be provided. These are in keeping with the proffered conditions.

The plan does meet the proposed road improvement requirements. There will be a turn lane along Maybeury Drive leading to Patterson Avenue. I would note that we’ve recently approved a plan for Maybeury Elementary School to add a second entrance into the site and also to stripe Maybeury Drive for a left turn lane into the school site. Remaining improvements that were required will be done with the POD for Inglenook.

Landscaping and lighting would be required to come back to the Planning Commission for approval in the future. The architectural plans have been revised for this project. I have included 4 revised elevations. Basically the style is the same. The architectural detailing on the elevations has been changed. There has been no reduction in the quality of the architectural design, in staff’s opinion. Color and material information has been provided. The buildings are constructed primarily of cementitious siding and also brick foundations. They do meet the proffered requirements.

Three basic units are being proposed. There is 1 custom unit that would be at the corner of Patterson and Maybeury. This was in order to meet a narrow buildable area. The basic floor area for this unit ranges from 1,530 square feet to 1,970 square feet. Footprints are a little bit larger than what you saw during the rezoning case. At that time, there was a proffer requirement for 1,300 minimum square feet. The new architectural plans do include basement options. The original two-story garages have been removed from the plans. They do now include a two-car garage option.
We did have an open house on July 12, 2010, that was attended by 8 citizens. Since that time, staff has not been contacted by anybody from the neighborhood.

Staff is in a position to recommend approval of the plan with the addendum on page 1, a change in recommendation, plus modifications to 5 of the conditions. With that, I'd be happy to answer any questions that you have.

Mr. Vanarsdall - Questions for Mr. Wilhite by Commission members?

Mrs. Jones - Mr. Wilhite, we do have the VDOT comments in here, correct?

Mr. Wilhite - Yes, we do. I think the issue with VDOT was the location of the entrance off Maybeury and the closeness to Patterson Avenue. They have approved that location. That was the biggest comment they originally had.

Mr. Branin - Mr. Wilhite, may I ask a question? Condition #3—I didn't understand that one.

Mr. Wilhite - Condition 32 is a standard condition that we have used on zero lot line developments. Originally most of the time we had zero lot lines approved in the past, the common wall that sits on the lot line typically had not had any openings or windows. About 5 to 10 years ago, there was modification to this that allows it to be approved by the Building Official as long as it meets the code requirements. Originally, we had also the Director of Planning part of that as well, but we do review the architectural plans during the POD review. If we had issues then we would bring it up at that time. It's sort of redundant to have the Director of Planning in also with the building permit.

Mr. Branin - In Twin Hickory, which was prior to my time, there is a zero lot line called Parsons Walk.

Mr. Emerson - And Willows Run or Willows Bend.

Mr. Branin - Did those 2 have the same conditions?

Mr. Emerson - I believe it probably does, yes, sir.

Mr. Branin - I thought I saw windows on them.

Mrs. Jones - Mr. Branin, I questioned that as well. Windows can be approved; it's just that this requires a process. I discussed this with Mr. Wilhite. I think it may be appropriate for us to take a look at this at some point, but this is a standard condition on these.
Mr. Branin - I haven’t yet done a zero lot line, so all the ones that are in the Three Chopt District were prior to my coming on the Commission. So when I read that the other night I was like...

Mrs. Jones - Yes, I agree it should be revisited.

Mr. Vanarsdall - I’ve seen it before, but I’ve never questioned it. What prompted this?

Mr. Branin - What did prompt it?

Mr. Vanarsdall - Not just this case.

Mr. Wilhite - Are you talking about the change to this?

Mr. Branin - Well, no, not this case, just the general policy.

Mr. Wilhite - There was a problem with the building code allowing window openings on walls sitting on a property line. I believe it’s a Fire issue. So they actually have to get approval from the Building Official in order to allow windows in these walls. I think if you go back to the earlier zero lot line units we’ve done, it’s more typical to see those walls actually be blank without any openings on them. Today, you will probably see more window openings along zero lot line walls than you’ve had in the past. But in order to get that approved, they do have to have special approval from the Building Inspections office.

Mr. Branin - Is that correct, Mr. Secretary, that it was a Fire issue?

Mr. Emerson - I believe that’s correct. That’s the way I understood it.

Mr. Branin - Really.

Mr. Emerson - Yes, sir. We can dig it into a little more and advise you, but I believe that’s correct. Windows can be approved; it’s just an exception process you have to go through.

Mr. Jernigan - If the buildings are 20-plus feet away from the next structure, you can have the window on the side.

Mr. Wilhite - I don’t know what the distance requirement is. Ever since we started using this condition, I don’t recall any issues with actually getting windows installed in these walls. And the requirement is a minimum of 20 feet on zero lot lines from the next unit over.

Mr. Jernigan - The reason they put this in is because is you have a tremendous fire, you always see the flames coming out [inaudible], protruding out. With
a zero lot line where the houses are so close together, the flames would leap to the adjoining structure.

Mr. Vanarsdall - I have a question for you. In what part of the code did you read that?

Mr. Jernigan - Well, on the 20 feet?

Mr. Vanarsdall - On the flames.

Mr. Jernigan - I had a case some years ago, and it was explained to me.

Mr. Emerson - We can check with the Building Official and have that clarified.

Mr. Jernigan - I think that's what they told me and that's the reason. But if it was 20 feet or farther, I don't think it's [inaudible] less than 20 feet.

Mr. Emerson - Right. We haven't had any trouble with the widow approvals to my knowledge.

Mr. Jernigan - If you have a solid wall there it encases the flame.

Mr. Branin - Mrs. Jones, I'm sorry to throw you into this. I've never had one, and when I saw it I was like what is this about.

Mrs. Jones - I questioned it as well. I think we'll discuss it after this case to see if maybe that is potentially a source of a little bit of review for the wording and this kind of thing. The bottom line is these homes can have windows. It is not a problem to have windows.

Mr. Vanarsdall - All right then, Mrs. Jones, there is no opposition. You don't need to hear from the applicant, do you?

Mrs. Jones - I would like to just briefly, for the benefit of the other Commissioners, talk to the applicant for a second. Thank you, Mr. Wilhite.

Mr. Vanarsdall - Mr. Lewis is waiting in the wing there. He's waiting to bat.

Mr. Lewis - Have to earn my keep.

Mrs. Jones - Well, you've earned your keep, I think, on this one. I think traffic and drainage have been 2 of the biggest issues to this case, and the other Commissioners understand that this has been a case with a lot of involvement from everyone. If you can update us on the school entrance, please, that's underway right
now. The school entrance, the timing of that. Do you know how long it's going to take? Is it several weeks still?

Mr. Lewis - Yes, ma'am. For the record, my name is Monte Lewis. I'm with E. D. Lewis and Associates representing the applicant. Yes. We started Monday with that work. It should take 2 to 3 weeks. Our goal is have it finished before school starts, hopefully before the teachers have to return. We want to get some time so that the schools and Transportation can get information out to the residents and the parents so that they'll know of the new traffic pattern that they're going to encounter. We went by there yesterday, and they're proceeding. It's just a small construction, so it should go very quickly.

Mrs. Jones - That was going to happen, not going to happen, and now it's happening. So if it's going to happen, this is the time to do it. I hope that will make a big difference. Certainly, in addition to the other improvements coming down the line, it should make a big difference to the traffic flow in that area.

Mr. Lewis - Yes, ma'am. I think the right turn lane is really going to be what solves the problem. Originally, we were going to put in this turn lane and see if that solved it and then the school was going to decide whether they wanted the access or not because they just took it out 2 years ago. The decision was made higher up that they wanted it now so we separated that out from our plans, and the County gave us a quick review so that we could get it under construction before the summer ended.

Mrs. Jones - Okay. My other question or discussion point is the drainage. There have been slight changes in that since the rezoning. There have been slight changes in the underground [inaudible]. Can you just touch on that briefly?

Mr. Lewis - Yes. Because we're in the Chesapeake Bay Act area, we're required to treat our runoff. We have numerous underground treatment systems, all of them underground. There are 2 varieties. One of them is a filter cartridge type system; the other one is what's called a Filterra, which is a tree with a biofilter in it where the water goes in it, percolates through, and it looks like a tree and a grate. I think you have them along the road in a development out on Staples Mill, Crossridge. I think the Filterra people said they have them along that street right now. Those look pretty good. We are going to pick the variety ourselves so that they don't clash with our landscape plan. They give you a laundry list of plants that you can put in them. Some of them look okay for a street; some of them do not. So we're going to make sure we get a street-type tree in that.

As Kevin said, our home size from rezoning that you saw, we went from 1,300 square feet to now our smallest unit is 1,537 square feet. Our largest is 1,969 square feet. With that additional, we have to add more treatment, which we had to have the Filterra systems, providing us with that treatment.
Mrs. Jones - The landscape and lighting are coming back. They are critical elements to a planned community, especially with zero lot line and the rate that you're going. I'm sure you understand the need to take a real hard look at that.

Mr. Lewis - Yes, ma'am.

Mrs. Jones - I appreciate your willingness to do that. I have no more questions unless someone else does.

Mr. Kaechele - Just one. At the eastern end of Maybeury Court, is there a barrier there or just a curbing or what?

Mr. Lewis - That is curbing. We have that temporary turnaround for cars. We do have a sidewalk with steps that go down to the YMCA so that people can walk through and get down to the Y. Also since the rezoning, we added sidewalk along the southern end. The zoning case said we just had to have sidewalk on one side of the streets. Well, we added so it's a continual sidewalk on the southern side all the way around the cul-de-sacs all the way over to the Y. We did add that, and the construction entrance is over at the Y, which was proffered.

Mrs. Jones - A sales trailer will be near the Y entrance, if it's approved by the BZA?

Mr. Lewis - Right. We've put that in to the BZA for their consideration, the sales trailer. Once they have a presale of around 8 to 12 homes, whatever's required by the bank, then they will start construction. The sales trailer, if BZA approves, is good for 1 year. I think they can grant an exception, but once construction starts, that will be removed shortly thereafter. We have met with the YMCA throughout this process and kept them abreast of what we're doing. That portion of the land is on our property, but we have a cross-access easement with them. Once the subdivision is recorded, that portion which is in the drive is not part of the subdivision so the people are not burdened with those improvements or keeping that maintained.

Mrs. Jones - That makes a lot of sense.

Mr. Lewis - Yes, ma'am. We plan on getting the lighting plan to you fairly soon, before the landscaping plan, because we need to get those wires and conduits underground before you get to the final stages. You'll see the lighting plan first and then a landscape plan as soon as the County will let us in. I think they want to see the site cleared before—

Mr. Vanarsdall - Any other questions for Mr. Lewis?

Mr. Lewis - If I could touch on that condition that you are concerned about regarding the windows. Once you dig into it, you're probably going to find out that you can drop that from your other cases because it's required by building code.
overhangs—we have eave overhangs that overhang the zero lot line. We have to get
the same exception from the Building Official for that also. I’ve talked to Bolman Bowles
about this, and he said that’s pretty much standard with all zero lot lines.

Mrs. Jones - You certainly will have windows on the zero lot line side, will
you not?

Mr. Lewis - Yes, ma’am. I think we have windows on most of the units.
The one on the corner, we’ll have some architectural feature on that. I’m not sure if it’s a
window or not, but that’s one of the conditions that Kevin just added that we’ll have an
architectural feature on that big wall.

Mrs. Jones - Obviously, a blank wall has no visual appeal, and you
certainly want to make these as appealing as possible.

Mr. Lewis - The window might be a small window because there’s a
bathroom on that side and for bathrooms, you want a higher window. It will be some
kind of architectural feature to break up that wall.

Mr. Vanarsdall - Thank you for sharing that with us.

Mr. Lewis - Yes, sir.

Mr. Vanarsdall - Any other questions?

Mrs. Jones - As my fellow Commissioners and everyone who has been
here for all of these proceedings know, this has come a long way. There has been a lot
of emotion surrounding this case. The proposed development, the feeling about it was
intense. Mr. Wilhite? I thought you had something to add, and I didn’t want to proceed
unless we heard what it was. There were many concerns. The neighborhood had many
concerns throughout this rezoning and POD process, and all those frustrations were
very real. I think it’s a compliment to the neighbors and certainly to the developer and
hopefully to the Planning Department that we are at this point.

It has proceeded, this plan of development, as required. The open house may not have
had a lot of folks attending, but I think the attention paid to the case worked out many,
many issues through the rezoning process so that the POD was a little bit
smoother. I really feel I am satisfied that at the end of the day this is going to be a
neighborhood that will be a complement to this Maybeury area, certainly to the
Tuckahoe District and the County. I expect a high quality of construction. I expect a high
quality of layout. I expect that it will be a plus for all concerned; otherwise, I wouldn’t
recommend it for approval.

I do want to thank the neighbors for their involvement. This has been, as I said,
frustrating at times but, hopefully in the end, rewarding because they’ve made it a better
case than it would have been otherwise.
I do want to thank Kevin for his patience with me and work on this POD. I really do look forward to the landscape and lighting plans because I think bringing this project to fruition will be a rewarding process. So, I just want to thank everyone for their help.

I'm going to put forward a motion. I move approval of POD-011-10, POD2010-00082, Inglenook Cottages (Formerly Maybeury).

Mr. Branin - Second.

Mrs. Jones - I'm not finished. I would like to move for approval with annotations on the plan, standard conditions for developments of this type, the following additional Conditions #9 and #11 amended, #29 and #30 on the agenda, Conditions #31, #32, #33, #34, and #35 as revised on the addendum, and conditions #36 through #42 as listed on the agenda. I'm finished.

Mr. Branin - Second.

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

The Planning Commission approved POD-011-10, Inglenook Cottages (Formerly Maybeury), subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.

11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.

29. 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 buildable area shown on the approved plan. Any deviation in buildable area 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 during the building permit application process.
33. The subdivision plat for Inglenook Cottages shall be recorded before any building permits are issued.

34. The road improvements and drainage facilities on Patterson Avenue (State Route 6) shall be approved by the Virginia Department of Transportation and the County.

35. Evidence certifying that the requirements of the Virginia Department of Transportation Land Use permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.

36. A concrete sidewalk meeting County standards shall be provided along the east side of Maybeury Drive.

37. The proffers approved as a part of zoning case C-30C-09 shall be incorporated in this approval.

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

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

40. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

41. The owners shall not begin clearing of the site until the following conditions have been met:
   (a) The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.
   (b) After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
   (c) The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy
of this letter shall be sent to the Department of Planning and the Department of Public Works.

(d) The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.

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

SUBDIVISION

SUB-10-09
SUB2010-00102
Oakleys Chase
(June 2009 Plan)
Reconsideration of stub streets and lot layout

Balzer and Associates, Inc. for Edward E. Jr. and Steven N. West, EJD Associates, Inc., and Gellerty and Associates, Inc.: Request for reconsideration of Oakleys Chase (June 2009 Plan). The original 107.55-acre site is located at the southeast intersection of S. Laburnum Avenue and Thornhurst Street and on the south line of Colwyck Drive, approximately 150 feet west of Gretna Court. The revised conditional subdivision plat would remove 2 stub streets, add 1 lot, and add a common area access strip. The affected blocks are located on parcels 813-720-2876, 813-721-9111, 815-721-0244, and 6748. The zoning is C-1, Conservation District, M-1, Light Industrial District, R-3C, One-Family Residence District, and ASO, Airport Safety Overlay District. County water and sewer.

Mr. Vanarsdall - Is anyone in the audience in opposition to SUB-10-09, Oakleys Chase (June 2009 Plan)? No opposition.

Mr. Pambid - Good morning. As Mr. Emerson said, included in your addendum is a revised layout that shows Section 1 as reviewed and the locations of the utility lines as reviewed by the Department of Public Utilities. The annotations and comments from the original staff plan in your packet still apply.

A reconsideration of the subdivision lot layout is requested to delete 2 stub streets connected with Orinda Drive and Dalglish Road. These 2 streets are existing dead-end streets in the adjacent Hechler Village subdivision to the west. Those connections are shown here and here. To make these connections would require temporary construction easements from those homeowners, and physically it would interfere vertically with the driveway connections of those properties. The sewer line cannot bear the weight of anymore fill. The removal of the stub streets also impacts common area accessibility to
the west, and all of these areas behind these lots here will ultimately be dedicated as common area.

In order to compensate for the loss of the access provided by the stubs, a 20-foot-wide common area access strip has been provided, and it also enables 1 additional lot to be added to the overall layout. That common area access strip is located here between lots 29 and 30.

The proposed Section 2 final layout showing 62 lots, which was already received prior to this reconsideration, would violate the Public Works policy limiting the number of lots on 1 point of access to 50. This section will be revised and resubmitted for final subdivision approval. Again, that will be limited to 50 until an additional access is provided by a future section. That access would also be on Oakleys Lane, and that would be provided here.

Staff recommends approval of this reconsideration subject to the conditions in the agenda and annotations on the plan. This concludes my presentation. I can answer any questions that you have. Brandon Sovick is also here from Balzer, and he can also address your questions.

Mr. Vanarsdall - Any questions by Commission members for Mr. Pambid?

Mr. Archer - I don’t have any, Mr. Chairman; I asked all mine yesterday, but some of you other Commission members might.

Mr. Vanarsdall - Thank you, Mr. Pambid.

Mr. Pambid - You’re welcome.

Mr. Archer - I would like to ask the Director a question, if I may.

Mr. Emerson - Yes, sir.

Mr. Archer - Do you know when and if there are going to be proposed changes to Oakleys Lane?

Mr. Emerson - No, sir, I don’t.

Mr. Archer - Anything on the drawing board at all?

Mr. Emerson - To my knowledge there isn’t anything on the drawing board. It’s been discussed, as you know. We’ve talked about it through several different development proposals in this area, but I do not believe there are any plans for any improvements to Oakleys at this time.

July 28, 2010
Mr. Archer - Okay. We've been working with this for quite a while now, and we thank you so much for your diligent effort in trying to make this work. It appears that we will be able to get this to a point where it's workable. The only question that sort of lays on my mind is if there is any idea when the next section might be done that would have the additional access?

Mr. Pambid - Let me start with Section 1. That is this section at the intersection of basically Laburnum, and I believe that's Colwyck.

Mr. Archer - Thornhurst, I think.

Mr. Pambid - Thornhurst; excuse me. That is under review. Mr. Gelletly is very close to recordation. He owes us a landscape plan, and covenants are very close to being recorded. If everything goes according to plan, he should be able to do this, I would say, within the next 3 to 4 weeks. That's a very lengthy time, and he could probably do that sooner. Section 2, you see this heavy line here, that's not necessarily a section line; that is a property line. This 60-acre piece is actually 2 sections. As we reviewed this one prior to the reconsideration—again, I made mention of the 62 lots—following this property line would have been Section 2, and that would have contained 62 lots. Again, 50 lots are the maximum. The question you asked, Mr. Archer, of when will the rest of this property be developed—I can't answer that.

Mr. Archer - I didn't think so.

Mr. Pambid - Maybe the engineer who is here from Balzer has some inside information on that. I don't believe Mr. Gelletly is here to answer directly.

Mr. Archer - Okay, thank you, sir.

Mr. Pambid - You're welcome.

Mr. Archer - Good morning, sir.

Mr. Sovick - Brandon Sovick, Balzer and Associates. We're going to do that third section as soon as possible. We'll get this second one finished up, and then the third one will be right behind it. It won't be a large period of time in between. I know that he wants to get it all done as quickly as possible.

Mr. Archer - And that will have its own point of access.

Mr. Sovick - Yes, sir.

Mr. Archer - That's all I needed to ask.

Mr. Sovick - Okay.
Mr. Archer - Thank you, sir. Anybody else have anything? All right. With that, Mr. Chairman, I will move for approval of SUB-10-09, SUB2010-00102, Oakleys Chase (June 2009 Plan) for reconsideration of stub streets and lot layout, subject to the revised plan, dated July 28, 2010, standard conditions for subdivisions served by public utilities, and the following additional Conditions #13 through #18.

Mr. Jernigan - Second.

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

The Planning Commission granted conditional approval to SUB-10-09, SUB2010-00102, Oakleys Chase (June 2009 Plan), subject to the standard conditions attached to these minutes for subdivisions served by public utilities, the annotations on the plans, and the following additional conditions:

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

14. Each lot shall contain at least 11,000 square feet.

15. At least sixty days prior to recordation of the plat, a draft of the covenants and deed restrictions for the maintenance of the common area shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in form and substance, satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.

16. The proffers approved as part of zoning case C-58C-07 and C-9C-09 shall be incorporated in this approval.

17. The developer shall construct an all-weather surface walkway within, and a fence and landscaping along each side of, the common area access strip between lots 29 and 30 in Block B. The type, design, and other details shall be indicated on the construction plans for the approval of the Department of Planning.

18. A subdivision landscape plan shall be submitted to the Department of Planning for review and approval prior to the recordation of the plat.

Mrs. Jones - Mr. Chairman, I'd like to just add something quickly before we move on. I don't believe that I took a moment at the end of the CVS case to thank staff and especially Greg Garrison for his help on that. I thought, you know, for the hours he has spent with me, I certainly need to acknowledge that. So I'd like to add that to your minutes.

Mr. Emerson - The next item on your agenda is approval of the 2011 Planning Commission calendar. You did receive a calendar in your packet, and if it meets with the Commission's expectations, we would look for you to endorse it at this time.
Mr. Vanarsdall - I've looked at it, Mr. Secretary, and it doesn't interfere with the APA, which will be in Boston, I believe, this year.

Mr. Emerson - That's correct, yes, sir.

Mr. Vanarsdall - I like the fact that the 2 meetings are early in December. And we have no meeting in August. As far as I'm concerned, it's okay.

Mrs. Jones - Mr. Chairman, I'd like to raise my annual question about the August meeting. I think at this point it's become a traditional calendar issue; however, at some point in this consideration, perhaps for next year, if there is a quantifiable reason to look at the scheduling in August, I may request that we visit that issue again.

Mr. Vanarsdall - Do you know of any problems we've run into by not having a meeting in August? I ask that every time it comes up. We don't have any problems we know of. In fact, I just had one that was deferred until September. The Quaker Steak, we did the same thing. Do you want to approve this?

Mr. Emerson - Yes.

Mr. Archer - I move that the schedule be approved as rendered.

Mr. Branin - Second.

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

Mr. Emerson - Thank you, Mr. Chairman. The next item is the consideration of approval of your June 23, 2010 minutes.

APPROVAL OF MINUTES: June 23, 2010

Mr. Vanarsdall - Anybody have any corrections?

Mr. Branin - I have two. Page 14, line 489. Instead of it saying "banging them," it should say, "banging the dumpsters" And on 490, instead of it saying, "them," it should say "dumpsters."

Mr. Vanarsdall - All right. Any other corrections? Mrs. Jones?

Mrs. Jones - Oh, I'm fine with them. I actually think he said "them," but that's neither here nor there.

Mr. Archer - But being that I was not here, I can neither refute nor approve of what he said, so—
Mrs. Jones - I move the minutes be adopted as corrected.

Mr. Archer - Second.

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

The Planning Commission approved the June 23, 2010 minutes as corrected.

Mr. Emerson - Mr. Chairman, staff has no further business to bring forward to the Commission today.

Mr. Vanarsdall - Thank you, Mr. Secretary. With no further business, the Planning Commission will adjourn.

The meeting is adjourned.

Mr. Ernest B. Vanarsdall, Chairman

R. Joseph Emerson, Jr., Secretary
PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. (when the property is served by public utilities)

1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. (when not served by public water)

1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. (when not served by public sewer)

2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.

3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.

4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.

5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.

6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.

7. The plan of development plan shall be revised as annotated on the staff plan dated July 28, 2010, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. (Revised January 2008)

8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.

9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

Revised May 2008
9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.

10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.

11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.

11A. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.

11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature. *(For POD which includes lighting plan approval)*

12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.

13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.

14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.

15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in *The National Manual on Uniform Traffic Control Devices for Streets and Highways* and *The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways*.

16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. *(Revised January 2008)*

17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.

18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.

**Revised May 2008**
19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the POD.

20. The approved Plan of Development is granted by the Planning Commission only to the owners(s)/applicant(s) listed on the Plan of Development application on file for this project. Upon written notification to the Director of Planning, the Plan of Development approval may be transferred to subsequent owner(s) subject to approval by this Commission (Revised July 2007).

21. Vehicles shall be parked only in approved and constructed parking spaces.

22. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

23. The site, including paving, pavement markings, signage, curb and gutter, dumpster screens, walls, fences, lighting and other site improvements shall be properly maintained in good condition at all times. Any necessary repairs shall be made in a timely manner.

24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.

25. Insurance Services Office (ISO) calculations shall be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.

26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.

27. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

28. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.

29. (Start of miscellaneous conditions)
STANDARD CONDITIONS FOR LANDSCAPE/LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated July 28, 2010, which shall be as much a part of this approval as if all details were fully described herein. Five (5) sets of prints of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.

2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.

3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.

4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. (DELETE IF NO LANDSCAPING)

5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. (DELETE IF NO LIGHTING)

6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. (DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)

Revised May 2008
B. In Addition to Item A, the Following Standard Conditions for Approval of All Zero Lot Line Developments shall apply:

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

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

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

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

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

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

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. (Substitute condition 5A if well)
6. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated July 28, 2010, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **July 27, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.

10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.

12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.
1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated July 28, 2010, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on July 27, 2011, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.
11. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.
1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated July 28, 2010, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on July 27, 2011, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to
the Department of Planning for review, prior to final approval. The proposed Homeowners Association for the project shall be responsible for the exterior maintenance of all buildings and grounds.

13. All block corners shall be monumented and referenced, where possible, to the exterior boundaries of the site.

14. The record plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of (name of subdivision) and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.
1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.

2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.

3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.

4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.

5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.

6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.

7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.

8. The plat shall be revised as shown in red on Staff plan dated July 28, 2010, which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on July 27, 2011, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.

10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.

11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

12. Prior to a request for final approval, the developer shall provide a buildable area plan.
showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers and Chesapeake Bay Act Areas.
1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated July 28, 2010, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on July 27, 2011, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.