

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, July 24, 2013.
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Members Present: Mrs. Bonnie-Leigh Jones, Chairperson, C.P.C. (Tuckahoe)
Mr. Eric Leabough (Varina), Vice Chairman
Mr. Tommy Branin, (Three Chopt)
Mr. Robert H. Witte, Jr. (Brookland)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mr. Richard W. Glover,
Board of Supervisors' Representative

Member Absent: Mr. C. W. Archer, C.P.C. (Fairfield)

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning
Ms. Leslie A. News, PLA, 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, AICP, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Aimee B. Crady, AICP, County Planner
Mr. Mike Jennings, Department of Public Utilities
Mr. John Cjeka, Traffic Engineering
Ms. Sharon Smidler, Traffic Engineering
Ms. Kim Vann, Henrico Police
Mr. Kenny Dunn, Henrico Fire
Mr. Henry Rosenbaum, Henrico Fire
Mr. Eric Dykstra, Recording Secretary

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6 **Mr. Richard W. Glover, the Board of Supervisors' representative, abstains on all**
7 **cases unless otherwise noted.**
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9 Mrs. Jones - I'd like to call this meeting of the Planning Commission for
10 July 24th to order, please. This is our Subdivisions and Plans of Development meeting.
11 I would ask that you mute or turn off your cell phones. And as you do so, please rise with
12 me and Pledge Allegiance to the flag.
13

14 Do we have someone with us this morning from the news media? I don't see anyone. All
15 right. I do want to mention one of our Planning Commissioners will not be us this
16 morning, but we do have a quorum; we can conduct business. Special welcome to Mr.
17 Glover, supervisor from the Brookland District who is with the Planning Commission this
18 year. With that, I would like to turn our meeting over to our secretary, Mr. Emerson.

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20 Mr. Emerson - Thank you, Madam Chair. First on your agenda this morning
21 are the requests for deferrals and withdrawals. Those will be presented by Ms. Leslie
22 News.

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24 Ms. News - Thank you, Mr. Secretary. Good morning, Madam Chair,
25 members of the Commission. We have two requests for deferrals this morning. The first
26 is found page 22 of your agenda and is located in the Three Chopt District. This is
27 POD2013-00103, West Broad Hyundai – Car Storage Addition. The applicant has
28 requested a deferral to the October 23, 2013 meeting.

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30 **PLAN OF DEVELOPMENT (Deferred from the June 26, 2013 Meeting)**

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POD2013-00103 West Broad Hyundai – Car Storage Addition – 9001 W. Broad Street (U.S. Route 250) (POD-97-93 Rev.)	E.D. Lewis and Associates, P.C. for Page Broad Street, LC and Page Imports, LC: Request for approval of a plan of development, as required by Chapter 24, Section 24- 106 of the Henrico County Code, to construct a car storage and display lot at an existing car dealership. The 5.5-acre site is located at the southwest corner of the intersection of W. Broad Street (U.S. Route 250), and Homeview Drive, on parcel 759-755-0982. The zoning is B-3C, Business District (Conditional). County water and sewer. (Three Chopt)
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33 Mrs. Jones - Is there anyone with us this morning in opposition to the
34 deferral of POD2013-00103, West Broad Hyundai – Car Storage Addition? I see no
35 opposition.

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37 Mr. Branin - Madam Chair, I'd like to move that POD2013-00103, West
38 Broad Hyundai – Car Storage Addition, be deferred to the October 23, 2013 meeting per
39 the applicant's request.

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41 Mr. Leabough - Second.

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

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46 At the request of the applicant, the Planning Commission deferred POD2013-00103,
47 West Broad Hyundai – Car Storage Addition, to its October 23, 2013 meeting.

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49 Ms. News - The next item is found on page 31 of your agenda and is
50 located in the Three Chopt District. This is POD2013-00162, Simply Storage Building #2
51 Expansion. The applicant has requested a deferral to the September 25, 2013 meeting.

55 **PLAN OF DEVELOPMENT**

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POD2013-00162
Simply Storage Building
#2 Expansion - 4475
Pouncey Tract Road
(State Route 271)
(POD-74-99 Rev.)

Balzer and Associates, Inc. for Short Pump Simply Storage: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a second story, 39,013 square foot addition to an existing one-story, 37,100 square foot storage building. The 5.603-acre site is located on the east line of Pouncey Tract Road (State Route 271) and the north line of Interstate 64, approximately 1,360 feet south of Twin Hickory Lake Drive, on parcel 741-764-0116. The zoning is M-1C, Light Industrial District (Conditional), and WBSO, West Broad Street Overlay District. County water and individual on-site sewage disposal system. **(Three Chopt)**

Mrs. Jones - Is there anyone this morning in opposition to the deferral of POD2013-00162, Simply Storage Building #2 Expansion? There is no opposition.

Mr. Branin - Madam Chair, I'd like to move that POD2013-00162, Simply Storage Building #2 Expansion, be deferred to the September 25, 2013 meeting per the applicant's request.

Mr. Leabough - Second.

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

Ms. News - Staff is not aware of any further requests.

Mrs. Jones - Anything further from the Commission? There's nothing more.

Mr. Emerson - Madam Chair, there are no expedited items this morning, so that takes us to the next item on your agenda, Subdivision Extensions of Conditional Approval. Those will be presented by Mr. Lee Pambid.

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**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL
FOR INFORMATIONAL PURPOSES**

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2011-00054 SUB-08-11 Kings Manor (July 2011 Plan)	9	9	1	Varina	7/24/2014
SUB2012-00093 Smith Grove at Bacova (July 2012 Plan)	45	45	0	Three Chopt	7/24/2014

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Mrs. Jones - Good morning, Mr. Pambid.

Mr. Pambid - Good morning, Madam Chair, members of the Planning Commission. This map indicates the location of two subdivisions that are presented for extensions of conditional approval. They are both eligible for a one-year extension to July 24, 2014. This is for informational purposes only and does not require Commission action at this time.

This concludes my presentation. Staff can now field any questions you have regarding these.

Mrs. Jones - Questions for Mr. Pambid? There are none. Thank you so much.

Mr. Pambid - You're welcome.

Mr. Emerson - Madam Chair, that now takes us to the first item on your regular agenda. I will note that many of these appear on your amended agenda because of a typographical area in the title of property holder from Lingerfelt Office Properties, Incorporated to Lingerfelt Office Properties, LLC. With that we begin on page three.

TRANSFER OF APPROVAL

POD-89-86
POD2013-00143
Gaskins Center II (Wells Fargo) (Formerly Gaskins Center II (Wachovia)) -
3829 Gaskins Road

William G. Homiller for ~~Lingerfelt Office Properties, Inc.~~ Lingerfelt Office Properties, LLC.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Green Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office Properties, LLC.** The 3.43-acre site is located on the east line of Gaskins Road, approximately 560 feet north of Mayland Drive, on parcel 752-758-5965. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

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116 Mrs. Jones - Is there anyone in opposition to this transfer of approval for
117 POD-89-86 (POD2013-00143), Gaskins Center II (Wells Fargo) (Formerly Gaskins
118 Center II – Wachovia)? No one. Mr. Ward?
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120 Mr. Ward - Good morning Planning Commission members, Madam
121 Chair. Greg and I will be presenting the first 13 transfer of approval cases. As noted on
122 page one of your addendum, there is a corrected new owner name change. It's Lingerfelt
123 Office Properties, LLC instead of Incorporated.
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125 The Lingerfelts purchased these properties as the operating owner. They were also the
126 operating owners of Richmond Green Properties. They still hold responsibility of the
127 operation of the property, and they will continue to hold responsibility of these properties.
128 However, a standard purchase was conducted; therefore, the transfer of approval is
129 required on these 13 cases.
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131 Additionally, Mr. Justin Lingerfelt and Will Homiller are here today representing the
132 applicant and themselves. And I'm here to answer any questions. So the first case, this
133 POD-89-86 Gaskins Center II, the site deficiencies include repairing, resealing, and
134 restriping the parking lot and the drive aisles. We do have evidence a contract was
135 provided which addresses the deficiencies. Staff can recommend approval with
136 Condition #1.
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138 Mrs. Jones - All right. Are there any questions from the Commission?
139 Okay.
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141 Mr. Branin - All right. Madam Chair, I'd like to move that transfer of
142 approval for POD-89-86 (POD2013-00143), Gaskins Center II (Wells Fargo) (Formerly
143 Gaskins Center II – Wachovia), be approved with Condition #1.
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145 Mr. Witte - Second.
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147 Mrs. Jones - And the name change on the addendum. We'll just consider
148 that part of all of these, correct?
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150 Mr. Emerson - Yes, ma'am.
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152 Mrs. Jones - Okay.
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154 Mr. Branin - If we may.
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156 Mrs. Jones - We may. Motion by Mr. Branin, second by—
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158 Mr. Branin - If you'd like me to say it every time I will, but I'd like to just
159 assume.
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198 Mrs. Jones - Motion by Mr. Leabough, second by Mr. Branin. All in favor
199 say aye. All opposed say no. The ayes have it; the motion passes. And I abstain.
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201 **TRANSFER OF APPROVAL**
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POD-19-97 **William G. Homiller for ~~Lingerfelt Office Properties,~~**
POD2013-00144 **~~Inc.—Lingerfelt Office Properties, LLC.~~**: Request for
Westerre III - 3900 transfer of approval as required by Chapter 24, Section 24-
Westerre Parkway Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~
Lingerfelt Office Properties, LLC. The 4.08-acre site is
located on the north line of Westerre Parkway,
approximately 1,000 feet south of W. Broad Street (U.S.
Route 250), on parcel 749-759-7627. The zoning is O-3C,
Office District (Conditional), and B-2C, Business District
(Conditional). County water and sewer. **(Three Chopt)**

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204 Mrs. Jones - Mr. Ward?

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206 Mr. Ward - The site deficiencies included repairing, resealing, and
207 restriping pavement in different locations throughout the parking lot and the drive aisles,
208 and removal of the construction dumpster by September 1, 2013 that the applicant has
209 agreed to do. We do have evidence of a contract provided with the application to
210 address the deficiencies. Staff can recommend approval of the transfer with Conditions
211 #1 and #2.
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213 Mrs. Jones - Is there opposition to this transfer of approval for POD-19-97
214 (POD2013-00144) Westerre III? No opposition. Mr. Branin?
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216 Mr. Branin - Madam Chair, I'd like to move that transfer of approval for
217 POD-19-97 (POD2013-00144) Westerre III, be approved with Conditions #1 and #2.
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219 Mr. Witte - Second.
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221 Mrs. Jones - Motion by Mr. Branin, second by Mr. Witte. All in favor say
222 aye. All opposed say no. The ayes have it; the motion passes.
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224 The Planning Commission approved the transfer of approval request for POD-19-97
225 (POD2013-00144) Westerre III, from Richmond Green Properties, LLC to Lingerfelt
226 Office Properties, LLC, subject to the standard and added conditions previously
227 approved and the following additional conditions:
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- 229 1. The site deficiencies, as identified in the inspection report, dated June 4, 2013
230 shall be corrected by September 30, 2013.
31 2. The construction dumpster shall be removed by September 1, 2013.

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TRANSFER OF APPROVAL

POD-72-99
POD2013-00145
Westerre IV - 3901
Westerre Parkway

William G. Homiller for ~~Lingerfelt Office Properties, Inc.~~ Lingerfelt Office Properties, LLC.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Green Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office Properties, LLC.** The 4.82-acre site is located along the south line of Westerre Parkway, approximately 1,100 feet south of W. Broad Street (U.S. Route 250), on parcel 749-758-7991. The zoning is O-3C, Office District (Conditional). County water and sewer.
(Three Chopt)

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Mrs. Jones - Is there any opposition to this transfer of approval for POD-72-99 (POD2013-00145) Westerre IV?

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Mr. Ward - There's a note on page two of the addendum—well, sorry—on page six of your regular agenda. The site deficiencies included repairing two stop bars and two traffic arrows facing Westerre Parkway. Evidence of a contract was provided which addresses these deficiencies. Staff can recommend approval of the transfer request with Condition #1.

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Mrs. Jones - All right.

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Mr. Branin - I would like to move that transfer of approval POD-72-99 (POD2013-00145) Westerre IV, be approved with Condition #1.

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Mr. Leabough - Second.

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Mrs. Jones - Motion by Mr. Branin, second by Mr. Leabough. All in favor say aye.

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Mr. Glover - I have a question, Madam Chairman. We have approved three POD transfers of approval with conditions to be taken care of by August or September. Why do we approve a case before things are done? These are cases that came up some time ago, and we're just approving them. Who comes back and says these were taken care of?

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Mrs. Jones - I'll let staff answer that for you.

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Mr. Ward - Mr. Glover, staff will go back out and check the sites.

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Mr. Glover - Have they been doing that?

267 Mr. Ward - Yes.
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269 Mr. Glover - In the past? And do you report back to the Planning
270 Commission?
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272 Mr. Ward - We send a final approval letter once the conditions have been
273 met.
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275 Mr. Glover - Once they have been met.
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277 Mr. Ward - Right.
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279 Mr. Glover - Okay. Some of these people have had considerable time to
280 do it, and they still haven't, so they postpone. I was just checking because we're
281 approving things that haven't been done.
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283 Mrs. Jones - Sometimes I think the issue also becomes an optimum time
284 for landscaping to be put in and those kinds of things. So sometimes that's why it's
285 extended out.
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287 Mr. Glover - Are you telling me that?
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289 Mrs. Jones - That is my understanding. Anything else?
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291 Mr. Glover - Just checking.
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293 Mrs. Jones - Okay. I did have a motion by Branin and second by Mr.
294 Leabough. Let's have that vote. All in favor say aye. All opposed say no. The ayes have
295 it; the motion passes.
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297 The Planning Commission approved the transfer of approval request for POD-72-99
298 (POD2013-00145) Westerre IV, from Richmond Green Properties, LLC to Lingerfelt
299 Office Properties, LLC, subject to the standard and added conditions previously
300 approved and the following additional condition:
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302 1. The two stop bars and traffic arrows shall be painted by August 1, 2013.
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TRANSFER OF APPROVAL

POD-43-00
POD2013-00146
Westgate I - SunCom -
100 Westgate Parkway

William G. Homiller for ~~Lingerfelt Office Properties, Inc.~~ Lingerfelt Office Properties, LLC.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Green Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office Properties, LLC.** The 6.03-acre site is located on the north line of Three Chopt Road, approximately 290 feet east of Lauderdale Drive, on parcel 737-761-2529. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mrs. Jones - Is there anyone in opposition to the transfer of approval for POD-43-00 (POD2013-00146) Westgate 1 – SunCom?

Mr. Ward - As noted on page two in the addendum, a revised contract has been provided which addresses additional areas in the parking lot. Staff can recommend approval of the transfer request with Condition #1.

Mrs. Jones - Questions?

Mr. Branin - I would like to move that transfer of approval POD-43-00 (POD2013-00146) Westgate 1 – SunCom, be approved.

Mr. Witte - Second.

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

The Planning Commission approved the transfer of approval request for POD-43-00 (POD2013-00146) Westgate 1 – SunCom, from Richmond Green Properties, LLC to Lingerfelt Office Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The parking lot deficiencies, as identified in the inspection report dated June 3, 2013 shall be corrected by September 30, 2013.

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TRANSFER OF APPROVAL

POD-103-00
POD2013-00147
Westgate II - Westgate
Office Building - 200
Westgate Parkway

William G. Homiller for Lingerfelt Office Properties, Inc Lingerfelt Office Properties, LLC.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Green Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office Properties, LLC.** The 7.26-acre site is located on the east line of Westgate Parkway (private), approximately 400 feet north of Three Chopt Road, on parcel 737-761-6680. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mrs. Jones - Is there opposition to this transfer of approval for POD-103-00 (POD2013-00147), Westgate II – Westgate Office Building? There is no opposition.

Mr. Ward - The site deficiencies included repairing and repainting faded stop bars and traffic arrows, and also removal of the mobile generators in the parking lot by August 1. Evidence of a contract was provided which addressed the deficiencies. Staff can recommend approval with Conditions #1 and #2.

Mrs. Jones - Questions? All right.

Mr. Branin - I'd like to move that transfer of approval POD-103-00 (POD2013-00147), Westgate II – Westgate Office Building, be approved with Conditions #1 and #2.

Mr. Leabough - Second.

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

The Planning Commission approved the transfer of approval request for POD-103-00 (POD2013-00147), Westgate II – Westgate Office Building, from Richmond Green Properties, LLC to Lingerfelt Office Properties, LLC, subject to the standard and added conditions previously approved and the following additional conditions:

1. The site deficiencies, as identified in the inspection report, dated June 4, 2013 shall be corrected by September 30, 2013.
2. The mobile generators shall be removed by August 1, 2013.

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TRANSFER OF APPROVAL

POD-042-83
POD2013-00137
Ace USA - 4198 Cox Road

William G. Homiller for Lingerfelt Office Properties, Inc Lingerfelt Office Properties, LLC.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Green Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office Properties, LLC.** The 4.61-acre site is located at the southwest corner of the intersection of Innslake Drive and Cox Road, on parcel 748-761-5174. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mrs. Jones - Is there opposition to the transfer of approval for POD-042-83 (POD2013-00137), Ace USA? There is no opposition. Good morning, Mr. Garrison.

Mr. Garrison - Good morning. I'll be presenting the next seven transfer of approval cases for Lingerfelt Properties, LLC. The first one is POD-042-83 (POD2013-00137), Ace USA. The applicant agrees to the conditions of the original approval and will correct landscaping deficiencies identified in the staff report by September 30, 2013.

Mrs. Jones - Questions? All right.

Mr. Branin - I'd like to move that transfer of approval POD-042-83 (POD2013-00137), Ace USA, be approved with Condition #1.

Mr. Witte - Second.

Mrs. Jones - Motion by Mr. Branin, second by Mr. Witte. 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-042-83 (POD2013-00137), Ace USA, from Richmond Green Properties, LLC to Lingerfelt Office Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated May 13, 2013 shall be corrected by September 30, 2013.

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TRANSFER OF APPROVAL

POD-54-97
POD2013-00139
Liberty Plaza I - 4801 Cox
Road

William G. Homiller for Lingerfelt Office Properties, Inc Lingerfelt Office Properties, LLC.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Green Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office Properties, LLC.** The 6.61-acre site is located at the northeast corner of the intersection of North Park Drive and Cox Road, on parcel 752-767-4970. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mrs. Jones - Is there opposition to the transfer of approval for POD-54-97 (POD2013-00139), Liberty Plaza I? No opposition.

Mr. Garrison - POD-54-97, transfer of approval for Liberty Plaza I. Staff found no deficiencies on this property, and the applicant agrees to conditions of the original approval.

Mrs. Jones - Questions?

Mr. Branin - I'd like to move that transfer of approval POD-54-97 (POD2013-00139), Liberty Plaza I, be approved.

Mr. Witte - Second.

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

The Planning Commission approved the transfer of approval request for POD-54-97 (POD2013-00139), Liberty Plaza I, from Richmond Green Properties, LLC to Lingerfelt Office Properties, LLC, subject to the standard and added conditions previously approved.

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TRANSFER OF APPROVAL

POD-28-97
POD2013-00142
Liberty Plaza II - 10800
Nuckols Road

William G. Homiller for Lingerfelt Office Properties, Inc Lingerfelt Office Properties, LLC.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Green Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office Properties, LLC.** The 8.39-acre site is located at the northwest corner of the intersection of Nuckols Road and Capital One Way, on parcel 752-767-2509. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mrs. Jones - Do we have opposition to the transfer of approval for POD-28-97 (POD2013-00142, Liberty Plaza II)? No opposition.

Mr. Garrison - The applicant agrees to the conditions of the original approval and will correct landscaping deficiencies identified in the staff report by September 30, 2013.

Mr. Branin - I would like to move that transfer of approval POD-28-97 (POD2013-00142, Liberty Plaza II, be approved with Condition #1.

Mr. Leabough - Second.

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

The Planning Commission approved the transfer of approval request for POD-28-97 (POD2013-00142), Liberty Plaza II, from Richmond Green Properties, LLC to Lingerfelt Office Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated May 13, 2013 shall be corrected by September 30, 2013.

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TRANSFER OF APPROVAL

POD-52-90 (Part)
POD2013-00140
Innsbrook Center
(snagajob.com) - 4880
Cox Road

William G. Homiller for Lingerfelt Office Properties, Inc Lingerfelt Office Properties, LLC.: Request for transfer of approval of a portion of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Green Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office Properties, LLC.** The 5.69-acre site is located on the west line of Cox Road, approximately 1,600 feet north of Nuckols Road, on parcel 752-768-2795. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mrs. Jones - Is there opposition to the transfer of approval for POD-52-90 (Part) (POD2013-00140), Innsbrook Center (snagajob.com)? No opposition.

Mr. Garrison - Staff found no deficiencies on this property, and the applicant agrees to the conditions of the original approval.

Mrs. Jones - Questions? All right.

Mr. Branin - I'd like to move that transfer of approval POD-52-90 (Part) (POD2013-00140), Innsbrook Center (snagajob.com), be approved.

Mr. Leabough - Second.

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

The Planning Commission approved the transfer of approval request for POD-52-90 (Part) (POD2013-00140), Innsbrook Center (snagajob.com), from Richmond Green Properties, LLC to Lingerfelt Office Properties, LLC, subject to the standard and added conditions previously approved.

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TRANSFER OF APPROVAL

POD-83-84
POD2013-00136
The Atrium Building at
Innsbrook (Ironworks) -
4121 Cox Road

William G. Homiller for Lingerfelt Office Properties, Inc Lingerfelt Office Properties, LLC.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Green Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office Properties, LLC.** The 6.17-acre site is located at the southeastern corner of the intersection of Innslake Drive and Cox Road, on parcel 749-761-0971. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mrs. Jones - Is there opposition to the transfer of approval for POD-83-84 (POD2013-00136), The Atrium Building at Innsbrook (Ironworks)? No opposition.

Mr. Garrison - The applicant agrees to the conditions of the original approval and will correct landscape deficiencies identified in the staff report by September 30, 2013.

Mrs. Jones - Questions for Mr. Garrison? All right.

Mr. Branin - I would like to move that transfer of approval POD-83-84 (POD2013-00136), The Atrium Building at Innsbrook (Ironworks), be approved with Condition #1.

Mr. Witte - Second.

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

The Planning Commission approved the transfer of approval request for POD-83-84 (POD2013-00136), The Atrium Building at Innsbrook (Ironworks), from Richmond Green Properties, LLC to Lingerfelt Office Properties, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated May 13, 2013 shall be corrected by September 30, 2013.

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TRANSFER OF APPROVAL

POD-42-88 (Part)
POD2013-00138
Rowe Plaza - 4510 Cox
Road

**William G. Homiller for ~~Lingerfelt Office Properties, Inc~~
Lingerfelt Office Properties, LLC.:** Request for transfer
of approval of a portion of a plan of development as
required by Chapter 24, Section 24-106 of the Henrico
County Code from Richmond Green Properties, LLC to
~~Lingerfelt Office Properties, Inc.~~ **Lingerfelt Office
Properties, LLC.** The 5.71-acre site is located 4510 Cox
Road, on the west line of Cox Road opposite its
intersection with Village Run Drive, on parcel 750-765-
5718. The zoning is B-2C, Business District (Conditional).
County water and sewer. **(Three Chopt)**

Mrs. Jones - Do we have any opposition to the transfer of approval for
POD-42-88 (Part) (POD2013-00138), Rowe Plaza? There is no opposition.

Mr. Garrison - The applicant agrees to the conditions of the original
approval, and landscape deficiencies identified in the staff report will be corrected by
September 30, 2013.

Mrs. Jones - Any questions? All right.

Mr. Branin - Madam Chair, I would like to move that transfer of approval of
POD-42-88 (Part) (POD2013-00138), Rowe Plaza, be approved with Condition #1.

Mr. Witte - Second.

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

The Planning Commission approved the transfer of approval request for POD-42-88
(Part) (POD2013-00138), Rowe Plaza, from Richmond Green Properties, LLC to
Lingerfelt Office Properties, LLC, subject to the standard and added conditions
previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated May 13, 2013
shall be corrected by September 30, 2013.

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TRANSFER OF APPROVAL

POD-68-89
POD2011-00104;
POD2011-00105
Technology Pointe I and II
(Formerly Innsbrook
Technology Park) – 5000
and 5500 Cox Road

~~Troutman Sanders for Lingerfelt Office Properties, Inc.~~
Lingerfelt Office Properties, LLC.: Request for transfer
of approval as required by Chapter 24, Section 24-106 of
the Henrico County Code from Richmond Green
Properties, LLC to ~~Lingerfelt Office Properties, Inc.~~
Lingerfelt Office Properties, LLC. The 11.96-acre site is
located on the west line of Cox Road near its northern
terminus, on parcel 752-769-7691. The zoning is M-1C,
Light Industrial District (Conditional) and C-1C,
Conservation District (Conditional). County water and
sewer. **(Three Chopt)**

Mrs. Jones - Is there any opposition to transfer of approval for POD-68-89
(POD2011-00104; POD2011-00105), Technology Pointe I and II (Formerly Innsbrook
Technology Park)? No opposition.

Mr. Garrison - Staff found no deficiencies on this property, and the applicant
agrees to the conditions of the original approval.

Mrs. Jones - Questions?

Mr. Branin - Madam Chair, I would to move that transfer of approval of
POD-68-89 (POD2011-00104; POD2011-00105), Technology Pointe I and II (Formerly
Innsbrook Technology Park), be approved.

Mr. Leabough - Second.

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

The Planning Commission approved the transfer of approval request for POD-68-89
(POD2011-00104; POD2011-00105), Technology Pointe I and II (Formerly Innsbrook
Technology Park), from Richmond Green Properties, LLC to Lingerfelt Office Properties,
LLC, subject to the standard and added conditions previously approved.

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TRANSFER OF APPROVAL

POD-55-95
POD2013-00168
Villa Park Three – 7870
Villa Park Drive

William Stevens for SCP-G Villa Park, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Villa Park III Associates, LLC and U.S. Bank National Association to SCP-G Villa Park, LLC. The 9.04-acre site is located on the south line of Villa Park Drive, approximately 2,000 feet west of the intersection of Brook Road (U.S. Route 1) and Villa Park Drive, on parcel 782-753-2166. The zoning is O/SC, Office Service District (Conditional). County water and sewer. **(Fairfield)**

Mrs. Jones - Is there any opposition to the transfer of approval for POD-55-95 (POD2013-00168), Villa Park Three? No opposition.

Mr. Garrison - This transfer request is Villa Park Three, POD-55-95. Staff found no deficiencies on this property, and the applicant agrees to the conditions of the original approval.

Mrs. Jones - Are there questions? All right.

Mr. Branin - Madam Chair, I would like to move that transfer of approval POD-55-95 (POD2013-00168), Villa Park Three, be recommended for approval.

Mr. Witte - Second.

Mrs. Jones - Motion by Mr. Branin, second by Mr. Witte. 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-55-95 (POD2013-00168), Villa Park Three, from Villa Park III Associates, LLC and U.S. Bank National Association to SCP-G Villa Park, LLC, subject to the standard and added conditions previously approved.

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TRANSFER OF APPROVAL

POD-41-97 (Part)
POD2013-00083
Westham Office Park –
410 N. Ridge Road

James F. Brooks and Company, LLC for Ridge Road Associates: Request for transfer of approval of a portion of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code from Ridge Road Associates to James F. Brooks and Company, LLC. The 1.14-acre site is located along the west line of N. Ridge Road, approximately 275 feet north of Holmes Avenue, on parcel 756-736-6443. The zoning is O-1C, Office District (Conditional). County water and sewer. **(Tuckahoe)**

Mrs. Jones - I need to note for the record I will not be voting on this transfer of approval due to a representational conflict. Is there opposition to this transfer of approval for POD-41-97 (Part) (POD2013-00083), Westham Office Park? No opposition.

Ms. Crady - Good morning. The applicant has completed extensive landscaping maintenance to promote healthy growth and sustainability within the natural buffer between the office parcel and the adjacent residential zone. There are no remaining deficiencies on this site. The new owner has been proactive in the maintenance of the site and agrees to continue to comply with conditions of approval. Staff recommends approval of the request.

Mrs. Jones - Questions for Mr. Crady? All right.

Mr. Leabough - Madam Chair, I move approval of this transfer of approval for POD-41-97 (Part) (POD2013-00083), Westham Office Park.

Mr. Witte - Second.

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

I abstain.

The Planning Commission approved the transfer of approval request for POD-41-97 (Part) (POD2013-00083), Westham Office Park, from Ridge Road Associates to James F. Brooks and Company, LLC, subject to the standard and added conditions previously approved.

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PLAN OF DEVELOPMENT AND MASTER PLAN

POD2013-00189
Innsbrook Central
Business District - Block 7,
Block 8, and Master Plan -
4501 Highwoods Parkway

Burgess and Niple for 4501 Highwoods Parkway, LLC, 4521 Highwoods Parkway, LLC, 4600 Cox Road II, LLC, Sadler Road Land, LLC, Nuckols Corner Land, LLC and Highwoods-Markel Associates, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct the first phase of an urban mixed-use development consisting of two, two-story retail/office buildings containing 42,000 square feet of floor area (Block 7), a 12-story office building/parking garage with 190,000 square feet of floor area and 533 parking spaces (Block 8), a four-story, 156-unit apartment building containing 175,200 square feet (Block 8), and other infrastructure including roads, sidewalks, utilities, storm drainage, and site lighting. The master plan proposes a total of 2,324,000 square feet of floor area for commercial, office, and residential uses in the overall development. The 39.46-acre site is located at the southwest corner of the intersection of Cox Road and Sadler Place, and at the northeast corner of the intersection of Sadler Place and Sadler Road, on parcels 749-765-7952, 750-765-0494, 750-765-4697, 750-766-3162, and 750-767-3526. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Three Chopt)**

746
747 Mrs. Jones - Is there any opposition to POD2013-00189, Innsbrook
748 Central Business District - Block 7, Block 8, and Master Plan? I see no opposition. Good
749 morning, Mr. Wilhite.

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751
752 Mr. Wilhite - Good morning, Madam Chair, members of the Commission.
753 Your original packet included revised plans that were still undergoing staff review. Staff
754 has completed the review of the plans that were included. There were some additional
755 revisions that are included in your addendum today and additional conditions that have
756 been revised and added on page three of your addendum.

757
758 The Innsbrook UMU in the initial phase encompasses Block 7 and Block 8 in the master
759 plan for the site. The master plan includes interior private roads, public utilities, storm
760 drainage, grading, and streetscape plans. The total floor area for the entire development
761 would be 2,324,000 square feet.

762
763 The major issues identified on the staff report have been addressed at this time. There's
764 a roundabout and road improvements on Nuckols Road, Sadler Road, and Sadler Place

765 being proposed. Your packet has a revised plan layout sheet for this portion of the
766 property. We were lacking signatures from impacted property owners, the office building
767 on the northwest side of Nuckols and Sadler Road. And also where the roundabout is
768 located there was a small separate piece of property there. We have received the
769 signatures and approval of those two property owners as of yesterday afternoon, which
770 allows us to move forward. In addition, some road improvements along Nuckols Road
771 would impact the post office on Sadler Place. That was anticipated during the rezoning
772 case. We do not have the signature of the U.S. Postal Service yet, but these
773 improvements can be timed until the approval is received from the U.S. Postal Service.
774 They are reflected on this plan, though.

775
776 With these road improvements there is a realignment of Highwoods Parkway. It will now
777 lead into the roundabout, which is currently at the intersection of Sadler Road and Sadler
778 Place. The existing sidewalk along Nuckols Road, Sadler Road, and Sadler Place are
779 being torn up with this realignment. What is being removed will be replaced. That's
780 covered in Condition #30 in the addendum. In addition, a crosswalk is being added at the
781 intersection of Cox Road and Sadler Place, in this location here.

782
783 Three existing office buildings totaling 349,000 square feet already exist on this site and
784 they will remain. There is surface parking in this area that serves these office buildings.
785 Block 7 of the plan will actually impact some of this existing parking space. The applicant
786 has agreed to save as much of the existing parking lot within the bounds of the interior
787 roads as they can at this point in time. In addition, a separate parking lot is going to be
788 constructed on a temporary basis at the intersection of Sadler Place and Cox Road, right
789 here. This is in future Block 5 of the master plan.

790
791 A temporary parking lot is covered by Condition #3, which is our standard condition that's
792 been modified; that the parking lot regulations for permanent parking won't cover the
793 temporary parking at this point. Also, Condition #47 on the addendum places time limits
794 on how long this parking lot can remain there. As written, they can stay there two years
795 from the time of completion of construction of the parking lot. If this parking lot is to
796 remain more than two years, then it has to come back for Planning Commission approval
797 for an extension of time. Otherwise, the parking lot and the improvements would be
798 removed and this portion of the site brought back to County standards. The applicant has
799 been made aware that perimeter landscaping would have to be provided along Cox and
800 Sadler Roads to make sure that there's sufficient screening and buffering from the
801 adjacent properties.

802
803 Water quality information has been received and is satisfactory to the County staff at this
804 point in time.

805
806 Now, to the architecturals. This is the elevation for the Block 7 building. This is a two-
807 story retail office building with 10,000 square feet of retail space and 32,000 square feet
808 of office space is anticipated at this time. We do not know who the specific tenants or
809 uses are. However, it is possible that this will be used in conjunction with the Markel
10 Building in Block 8.

811
812 These are the elevations for the Markel office tower, which is 12 stories in height. The
813 first floor is a mix of tenant spaces and executive parking. There are a total of four levels
814 of additional parking above that and seven floors of office space on top of that. The total
815 height of the building from ground level to the top of the equipment screen is 185 feet.

816
817 Also on Block 8 on the western portion of the block is a four-story, 156-unit apartment
818 building. This is the portion of the block closest to the existing Saddlebrook subdivision.

819
820 This is a color representation of the elevations of the apartment building. It's also
821 showing the office tower here. Over on this side of the page is what would be facing the
822 neighborhood. There is green space and existing vegetation acting as a buffer between
823 this development and the existing subdivision. Here is a color rendering of the Markel
824 Office Building. Once again, this is a rendering of the Block 7 combination retail/office
825 building.

826
827 We have received evidence of the Innsbrook Owners Association's approval of the site
828 plans that have been provided and the basic architectural plans. They note that they are
829 still looking at and will be reviewing the final site plans and architectural plans. Condition
830 #48 in the addendum covers this, stating that the final architectural plans will have to be
831 reviewed and approved by the Director of Planning prior to issuance of building permits
832 and a finding that they're in conformance with the design guidelines for this development.

833
834 At this point in time, construction phasing is still being worked out on the plans. Timing of
835 the additional blocks within this development have not been determined at this time.
836 However, each block would be coming back to the Planning Commission for their
837 approval.

838
839 At this point, staff can recommend approval of Block 7, Block 8, and the overall master
840 plan with the revised plans that have been provided, the additional staff comments that
841 are referenced, and the revisions to the standard and miscellaneous conditions that
842 appear on your addendum.

843
844 I'd be happy to answer any questions that you have at this point.

845
846 Mrs. Jones - Are there questions for Mr. Wilhite?

847
848 Mr. Witte - I have one. You said that there was a crosswalk across Cox
849 Road?

850
851 Mr. Wilhite - Cox Road and Sadler Place there will be a crosswalk.

852
853 Mr. Witte - This temporary parking lot is for people that are going to work
854 on the other side of Sadler Place, correct?

855

856 Mr. Wilhite - It would satisfy—yes. The parking is being removed where
857 Block 7 and Block 8 currently are, it would serve the existing office buildings there. It
858 could potentially serve the Block 8 buildings once they're constructed, too.
859
860 Mr. Witte - It would seem common sense to put a crosswalk going that
861 way also, since people are going to be parking on this side and going to the other side,
862 across Sadler Place.
863
864 Mr. Wilhite - This particular crosswalk was a condition. We did not really
865 look at a crosswalk at this other portion of the intersection. I would have to check. I'm not
866 sure if there is a sidewalk that exists there now.
867
868 Mr. Witte - Okay.
869
870 Mr. Wilhite - I'm not sure it's going to show up on the aerial photographs.
871 That is something that we can look at during the plan review.
872
873 Mr. Witte - Okay. Thank you.
874
875 Mrs. Jones - Other questions for Mr. Wilhite? Mr. Branin, would you like
876 to—
877
878 Mr. Branin - I would like to—
879
880 Mrs. Jones - I'm not sure I asked for opposition.
881
882 Mr. Branin - You did.
883
884 Mrs. Jones - I believe I did. Okay, all right. Would you like to hear from the
885 applicant?
886
887 Mr. Branin - I would like to have actually Public Works first.
888
889 Mrs. Jones - Thank you, Mr. Wilhite.
890
891 Mr. Jennings - Good morning. Mike Jennings, Assistant Director of Public
892 Works.
893
894 Mr. Branin - Good morning, Mr. Jennings. How are you?
895
896 Mr. Jennings - Good, thanks.
897
898 Mr. Branin - In this project, the redevelopment started in 2004. One of the
899 main concerns throughout the whole time—which you were active with us since 2004 as
900 well—has been traffic. At the last citizen community meeting we had, in regards to the
901 traffic circle and road improvements, I had requested—which they had said they would

902 absolutely work on doing and I want to bring it to your attention as well—doing the traffic
903 upgrades in the first beginning phases so the road starts its construction. My main
904 concern with this was not as much the traffic for Innsbrook, because they can detour
905 them over to Cox and so forth, but the community before construction traffic started. Do
906 you see any issues with that type of phasing?
907

908 Mr. Jennings - No, sir. We are working with Burgess and Niple to make sure
909 this is phased to get the improvements as soon as possible, plus have Sadler Road still
910 functioning. The location of the roundabout, while they're constructing it, you can still
911 have Sadler Road still function properly. So that is important to us also.
912

913 Mr. Branin - That was my question, too, was in your opinion is Sadler
914 Road still going to be able to function on a normal basis.
915

916 Mr. Jennings - For the majority of the time, yes sir. I'm sure there will be a
917 short period that they'll have to be some detours, but for the majority of the time it will
918 function as normal.
919

920 Mr. Branin - Okay. I have no further questions for Public Works.
921

922 Mrs. Jones - All right. Would you like to hear from the applicant?
923

924 Mr. Branin - Absolutely.
925

926 Mrs. Jones - All right.
927

928 Mr. Theobald - Good morning, Madam Chairman, members of the
929 Commission. My name is Jim Theobald. I'm here today on behalf of Highwoods Markel
930 Associates, LLC. And we have a host of folks who can help answer engineering-type
931 questions and others if you like.
932

933 This process began with a Land Use Plan amendment, followed by zoning, and followed
934 now by POD, a number of community meetings. I'm pleased that—the community
935 meeting we had 10 days ago, we sent out over 200 letters, and I think we had three or
936 four people there representing some of the neighborhoods to answer questions. We've
937 worked very hard to bring the original gleam in, I think our eyes and the County's eyes,
938 for re-urbanizing this part of Innsbrook into now some hard plans for our first phase.
939

940 You're correct, Mr. Branin. We anticipate starting in October, and the roads come first.
941 All the roads, in terms of Blocks 7 and 8, Highwoods Parkway, and the traffic circle. We
942 are working with the right of way by the post office. If we can't get it, we think we have
943 some ways to perhaps skinny that down a little bit. I will tell you we sent a letter to the
944 Post Office advising them of our meeting last week, and it was returned as addressee
945 unknown.
946

947 Mr. Branin - We wouldn't expect anything less.

948 Mr. Theobald - That's a little scary. However, we have had discussions with
949 VDOT about the access ramp onto 295. VDOT seems to be in agreement, but we need
950 to take that up to the federal government too. But those discussions have started.

951
952 We've worked very hard on the conditions. We had a great meeting yesterday afternoon
953 with staff, I think worked through the biggest issues, and we all know what the little ones
954 are. And we are okay with the conditions as revised. I'll be happy to answer any
955 questions.

956
957 Mr. Branin - Do you have any questions for Mr. Theobald? I actually
958 brought Mr. Theobald down to scold him.

959
960 Mr. Theobald - Oh wow, then.

961
962 Mr. Branin - Mr. Theobald, 2004. It's been a long time coming.

963
964 Mr. Theobald - Yes, sir.

965
966 Mr. Branin - I think we have crossed every bridge, every concern, and the
967 product that's coming out is according to the original vision. I think it's a good product.
968 My main concern always—as you've heard from 2004 on—is traffic. Now, with that being
969 said, and since we started in 2004, on behalf of staff and myself, I would greatly
970 appreciate that when you guys are working more in the future and more on this project
71 that you get your information to us timely.

972
973 Mr. Theobald - Yes, sir.

974
975 Mr. Branin - Okay? You can take that back to your engineering group, and
976 your owner, that it should be in your mind an honor to be in Henrico County, which
977 means doing your part of the lifting and getting us the information we need.

978
979 Mr. Theobald - I'm sorry some of this was a little bit last minute.

980
981 Mr. Branin - Because, we've had so little time since 2004. Okay, I think
982 I've beaten you up enough, sir.

983
984 Mr. Leabough - I have a question, Mr. Branin, Madam Chair. I know that
985 Mr. Wilhite indicated that the major issues have been addressed. What are the minor
986 issues that have not been addressed that you haven't talked about?

987
988 Mr. Theobald - They were things like labeling on plans and things like that.
989 There's a letter with a number of points that are pretty much editorial. We went though
990 those yesterday to make sure there were no substantive points that any of us disagreed
991 on the approach. So it's really just providing the landscape plan not on the utility plan,
992 but on the other sheet. It's that kind of a discussion.

93

994 Mr. Branin - Housekeeping.
995
996 Mr. Leabough - Housekeeping items. There you go.
997
998 Mr. Branin - Which they had since 2004 to get done.
999
1000 Mrs. Jones - Are there any other questions?
1001
1002 Mr. Branin - All right.
1003
1004 Mr. Theobald - Thank you.
1005
1006 Mr. Branin - Thank you. Ready for this motion?
1007
1008 Mrs. Jones - Mr. Branin, that's up to you.
1009
1010 Mr. Leabough - We've been waiting since 2004.
1011
1012 Mr. Branin - Yes, no kidding. All right, Madam Chair, I would like to move
1013 that POD2013-00189, Innsbrook Central Business District - Block 7, Block 8, and Master
1014 Plan, 4501 Highwoods Parkway, be approved with standard conditions for developments
1015 of this type, revised Condition #3, revised Condition #28, revised Condition #29, revised
1016 Condition #30, Condition #31, revised condition #32, #33, #34, #35, #36, revised
1017 condition #37, #38, #39, revised condition #40, #41, #42, #43, #44, #45, revised #46,
1018 #47, and #48.
1019
1020 Mr. Leabough - Second.
1021
1022 Mrs. Jones - I was wondering how you were going to do that. All right. I
1023 have a motion by Mr. Branin, second by Mr. Leabough. All in favor say aye. All opposed
1024 say no. The ayes have it; the motion passes.
1025
1026 The Planning Commission approved POD2013-00189, Innsbrook Central Business
1027 District - Block 7, Block 8, and Master Plan, subject to the annotations on the plans, the
1028 standard conditions attached to these minutes for developments of this type, and the
1029 following additional conditions:
1030
1031 3. **REVISED** - The parking lot shall be subject to the requirements of Chapter 24,
1032 Section 24-98 of the Henrico County Code, **except for any temporary parking**.
1033 28. **REVISED** - Deviations from County standards for pavement, curb or curb and
1034 gutter design, **other than as depicted on the Plan of Development**, shall be
1035 approved by the County Engineer prior to final approval of the construction plans
1036 by the Department of Public Works.
1037 29. **REVISED** - The right of way for widening of Nuckols Road, Sadler Road, and
1038 Sadler Place as shown on the approved plans shall be dedicated to the County
1039 prior to any occupancy permits being issued, **subject to the provisions of**

- 1040 **Proffer #9 of zoning case C-13C-11.** The right of way dedication plat and other
1041 required information shall be submitted to the County Real Property Agent at least
1042 sixty (60) days prior to requesting occupancy permits.
- 1043 30. ~~REVISED - A concrete sidewalk meeting current County standards shall be~~
1044 ~~provided along the south side of Nuckols Road.~~ **All existing County sidewalk**
1045 **removed for right-of way improvements to Nuckols Road, Sadler Road, and**
1046 **Sadler Place shall be replaced in the location shown on the approved**
1047 **construction plans.**
- 1048 31. Outside storage shall not be permitted.
- 1049 32. **REVISED** - In order to maintain the effectiveness of the County's public safety
1050 radio communications system within buildings, the owner will install radio
1051 equipment that will allow for adequate radio coverage within **the any new** building,
1052 unless waived by the Director of Planning. Compliance with the County's
1053 emergency communication system shall be certified to the County by a
1054 communications consultant within ninety (90) days of obtaining a certificate of
1055 occupancy. The County will be permitted to perform communications testing in the
1056 building at any time.
- 1057 33. The proffers approved as a part of zoning case C-13C-11 and the conditions of
1058 Provisional Use Permit case P-10-11 shall be incorporated in this approval.
- 1059 34. A construction staging plan which includes details for traffic control, fire protection,
1060 stockpile locations, construction fencing and hours of construction shall be
1061 submitted for County review and prior to the approval of any final construction
1062 plans.
- 1063 35. The developer shall install an adequate restaurant ventilating and exhaust system
1064 to minimize smoke, odors, and grease vapors. The plans and specifications shall
1065 be included with the building permit application for review and approval for any
1066 proposed restaurant. If, in the opinion of the County, the type system provided is
1067 not effective, the Commission retains the rights to review and direct the type of
1068 system to be used.
- 1069 36. A note in bold lettering shall be provided on the erosion control plan indicating that
1070 sediment basins or traps located within buildable areas or building pads shall be
1071 reclaimed with engineered fill. All materials shall be deposited and compacted in
1072 accordance with the applicable sections of the state building code and
1073 geotechnical guidelines established by the engineer. An engineer's report
1074 certifying the suitability of the fill materials and its compaction shall be submitted
1075 for review and approval by the Director of Planning and Director of Public Works
1076 and the Building Official prior to the issuance of any building permit(s) on the
1077 affected sites.
- 1078 37. **REVISED** - The certification of building permits, occupancy permits and change of
1079 occupancy permits for individual ~~units~~ **uses** shall be based on the number of
1080 parking spaces required for the proposed uses and the amount of parking
1081 available according to the approved plans **and condition #13 of Provisional Use**
1082 **Permit case P-10-11.**
- 1083 38. Approval of the construction plans by the Department of Public Works does not
1084 establish the curb and gutter elevations along the Henrico County maintained
1085 right-of-way. The elevations will be set by Henrico County.

- 1086 39. Approval of the construction plans by the Department of Public Works does not
1087 establish the curb and gutter elevations along the Virginia Department of
1088 Transportation maintained right-of-way. The elevations will be set by the
1089 contractor and approved by the Virginia Department of Transportation.
- 1090 40. **REVISED** - All subsequent detailed plans of development needed to implement
1091 this master plan shall be submitted for staff review and Planning Commission
1092 approval, and shall be subject to all regulations in effect at the time such
1093 subsequent plans are submitted for review/approval, **unless previously**
1094 **grandfathered.**
- 1095 41. The location of all existing and proposed utility and mechanical equipment
1096 (including HVAC units, electric meters, junction and accessory boxes,
1097 transformers, and generators) shall be identified on the landscape plans. All
1098 equipment shall be screened by such measures as determined appropriate by the
1099 Director of Planning or the Planning Commission at the time of plan approval.
- 1100 42. Except for junction boxes, meters, and existing overhead utility lines, and for
1101 technical or environmental reasons, all utility lines shall be underground.
- 1102 43. The names of streets, drives, and courts and parking areas shall be approved by
1103 the Richmond Regional Planning District Commission and such names shall be
1104 on the construction plans prior to their approval. The street name signs shall be
1105 installed prior to any occupancy permit approval.
- 1106 44. Evidence of approval of the U.S. Postal Service for right of way widening and
1107 improvements along Nuckols Road are necessary prior to approval of the
1108 construction plans for any work on their property.
- 1109 45. Provide additional information on the final construction phasing on the
1110 construction plans for signature.
- 1111 46. **REVISED** - A ~~traffic control~~ plan shall be approved by the County Traffic Engineer,
1112 prior to final approval of construction plans, for any restricted structured parking.
- 1113 47. **ADDED** - The temporary parking lot on Block 5 at the corner of Cox Road and
1114 Sadler Place shall remain for a period no longer than two years after it is
1115 constructed. Any extension of time for the lot will require Planning Commission
1116 approval. If no extension is granted, the lot improvements shall be removed and
1117 the disturbed portion of the site graded and seeded in accordance with
1118 Department of Public Works requirements.
- 1119 48. **ADDED** - The final architectural plans shall be approved by the Director of
1120 Planning, prior to building permit approval by the County, in accordance with the
1121 Innsbrook Urban Mixed Use District Urban Design Guidelines.
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1131

132 **PLAN OF DEVELOPMENT AND MASTER PLAN**

133

POD2013-00197 **RK&K Engineers for Reynolds Holdings, LLC and Clear Springs Development, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to revise a master plan, expand a recently approved shopping center, and construct Phase II of the shopping center - a one-story 19,354 square foot retail building on a 3.93 acre portion of parcel 765-744-3270. The 21.27-acre shopping center site is located on the southeast corner of the intersection of Glenside Drive and Forest Avenue, on part of parcel 765-744-3270 and parcel 765-744-9958. The zoning is B-2C, Business District (Conditional), and B-3C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

1134

1135 Mrs. Jones - Is there anyone with us this morning in opposition to
1136 POD2013-00197, Phase II – Shoppes at Reynolds Crossing? Hello. I will call you in a
1137 moment after the staff report. Thank you. Mr. Garrison, good morning.

1138

1139 Mr. Garrison - Good morning. The applicant is requesting approval of a
1140 19,354 square-foot retail building at the corner of Glenside Drive and Forest Avenue. A
1141 revised master plan that reflects this proposed use and expanded shopping center
1142 boundary that includes this building has been received. This is the revised master plan
1143 showing the revised shopping center boundary in red.

1144

1145 Staff also received revised architectural drawings that provide building materials that more closely
1146 match the recently-approved Walmart. Therefore, staff can recommend approval subject
1147 to the annotations on the plans, standard conditions for developments of this type, and
1148 added Condition #39.

1149

1150 I will just kind of go through a close-up of where this retail building is. Revised elevations
1151 will match the Walmart. The applicant has provided notes indicating the brick to be
1152 matched. Just to give you an idea of what we're talking about. The brick, this promenade
1153 blend here that you see will be put—whoops, wrong one. This right here, this brick
1154 number one. It's kind of hard to—I understand it's kind of hard to visualize, but these
1155 bands here are going to be matching the Walmart, as well as the EIFS, as well as this
1156 cultured stone here.

1157

1158 I'm available to answer any questions, and the representatives for the applicant are
1159 available as well.

1160

1161 Mrs. Jones - Could you go back to the notations on the plan for the new
1162 retail?

1163

1164 Mr. Garrison - This?

1165
1166 Mrs. Jones - Yes. Did I—okay. Right there, brick color two.
1167
1168 Mr. Garrison - Right here?
1169
1170 Mrs. Jones - Yes.
1171
1172 Mr. Garrison - This oversize brick, wire cut. That is—
1173
1174 Mrs. Jones - Oversize brick, wire cut, to be pink number 313? Is that
1175 correct?
1176
1177 Mr. Garrison - That is this right here.
1178
1179 Mrs. Jones - Okay.
1180
1181 Mr. Garrison - And that—let me go back to the Walmart slide. It's a tan
1182 color, and it will somewhat match the EIFS. I think—it'll blend.
1183
1184 Mrs. Jones - Okay. *Pink* did not jump out at me when I looked at this the
1185 other day, but it is jumping out at me now. Perhaps we can have the applicant confirm
1186 what that is.
1187
1188 Mr. Garrison - Okay.
1189
1190 Mrs. Jones - Okay. I did have another question. Honestly, having these
1191 plans submitted to us—these came in on Monday, I think, these architectural.
1192
1193 Mr. Garrison - Correct. So the time limits will need to be waived.
1194
1195 Mrs. Jones - That is right. So my brain has been going full speed since
1196 then. A question. Since this is now envisioned to be part of the shopping center, and this
1197 will be taken into the shopping center, which is one reason why it's so important, and I'm
1198 so pleased with the applicant that they agreed that the cohesiveness of the architectural
1199 and the color palette would certainly be a positive thing. I was wondering is there any
1200 provision for pedestrian connectivity other than what was already on the plan? Has that
1201 been discussed since this has been submitted to you?
1202
1203 Mr. Garrison - There's a sidewalk existing along Forest Avenue.
1204
1205 Mrs. Jones - Right.
1206
1207 Mr. Garrison - That connects. And there's also a proposed sidewalk across
1208 the bridge right here.
1209
1210 Mrs. Jones - Okay. And so that could lead someone, then, from there—

1211
1212 Mr. Garrison - Into the interior of the site.
1213
1214 Mrs. Jones - Okay. And they could access, then, any of the other buildings
1215 of the shopping center, the Walmart—
1216
1217 Mr. Garrison - Yes ma'am.
1218
1219 Mrs. Jones - Okay. All right. Are there questions from the Commission for
1220 Mr. Garrison? No? What I'd like to do, Mr. Secretary, would you please let us know
1221 before I call up folks, the time limits for public hearings?
1222
1223 Mr. Emerson - Yes ma'am, Madam Chair. The Commission does have rules
1224 and regulations that they follow in regards to their public hearings, and they are as
1225 follows. The applicant is allowed 10 minutes to present the request, and time may be
1226 reserved for responses to testimony. Opposition is allowed 10 minutes to present its
1227 concerns. Commission questions do not count into the time limits, and the Commission
1228 may waive the time limits for either party at its discretion.
1229
1230 Mrs. Jones - All right. Thank you. Mr. Garrison, don't go far. I'm going to
1231 call up Ms. Atkinson. If you would state your name and address for the Commission.
1232 Welcome.
1233
1234 Ms. Atkinson - Thank you, Madam Chairman. My name is Jennifer Atkinson
1235 with Charles Glen subdivision. My address is 1912 Charles Street.
1236
1237 Mrs. Jones - All right. I thought perhaps we might talk prior to this, but I
1238 know that you've been talking with Mr. Garrison and have seen the plans.
1239
1240 Ms. Atkinson - Yes, we have.
1241
1242 Mrs. Jones - All right.
1243
1244 Ms. Atkinson - And we are quite pleased that it's not a Wawa or something
1245 like that, and we're glad it's a shopping center. So I'll state that. We would just like to
1246 reiterate our historical and ongoing concerns, mostly landscaping. With the over-clearing
1247 of the Bon Secours Center, which would be across the street sort of adjacent to the
1248 shopping center, lots of trees were taken down that originally were not planned to be
1249 taken down. So that whole area of the neighborhood is quite exposed, as well as the
1250 extra parking lot, which is—that overflow parking.
1251
1252 Mrs. Jones - Right.
1253
1254 Ms. Atkinson - That area left the whole area of the neighborhood exposed.
1255 So with the new shopping center, it's my understanding all of the trees in the corner will
256 be taken down. So there is not a lot, I know, that can be done about that, but that is an

1257 ongoing concern just with things that are beyond our control, such as the “wind tunnel
1258 effect,” and the weather, and the noise from Interstate 64. But we were very pleased with
1259 the landscaping of the Walmart, so if we can just continue to work together and be
1260 mindful of replacing dead and diseased trees in a timely manner and ongoing
1261 thoughtfulness with that.

1262
1263 And then the other concern is just—it’s going to remain a private road, to my
1264 understanding. And at night we still have some races going on. So, just as the
1265 construction continues and as this is developed more, how they will address any
1266 monitoring of parking lot security.

1267
1268 I did speak with the applicant, and our 24-hour question seemed to be answered,
1269 because originally it was zoned for 24/7 business hours.

1270
1271 Mrs. Jones - Right. We’ll have the applicant come up and talk to us all
1272 about those things. Are there other specific concerns?

1273
1274 Ms. Atkinson - Traffic remains a concern. The way the entrances will go from
1275 the Bon Secours building to the shopping center and the space for the turning lane off of
1276 Glenside onto Forest—we foresee it as being a problem though other studies may not.
1277 So we just wanted to reiterate that it is still an ongoing concern with us, as well as
1278 increased traffic through the whole area.

1279
1280 Mrs. Jones - I think you’ve covered the waterfront.

1281
1282 Ms. Atkinson - Thank you.

1283
1284 Mrs. Jones - In all seriousness, I think your concerns are valid. I think you
1285 all—again, I just need to say, you all have been very, very mindful watchdogs for this
1286 entire property with reasonable and valuable approaches to this. We have thoroughly
1287 profited from your expertise as residents of the area. You’re the ones who know most
1288 how this is going to affect you, and I commend you again for your reasonable approach
1289 to this. I thank you for that. Do we have any questions for Ms. Atkinson?

1290
1291 Mr. Branin - I have one comment. When Reynolds Crossing originally
1292 started its development, I had the pleasure of working with that community. They have
1293 always been one of the most proactive, rational, and good communities that I’ve worked
1294 with. I miss working with you guys.

1295
1296 Mrs. Jones - All right, thank you.

1297
1298 Ms. Atkinson - Thank you.

1299
1300 Mrs. Jones - We’ll get some comments to your questions from the
1301 applicant. Thank you very much. I would like the applicant to come down. I’m not sure
1302 who to call, but I would like to have—I do believe Ms. Atkinson’s concerns should have

1303 specific answers. So, I need someone to come up and talk about the landscaping and
1304 her other concerns about the impacts on the neighborhood.

1305
1306 Mr. Mills - Good morning. I'm Malachi Mills with RK&K. I represent the
1307 owners with Reynolds Development.

1308
1309 Mrs. Jones - Yes. Good morning, Mr. Mills.

1310
1311 Mr. Mills - Specifically, some of the concerns that the neighbors have
1312 voiced - I talked with Floyd Cybulski and some of the neighbors earlier on, and had
1313 shared the POD and some details. Certainly on the concern about the landscaping, the
1314 Reynolds have shown that they are very proactive on keeping up with any of the dead,
1315 dying, diseased trees and replacement, and they'll continue to keep those efforts up. And
1316 anything that's identified will be replaced immediately.

1317
1318 Mrs. Jones - Does that mean a call to you or a call to Reynolds?

1319
1320 Mr. Mills - A call to me would be fine.

1321
1322 Mrs. Jones - Okay.

1323
1324 Mr. Mills - Either/or. Wherever they feel the most comfortable.

1325
1326 Mrs. Jones - All right.

1327
1328 Mr. Mills - I don't want you guys being bothered, but either RK&K or
1329 certainly Reynolds Development, being that they're right there on site. And their
1330 maintenance folks and security folks are always monitoring that right there on site.
1331 They're not vacant from that site, so that's certainly—either/or is fine.

1332
1333 Mrs. Jones - Can you describe some of the conceptual plans for that
1334 corner at Forest and Glenside as to how many trees are coming down and what kind of
1335 replacements might go in?

1336
1337 Mr. Mills - Right on the corner, the immediate corner where the buildings
1338 and parking occupy, I don't want to say all the trees are coming down, but the vast
1339 majority of the trees on the approximate two acres of the actual development footprint
1340 are coming down. Right behind those equipment pedestals that are right on the corner,
1341 we're hopeful—there's a few nice white oaks or whatnot right on the precipice of the
1342 clearing limit which are good healthy trees. They're not like trees in the middle of a
1343 clearing that would be weak. They should be able to survive. We are showing a strip of
1344 some of some tree save, but it really may be at most a half a dozen. But they should be
1345 a nice healthy mature tree that we can save. Right there on the very corner. Right on that
1346 45-degree angle of the parking strip. So we're hopeful we can save those. But once we
1347 get clearing—we're showing a tree save. There may be a half a dozen; there may only
1348 be three. But they should be very nice significant trees.

1349
1350 Once we get to the back edge where we have the wetlands, the low area, all that's
1351 staying. We can't clear any of that. We do have a few minor encroachments into the
1352 wetland area. We're basically 3-1/2 acres of development. We're intensely developing
1353 two acres. But the majority of the tree save is on the back side, which continues to
1354 screen the ramp area of Interstate 64 and Glenside Drive and gives sort of that swath
1355 that's—a diagonal cut through the development, but is a thick swath of trees that the
1356 neighbors will continue to see, not just a thin band. So we are saving those trees. And
1357 then where the bridge crosses, the pedestrian/vehicular bridge crosses, we're crossing
1358 perpendicular, but leaving an area of trees on both sides because of the wetland areas.
1359 That'll maintain a natural mature stand of trees, a corridor in there.

1360
1361 Mrs. Jones - It's hard to build without putting trees in the way, so I know.
1362 It's a real balancing act.

1363
1364 Mr. Mills - And there's a lot of grading. It looks odd when you drive down
1365 Forest. You have the peak of dirt. We have to level that. The actual development on
1366 Forest will be about six, seven feet below the road grade. It'll be about four, five, six feet
1367 above Glenside as you drive by. So we're putting in a number of retaining walls to step
1368 through that to maintain this type of area of development and maximize the tree save.

1369
1370 Mrs. Jones - All right. Would you address the parking lot security that
1371 Ms. Atkinson mentioned and the private road, obviously how to keep that from being a
1372 raceway, those kinds of issues? Do you have any comments for her on those?

1373
1374 Mr. Mills - I know from the standpoint of the security that Reynolds
1375 Development has through there during the day and the corporate headquarters presence
1376 that's there, they do have security folks through there. The element of now having more
1377 of this open retail density does change the dynamic on that. In all honestly, I think we'll
1378 have to talk to the Reynolds Development folks to consider those issues. Having the
1379 Westin Hotel, and the Plaza Azteca, it's a smaller impact as it relates to a lot of public
1380 traffic coming in. You're coming into those offices; you're coming into there for the
1381 medical services. It does get quiet at night. I think with the presence of more of this retail,
1382 I think we'll have to address that. What's in place, there isn't 24-hour security monitoring.
1383 But I think that's something that we do need to take a serious look at to understand how
1384 best to monitor that.

1385
1386 Mrs. Jones - I think being aware is the first thing. That was a very nice
1387 segue into 24-hour considerations.

1388
1389 Mr. Mills - Yes, ma'am.

1390
1391 Mrs. Jones - This B-3 parcel had been, by proffer, intended for a use at a
1392 B-2 level. Let's talk about how to make the hours of operation reflect that vision that
1393 governs the use as well. I think it would appropriate, and I would like to have either

1394 yourself or someone else from the development team comment about this. I would like to
1395 explore with you the possibility of conditioning operating hours to reflect the B-2 use.
1396

1397 Mr. Mills - Yes ma'am. In brief discussion with Mr. Garrison earlier on,
1398 we recognize that, yes, we're now bringing in this B-3 use into the B-2 in this shopping
1399 center. In speaking to the security and just bringing everything into the fold in discussion
1400 with Reynolds Development, with the owners, I certainly think that's it's appropriate to
1401 have a condition specific on this POD to limit the operating hours to match what the
1402 Walmart has. I don't want to misstate it, but I believe it's maybe closed midnight to 6 a.m.
1403 Have it all uniform, which would give everybody—there's not an "Oh, well, yeah, I'm
1404 leaving the Walmart parking and I'm going to go the corner." So, it should be certainly
1405 conditioned specific to this POD a limitation of those hours to match the Walmart
1406 operating hours.
1407

1408 Mrs. Jones - I personally would appreciate that very much. I think that
1409 would be an added benefit for the development as a whole. And I think it would also be a
1410 very comforting condition for the neighbors and certainly for the cohesiveness of what
1411 we're doing here with the shopping center.
1412

1413 Mr. Garrison, while I'm talking, is it possible to write a sample text over the next minute
1414 or two to be added to this, and we'll discuss and see if it is suitable to everybody. And
1415 then we'll go ahead and include that in the approval? Would that be the way to do it,
1416 Mr. Emerson?
1417

1418 Mr. Emerson - Yes, ma'am.
1419

1420 Mrs. Jones - Okay. While they're working on that, I did want to say just
1421 personally that, as Ms. Atkinson mentioned, I am very pleased that this retail area will
1422 become part of this development. The smaller shops, restaurants, coffee shops, these
1423 are the kinds of businesses that originally were discussed as being certainly a benefit for
1424 the community that has many workers in the office buildings and many folks coming for
1425 various treatments during different times and days. These will be, I think, a real
1426 complement to the office park as a whole. And I think they will serve a really nice
1427 purpose for that, as well as the neighborhood. So I am pleased that this has come about,
1428 and I'm glad to know the neighborhood agrees. All right, are there any other questions
1429 for the applicant?
1430

1431 Mr. Glover - Yes, ma'am. Wasn't something mentioned about a turn lane
1432 somewhere?
1433

1434 Mrs. Jones - Mr. Mills?
1435

1436 Mr. Mills - I think her concern is traffic and now more traffic coming in.
1437

1438 Mr. Glover - I understand that, but you have a lot of traffic that's going to
1439 be on the part of Forest Avenue that goes into Walmart. And you have no turn lane onto
1440 Glenside Drive as you leave Walmart. You're not putting a turn lane down there?
1441

1442 Mr. Mills - No, sir. There were no improvements added for the Walmart
1443 intersection. The distance from Glenside to that Walmart access I believe will—
1444

1445 Mr. Glover - Well I'm not talking about distance—
1446

1447 Mr. Mills - —exceed access management.
1448

1449 Mr. Glover - I'm talking about the traffic that approaches Glenside Drive. I
1450 don't care where it comes from. It's coming out of that entire area. Why aren't you putting
1451 a turn lane down there? A deceleration and turn.
1452

1453 Mr. Mills - Well, I mean the original traffic study and the widening—
1454

1455 Mr. Glover - No, no, no. I'm not talking about what you did. I'm asking you
1456 a question personally. Why aren't you putting a turn lane at Glenside? How much traffic
1457 do you propose will enter Glenside at the location? Have you estimated it?
1458

1459 Mr. Mills - I don't have the answers on the original traffic analysis. But all
1460 of the improvements that were put in place accounted for 25 acres of this intense use of
1461 development.
1462

1463 Mr. Glover - Excuse me. You don't have it and you're the engineer?
1464

1465 Mr. Mills - I don't have that answer because I didn't do the analysis.
1466

1467 Mr. Glover - You're working on tissue paper now, aren't you.
1468

1469 Mr. Mills - No sir.
1470

1471 Mr. Glover - Then a traffic engineer will have to answer it. How much
1472 traffic is entering Glenside at that point?
1473

1474 Mrs. Jones - May I have someone from staff show me where this is?
1475

1476 Mr. Glover - May I ask that question and get an answer?
1477

1478 Mrs. Jones - I need to know where it is you're referring to.
1479

1480 Mr. Glover - Excuse me. I'm asking the question myself. And then you can
1481 ask your question.
1482

1483 Mrs. Jones - Okay, I'm—

1484
1485 Mr. Glover - Who is determining the traffic at that intersection?
1486
1487 Mr. Mills - Can I try to answer?
1488
1489 Mr. Glover - I don't care who answers.
1490
1491 Mr. Mills - On the original traffic analysis that was done prior to the
1492 rezoning and all the road improvements that were put in place on Forest, it studied the
1493 full impact of all of the retail, the B-3, the B-2 uses, and all of those traffic counts. I don't
1494 have a specific number, but I know the capacity for the improvements that were done on
1495 Glenside with the dual left in, adjustments on the traffic signal, and the widenings of
1496 Forest Avenue, and the internal intersections that were put in place accounted for the
1497 office expansion and the addition of all the retail density in those trips. The widenings,
1498 and the turn lanes, and the depth of all the storage are all currently in place based on the
1499 original widening that occurred six years ago. I can't answer the actual counts, but we
1500 are following what was in the original traffic study for the densities and the amount of
1501 square footage there for trip generation. So we're not putting in additional lanes because
1502 all of that was put in place back in 2006 or 2007 to account for all of these improvements
1503 that we're now doing.
1504
1505 Mr. Glover - That's a lot of rhetoric, but I want to ask you again. How did
1506 you determine whether you needed a turn lane in the plan of development? In other
1507 words, the plan of development sometimes goes beyond the zoning itself and the
1508 projections of traffic.
1509
1510 Mr. Branin - Mr. Glover, I'd like to interject one second. Mr. Garrison,
1511 would you please get up and put—for the sake of the audience here, and our Chairman
1512 has wanted Mr. Garrison to put a mark on it so we're all on the same page of what you're
1513 referring to. So if you would do that. Mr. Mills, you can continue. I just wanted to do that
1514 so everybody in the room is on the same page of what Mr. Glover is referring to, the area
1515 he's referring to.
1516
1517 Mr. Garrison - Is it Glenside Drive?
1518
1519 Mr. Branin - Glenside Drive. Are we talking about a turn lane coming out
1520 onto Glenside Drive, and a deceleration coming northbound on Glenside Drive coming
1521 in? Correct, Mr. Glover?
1522
1523 Mr. Glover - No, ma'am. No, sir.
1524
1525 Mr. Branin - See? So I was even mistaken.
1526
1527 Mr. Leabough - I'm not sure what we're talking about.
1528

1529 Mr. Glover - It's obvious, then, you haven't looked at what's here. Do you
1530 know how much traffic is coming here?
1531

1532 Mrs. Jones - Where?
1533

1534 Mr. Glover - This is a Planning Commission.
1535

1536 Mrs. Jones - There is a deceleration lane there.
1537

1538 Mr. Glover - Where?
1539

1540 Mrs. Jones - A turn lane. Right here on Forest Avenue going into this area.
1541 Is this what you're referring to? I'm sorry, I'm not quite sure if that's what you mean.
1542

1543 Mr. Glover - I tell you what—
1544

1545 Mrs. Jones - There is a turn lane right there.
1546

1547 Mr. Glover - We'll work with it when you come back to the Board, okay?
1548 You'll come back to the Board for something sooner or later.
1549

1550 Mr. Leabough - I guess we're just trying to understand what location you're
1551 referring to.
1552

1553 Mr. Glover - Do you know how much traffic is there? Planning
1554 Commission, do you know how much traffic is there? Engineer, do you know how much
1555 traffic is there? Do you have an engineer here that knows how much traffic is there?
1556

1557 Mrs. Jones - Yes, sir. I can bring forward our engineer, if you'd like.
1558

1559 Mr. Glover - Well, sooner or later we're going to have to get to it.
1560

1561 Mrs. Jones - Sure, sure, that's fine. Mr. Mills, don't go too far.
1562

1563 Mr. Glover - Can't believe I can't ask a question and get a reasonable
1564 answer.
1565

1566 Mrs. Jones - Mr. Jennings, could you come up and help us out, please,
1567 with specific numbers?
1568

1569 Mr. Glover - They don't know?
1570

1571 Mr. Jennings - Unfortunately, Mrs. Jones, I do not have the traffic study with
1572 me. But I do know, Mr. Glover, that this whole development—when it came in, there was
1573 a traffic study done. It was approved by both VDOT and Henrico County. With that,
1574 before any of the outparcels came in, like the one we're looking at today, they did all the

1575 road improvements. So what they've done is they've done dual lefts coming off of
1576 Glenside to handle the traffic coming in. And coming out of Forest Avenue onto
1577 Glenside, there is a right-turn lane, a through lane, and dual lefts. So this was all
1578 constructed to handle all the traffic of the entire development. But unfortunately, Mr.
1579 Glover, I do not have those exact figures—I mean I have the figures. This retail that
1580 they're proposing will add 831 vehicles per day, but I don't have the overall traffic of the
1581 whole development, what's on Forest right now. But I can get that for you. All road
1582 improvements were done with the original development.
1583

1584 Mr. Branin - And if I can remember, when the traffic road improvements
1585 were done in 2006—and this was Three Chopt District at that time—we had accounted
1586 for a large section of residential, which would have been more intense and more dense
1587 than this is currently.
1588

1589 Mr. Jennings - Yes, sir.
1590

1591 Mr. Branin - So in 2006, the County traffic, as well as their independent
1592 study, was calculated. And Mr. Glover, I don't remember back to 2006, the total traffic
1593 numbers. But it was all accounted for, and the upgrades were done in 2006 when they
1594 did the original office building. Correct?
1595

1596 Mr. Jennings - Right. And all the improvements out there were to
1597 accommodate the entire development being fully developed.
98

1599 Mr. Glover - The original was fully developed with retail?
1600

1601 Mr. Jennings - Yes.
1602

1603 Mr. Glover - Fully developed with retail.
1604

1605 Mr. Jennings - At one point they wanted something like a Wawa out there,
1606 which is even more intense than this.
1607

1608 Mr. Glover - Okay.
1609

1610 Mr. Branin - In 2006 we looked at their first master plan—and you can
1611 correct me because you probably have a better memory than I do—was a Wawa. I think
1612 it was like 800 apartments or townhomes, and then the shopping center in the backside,
1613 and a large shopping center, which ended up being the Walmart.
1614

1615 Mr. Jennings - The box store, correct.
1616

1617 Mr. Branin - A large box store.
1618

1619 Mr. Jennings - That sounds correct.
20

1621 Mr. Emerson - The original rezoning included both the office and the
1622 commercial, and it was included in the original traffic study that drove the improvements
1623 that exist there today. All the square footage was considered.
1624

1625 Mr. Glover - That was my question. You finally answered it.
1626

1627 Mr. Emerson - But it was considered at the time, and it is an enormous
1628 study, and it was quite a bit of time going through it for—I think Mr. Foster was the traffic
1629 engineer that reviewed that.
1630

1631 Mr. Branin - It drove him out.
1632

1633 Mrs. Jones - It did him in, yes.
1634

1635 Mr. Glover - Thank you.
1636

1637 Mrs. Jones - All right. Are there further questions for Mr. Mills?
1638

1639 Mr. Witte - I do have one question. I only see one loading zone on here.
1640 And it's only 14-foot wide, which is one tractor-trailer. By my estimate here there are
1641 eight or nine shops in there. Is one loading zone going to be sufficient for that?
1642

1643 Mr. Garrison - Staff did discuss that with the applicant. In their opinion, yes,
1644 it was going to be sufficient.
1645

1646 Mr. Witte - Okay. So we won't have trucks backed up? There's parking
1647 all the way around that place. It shouldn't cause a traffic hazard? I notice there's no
1648 parking on Forest Avenue.
1649

1650 Mr. Garrison - Correct. All the parking is internal.
1651

1652 Mr. Mills - The specific comment that we had in discussion with Kevin
1653 Wilhite and Greg was to widen that out to maybe be 20 feet. And it is something that,
1654 again, with the Reynolds and all, we're looking at that. We do want to look at that. I don't
1655 want to stand here and say one's fine. We agree with the observation and the comment
1656 that staff has made, so we're looking at that. And it could be that with the final design
1657 we're going to widen that out to provide two service bays. I'm accepting that comment,
1658 and we're going to work through that as far as is there a need. We're thinking that we
1659 would just widen it to provide two slots. You get a small delivery van and then a larger
1660 truck there. We think it's a valid comment, and we're accepting that, and we're just going
1661 to look at it on the technical side if we do need to widen it.
1662

1663 Mr. Witte - I was just concerned that with no place to park on Forest
1664 Avenue, no place to park on Glenside, if you have one tractor-trailer in there, the rest of
1665 the property with the exception of the dumpster area is surrounded by parking spaces.
1666

1667 Mr. Mills - The back drive in there does have some extra width knowing
1668 that it has that service element.
1669

1670 Mr. Witte - That sounds good.
1671

1672 Mr. Mills - Having a stationary delivery spot that can be occupied and
1673 doesn't cause any—
1674

1675 Mr. Witte - All right, thank you.
1676

1677 Mr. Mills - We should have room, but we do want to look at that.
1678

1679 Mr. Witte - Thank you.
1680

1681 Mr. Leabough - There are backups that happen at other retail uses, I mean,
1682 all day long, right? There is not a sufficient loading area to have if three trucks show up
1683 at one time.
1684

1685 Mr. Emerson - In some instances that does occur, but we hope that the
1686 retailers coordinate with the available space and don't allow that to happen.
1687

1688 Mrs. Jones - Mr. Mills, could you speak to the type of businesses that you
1689 envision being in this retail center?
1690

1691 Mr. Mills - I know that there are agreements out there, so I won't specify
1692 names. But there are several—a coffee shop user, and then there is a restaurant user. I
1693 don't want to name names.
1694

1695 Mrs. Jones - No, but my point is those kinds of businesses—
1696

1697 Mr. Mills - Again, think about deliveries in off hours and all the traffic—
1698

1699 Mrs. Jones - My point was the deliveries for them.
1700

1701 Mr. Mills - First and foremost we don't want any traffic backing up onto
1702 the public right of ways. Internally, the distance in where we have the service areas in
1703 this rear, several vehicles could, in reality, be—everybody shows up. It'll be seven in the
1704 morning. Should be lower traffic, and there shouldn't be a whole lot happening in there
1705 except for the pickups, say, at the coffee shop. We don't want to impede that flow
1706 because then we'll hear about how we're blocking that up. But there is an area for some
1707 of the smaller trucks to pull in and park. We think with the restaurant users, the coffee
1708 shop—and being small as they are a lot of those deliveries will be off hours when there
1709 aren't a lot of customers there other than that early morning arrival at the coffee shop.
1710 We were confident that we wouldn't be backing up into the public right of way by any
1711 means. And because we do have that wider drive aisle there. And some of those parking
1712 areas that are in the rear that would be—the majority probably assigned to employees,

1713 delivery trucks could pull in there knowing that those are off hours for the other users.
1714 The restaurant use right now is more for that lunch/afternoon/evening, not a breakfast
1715 user. We will be able to accommodate delivery trucks if they really have four or five
1716 showing up, which does happen. But it would be early morning or later in the evening for
1717 those kinds of activities.

1718
1719 Mrs. Jones - All right. Any other questions?
1720

1721 Mr. Branin - Mr. Mills, does that coffee shop have a green sign?
1722

1723 Mr. Mills - I can say that it's not Caribou and it's not bright red.
1724

1725 Mr. Emerson - That limits it.
1726

1727 Mr. Branin - Okay.
1728

1729 Mrs. Jones - Thank you. Mr. Garrison, is there a suggested wording for an
1730 added condition?
1731

1732 Mr. Garrison - Sure. Hours of operation including service to the public and
1733 outside activities shall be limited to the hours of 6 a.m. to 12 midnight.
1734

1735 Mrs. Jones - Does that meet your approval?
1736

1737 Mr. Emerson - Yes, ma'am, that covers it.
1738

1739 Mrs. Jones - All right. Thank you. I'd like to ask someone from the
1740 development team to come down. Did you draw the short straw?
1741

1742 Mr. Reynolds - Good morning, Madam Chairman, Commissioners. My name
1743 is Sarge Reynolds, and I'm a principal at Reynolds Development.
1744

1745 Mrs. Jones - Good morning.
1746

1747 Mr. Branin - Mr. Reynolds, if you wouldn't mind, move closer to the
1748 microphone so we can get you on tape. There you go. Thank you, sir.
1749

1750 Mr. Reynolds - Where's the camera?
1751

1752 Mrs. Jones - These are recorded proceedings. We need to do that. I want
1753 to tell you, as I've mentioned before, that I am very pleased we have a retail component
1754 coming in here. I think the lighting, the use, and all will be less intrusive and certainly less
1755 intense that what might have been and was originally contemplated. And I think the
1756 neighborhood appreciates the services and the shops that will be there. So thank you for
1757 that.
1758

1759 Mr. Reynolds - Thank you for those comments. We agree with you. When we
1760 looked at it, we thought this would be a great fit and a great complement to the Walmart.
1761 So thank you.

1762
1763 Mrs. Jones - Just to reiterate, with the inclusion of this into the shopping
1764 center, you all are willing to have a harmonious coordinated look and feel to the finishes
1765 on the buildings. The elevations, which are not now coordinated color-wise will be in the
1766 final build-out.

1767
1768 Mr. Reynolds - Yes. We want it to look like one cohesive shopping center
1769 that all fits together.

1770
1771 Mrs. Jones - Okay. I appreciate that as well because I think that's certainly
1772 a positive. If we could talk about the suggested wording for the hours of operation. We
1773 are in agreement with that?

1774
1775 Mr. Reynolds - Yes, ma'am.

1776
1777 Mrs. Jones - Okay.

1778
1779 Mr. Reynolds - We are.

1780
1781 Mrs. Jones - I think that's important. It's a small detail, but I think it's
1782 important to be consistent. So thank you, again, for that. Would you mind just talking a
1783 little bit about our old favorite, landscaping and lighting? I know it's important to you as
1784 well. This is going to be the entrance to your development. It's important to set the tone.

1785
1786 Mr. Reynolds - Yes.

1787
1788 Mrs. Jones - Can you kind of share with us how you're planning to handle
1789 that, and in reference to Ms. Atkinson's remarks as well?

1790
1791 Mr. Reynolds - We're happy to work with her and the neighborhood to
1792 address any concerns they have as far as replanting dead trees along the line between
1793 our property and the neighborhood. We're happy to take a look at that and enhance that.
1794 I don't know what that means. All the lighting we're doing, we want to do, obviously, per
1795 code. We have public safety issues plus neighborhood concerns. We're happy to work
1796 with everybody and come up with a good plan for that. But we want it to look nice. We
1797 want it well lit, but we don't want to be a nuisance to the neighborhood as well. So we're
1798 happy to work on those other concerns as they relate to the overall development. But as
1799 far as this POD, we plan to landscape it, as well as, say, we did up at the Walmart. And
1800 as well as we do on the rest of our property. I'm proud of what we've done, and I don't
1801 see any reason why we aren't going to do the same thing on the rest of the retail
1802 development. And if we're not doing it, I'm sure you all will let us know. We want to be
1803 good neighbors.

04

1805 Mrs. Jones - The lighting, I understand, will be decorative and in
1806 coordination with the Walmart style of lighting that's in place. So that will have a far less
1807 intrusive effect than might have been there with a different user.
1808
1809 Mr. Reynolds - That's right.
1810
1811 Mrs. Jones - So I'm very pleased.
1812
1813 Mr. Reynolds - We plan to do very similar to what Walmart is doing.
1814
1815 Mrs. Jones - Okay. As far as Forest Avenue, and a private road, and that
1816 kind of thing, I'd like your comments on that. I'm not sure there's a "silver-bullet" answer
1817 here, but what do you think?
1818
1819 Mr. Reynolds - I'd like to ask a question. It is a private road, but is there
1820 anything that precludes the Henrico Police from going up and down that road at night?
1821 Police, can they pull speeders there because it's a private road? Can they do any sort of
1822 surveillance on their normal routine around the neighborhoods? I'm just asking a
1823 question because I don't know the answer to that.
1824
1825 Mr. Emerson - No, they can't. I believe, though, you may be able to have a
1826 discussion with the Chief and possibly a County attorney. There may be some sort of
1827 agreement that you could reach that may allow them to do that.
1828
1829 Mr. Reynolds - Okay.
1830
1831 Mr. Emerson - But you need to research that with those two individuals.
1832
1833 Mr. Reynolds - I will do that. I would like that, actually. I just don't know how
1834 that works.
1835
1836 Mrs. Jones - That would be appreciated. Thank you.
1837
1838 Mr. Reynolds - I think that helps everybody.
1839
1840 Mrs. Jones - Okay. It is a question. And as more and more folks come to
1841 the continued development, it probably will get to be a bigger question as opposed to
1842 smaller. So thank you very much for that.
1843
1844 Mr. Emerson - And you may find the answer is no to that, but I would
1845 suggest that you talk to those two individuals. With no agreement in place, I know you
1846 can't do it.
1847
1848 Mr. Reynolds - Okay. Well, we'll certainly work on that and see if they have
1849 any other suggestions as to how we figure that out.
1850

1851 Mrs. Jones - Are there any other questions for Mr. Reynolds? Well, I thank
1852 you.
1853
1854 Mr. Reynolds - Thank you very much.
1855
1856 Mrs. Jones - Okay. Any other questions for anyone from the Commission?
1857 Okay. All right. With that, then, I'm going to proceed to a motion. Get myself organized
1858 here.
1859
1860 Mr. Branin - Mrs. Jones, the new condition would be what, Condition #39?
1861
1862 Mrs. Jones - No, that would be Condition #40. There is one on the
1863 addendum.
1864
1865 Mr. Branin - Thank you.
1866
1867 Mrs. Jones - All right. I move approval of the Plan of Development and
1868 Master Plan POD2013-00197, Phase II – Shoppes at Reynolds Crossing, Forest
1869 Avenue. This is in addition to the standard conditions for developments of this type, and
1870 the following additional conditions which are #9 amended, #29 through #38 in our
1871 agenda, with additional Condition #39 on the addendum, and additional Condition #40
1872 concerning hours of operation, which was added at the meeting this morning.
1873
1874 Mr. Leabough - Don't you have to waive the time limits?
1875
1876 Mrs. Jones - You are absolutely correct. All right. May I do that prior, or
1877 should I do that prior?
1878
1879 Mr. Emerson - You should probably do that prior to your final motion.
1880
1881 Mrs. Jones - After I got through all that, I need to waive the time limits. I'm
1882 sorry.
1883
1884 Mr. Leabough - I wanted to interrupt you, but you were—
1885
1886 Mrs. Jones - I was on a roll, sorry. Okay. I do need to waive the time limits
1887 for the submission on Monday of the architectural. I move that those time limits be
1888 waived.
1889
1890 Mr. Leabough - Second.
1891
1892 Mrs. Jones - Motion by Mrs. Jones, second by Mr. Leabough. All in favor
1893 say aye. All opposed say no. The ayes have it; the motion passes.
1894
1895 Now, I move approval of the Plan of Development and Master Plan POD2013-00197,
96 Phase II – Shoppes at Reynolds Crossing, Forest Avenue. This is with standard

1897 conditions for developments of this type, and the following additional conditions,
1898 Condition #9 amended, conditions #29 through #38 as listed on the agenda, added
1899 Condition #39 on the addendum, and added Condition #40 referring to hours of
1900 operation, which was added at the meeting this morning.

1901
1902 Mr. Leabough - Second.

1903
1904 Mrs. Jones - Motion by Mrs. Jones, second by Mr. Leabough. All in favor
1905 say aye. All opposed say no. The ayes have it; the motion passes.

1906
1907 The Planning Commission approved POD2013-00197, Phase II – Shoppes at Reynolds
1908 Crossing, subject to the annotations on the plans, the standard conditions attached to
1909 these minutes for developments of this type, and the following additional conditions:

- 1910
1911 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1912 Planning for review and Planning Commission approval prior to the issuance of any
1913 occupancy permits.
- 1914 29. The proffers approved as a part of zoning case C-13C-07 shall be incorporated in
1915 this approval.
- 1916 30. Evidence of a joint ingress/egress and maintenance agreement must be
1917 submitted to the Department of Planning and approved prior to issuance of a
1918 certificate of occupancy for this development.
- 1919 31. The location of all existing and proposed utility and mechanical equipment
1920 (including HVAC units, electric meters, junctions and accessory boxes,
1921 transformers, and generators) shall be identified on the landscape plan. All
1922 building mounted equipment shall be painted to match the building, and all
1923 equipment shall be screened by such measures as determined appropriate by the
1924 Director of Planning or the Planning Commission at the time of plan approval.
- 1925 32. The ground area covered by all the buildings shall not exceed in the aggregate 25
1926 percent of the total site area.
- 1927 33. All subsequent detailed plans of development needed to implement other portions
1928 of the conceptual master plan shall be submitted for staff review and Planning
1929 Commission approval, and shall be subject to all regulations in effect at the time
1930 such subsequent plans are submitted for review/approval.
- 1931 34. No merchandise shall be displayed outside of the building(s) or on the sidewalk(s).
- 1932 35. Outdoor storage shall not be permitted. Facilities shown on the plans for storage of
1933 refuse (including materials to be recycled) shall not be considered outside storage.
- 1934 36. There shall be no outdoor storage in moveable storage containers including, but not
1935 limited to, cargo containers and portable on demand storage containers.
- 1936 37. Overnight parking of recreational vehicles (RVs), trailers, and camping vehicles
1937 shall be prohibited.
- 1938 38. The developer shall install an adequate restaurant ventilating and exhaust system
1939 to minimize smoke, odors, and grease vapors. The plans and specifications shall
1940 be included with the building permit application for review and approval. If, in the
1941 opinion of the County, the type system provided is not effective, the Commission
1942 retains the rights to review and direct the type of system to be used.

- 1943 39. Details of the bridge connection to the Walmart parking lot shall be provided and
 1944 included with the construction plans, prior to construction plan approval.
 1945 40. Hours of operation, including service to the public and outside activity, shall be
 1946 limited to the hours of 6:00 a.m. to 12:00 midnight.

1947 **PLAN OF DEVELOPMENT**
 1948
 1949

POD2013-00195 **Willmark Engineering for Tabernacle Pentecostal**
 Tabernacle Pentecostal **Church, Inc. and Haley Builders:** Request for approval of
 Church - 10509 a plan of development, as required by Chapter 24, Section
 Greenwood Road 24-106 of the Henrico County Code, to construct a one-
 (POD-65-80 Rev.) story, 4,484 square-foot sanctuary addition to an existing
 church. The 0.99-acre site is located on the northeast
 corner of the intersection of Greenwood Road and Francis
 Road, on parcel 780-766-1850. The zoning is B-1,
 Business District. County water and on site sewage
 disposal system. **(Fairfield)**

- 1950
 1951 Mrs. Jones - Good morning, Ms. Goggin.
 1952
 1953 Ms. Goggin - Good morning.
 1954
 1955 Mrs. Jones - Is there anyone with us in opposition to POD2013-00195,
 1956 Tabernacle Pentecostal Church? There is no opposition.
 1957
 1958 Ms. Goggin - Good morning. This request is for a 4,484-square-foot
 1959 sanctuary addition to an existing church, as well as additional parking. The site is located
 1960 across the street from the Richmond Capital Soccer Club. The current 2,500-square-foot
 1961 building was originally built in the early 1980s as an office warehouse. The existing
 1962 sanctuary building will be converted to classrooms once the new building is completed.
 1963
 1964 The proposed sanctuary addition will be red brick to match the existing building and is in
 1965 a traditional church-style architecture with an A-frame roof and a steeple. Staff has
 1966 requested, and the applicant agreed, to provide sidewalk along Greenwood and Francis
 1967 Roads. Staff has not been contacted by any adjacent property owners concerning this
 1968 development, and it is unaware of any opposition to this request.
 1969
 1970 Staff recommends approval subject to the annotations on the plan, the standard
 1971 conditions for developments of this type, and additional conditions #29 through #31
 1972 in the agenda. Simon Miller, the engineer, is here on behalf of the applicant should the
 1973 Commission have any questions for him. And I will be happy to answer any questions
 1974 the Commission may have of me.
 1975
 1976 Mrs. Jones - Questions for Ms. Goggin?
 1977

1978 Mr. Witte - I have a question. I am a board member on the property
1979 across the street. Do I need to abstain from this issue?
1980
1981 Mr. Emerson - No, sir, I don't believe so.
1982
1983 Mr. Witte - Okay, thank you.
1984
1985 Mrs. Jones - Any other questions? All right.
1986
1987 Mr. Branin - Mr. Archer had briefed me on this case and said that he was
1988 satisfied with the turnout of the project. In the community meeting there were no
1989 outstanding issues that had come forward. So I have no questions.
1990
1991 Mrs. Jones - All right. With that, then, how would you like to proceed?
1992
1993 Mr. Branin - I'd like to move that POD2013-00195, Tabernacle
1994 Pentecostal Church, be approved with standard conditions for developments of this type,
1995 and the following additional conditions, #1B modified, #29, #30, and #31.
1996
1997 Mr. Leabough - Second.
1998
1999 Mrs. Jones - Motion by Mr. Branin, second by Mr. Leabough. All in favor
2000 say aye. All opposed say no. The ayes have it; the motion passes.
2001
2002 The Planning Commission approved POD2013-00195, Tabernacle Pentecostal Church,
2003 subject to the annotations on the plans, the standard conditions attached to these
2004 minutes for developments of this type, and the following additional conditions:
2005
2006 1B. **MODIFIED** - The owner shall enter into the necessary contracts with the
2007 Department of Public Utilities for connections to public water. The on site sewage
2008 disposal system shall be approved by the County Health Department before the
2009 construction plans are approved, and evidence of Health Department approval
2010 shall be provided to the Department of Planning. Connection shall be made to the
2011 public sewer when available within 300 feet of the site/building.
2012 29. A concrete sidewalk meeting County standards shall be provided along the north
2013 side of Francis Road and the east side of Greenwood Road.
2014 30. The location of all existing and proposed utility and mechanical equipment
2015 (including HVAC units, electric meters, junctions and accessory boxes,
2016 transformers, and generators) shall be identified on the landscape plan. All
2017 building mounted equipment shall be painted to match the building, and all
2018 equipment shall be screened by such measures as determined appropriate by the
2019 Director of Planning or the Planning Commission at the time of plan approval.
2020 31. Except for junction boxes, meters, and existing overhead utility lines, and for
2021 technical or environmental reasons, all utility lines shall be underground.
2022
2023

2024
2025

PLAN OF DEVELOPMENT

POD2013-00194
12400 W. Broad Street
Infrastructure Plan - 12400
W. Broad Street (U.S.
Route 250)

Timmons Group for Attack WB Investors: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct road, water, sewer and drainage infrastructure for future office, retail, and multi-family development. The 69.76-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 3,500 feet west of its intersection with N. Gayton Road, on parcel 730-765-7288. The zoning is RTHC, Residential Townhouse District (Conditional), B-2C, Business District (Conditional), R-6C, General Residential District (Conditional), O-3C, Office District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

2026
2027
2028
2029
2030

Mrs. Jones - Is there anyone this morning who is in opposition POD2013-00194, 12400 W. Broad Street Infrastructure Plan? All right. Good morning, Mr. Pambid again.

2031
2032
2033
2034
2035
2036

Mr. Pambid - Good morning. The plan proposes clearing and grading activities as well as infrastructure improvements intended to prepare over 69.7 acres for several potential future uses, including townhouse-style condominiums, apartments for rent, and retail and office buildings. Per the developer, no individual residential lots are proposed. No buildings are proposed with this POD, though the applicant has indicated that future PODs for individual sites are soon forthcoming.

2037
2038
2039
2040
2041
2042
2043

The roadway improvements consist of a private, four-lane divided loop road with median strip, a secondary access road along the eastern edge of the property, sidewalks, and turn lanes. Other infrastructure improvements include water and sewer lines, and drainage improvements including two ponds. Residential developments must have public street frontage excluding interstates. Please note in your addendum the revised Condition #37 regarding the dedication of public right of way.

2044
2045
2046
2047

Staff recommends approval of the POD plan subject to the annotations on the plans, the standard conditions for developments of this type, and the additional conditions #29 through #37.

2048
2049
2050

This concludes my presentation. Staff can now field any questions you have regarding this. The applicant is also here to field your questions.

2051

Mrs. Jones - All right. Are there questions for Mr. Pambid?

2052

2053

Mr. Branin - I have no questions for Mr. Pambid, but I would like to have the applicant for one second.

2054
2055

56

2057 Mrs. Jones - Of course. All right, thank you, Mr. Pambid.
2058
2059 Mr. Pambid - You're welcome.
2060
2061 Mr. Theobald - Madam Chair, members of the Commission, I'm Jim
2062 Theobald here on behalf of the developer.
2063
2064 Mr. Branin - Mr. Theobald, good morning. Condition #35, sir. We have a
2065 special flood hazard area on this project. This goes into the Tuckahoe swamp and creek.
2066 I thought the engineer would be the one who came down.
2067
2068 Mr. Theobald - You were looking at me, so I jumped. So maybe we should
2069 bring him down.
2070
2071 Mr. Branin - Okay. I saw the engineer, and I didn't know who was going to
2072 be representing the owner.
2073
2074 Mr. Theobald - Okay.
2075
2076 Mr. Rodriguez - Madam Chair, members of the Commission, Roger
2077 Rodriguez with Timmons Group.
2078
2079 Mr. Branin - Mr. Rodriguez, you're aware of the special floodplain and
2080 flood hazard areas in this?
2081
2082 Mr. Rodriguez - Yes, sir.
2083
2084 Mr. Branin - And Condition #35?
2085
2086 Mr. Rodriguez - Yes, sir.
2087
2088 Mr. Branin - I'm sure that when this goes under construction, special
2089 attention will be provided to those areas.
2090
2091 Mr. Rodriguez - Yes, indeed.
2092
2093 Mr. Branin - Clearly marked out.
2094
2095 Mr. Rodriguez - Yes.
2096
2097 Mr. Branin - Clearly staked out because this is a very important area.
2098
2099 Mr. Rodriguez - Understood and agreed.
2100
2101 Mr. Branin - Okay. That was it. That's all I had.
2102

2103 Mrs. Jones - Questions for the applicant from the Commission? No?
2104
2105 Mr. Branin - All right.
2106
2107 Mrs. Jones - Okay. Mr. Branin?
2108
2109 Mr. Branin - Then Madam Chair, I would like to move that POD2013-
2110 00194, 12400 W. Broad Street Infrastructure Plan, be approved subject to annotations
2111 on the plan, standard conditions for developments of this type, and the following
2112 additional conditions #29 through #37.
2113
2114 Mr. Witte - Second.
2115
2116 Mrs. Jones - Excuse me. Condition #37 on the revised conditions.
2117
2118 Mr. Branin - Revised Condition #37. I apologize.
2119
2120 Mrs. Jones - All right. I have a motion by Mr. Branin, second by Mr. Witte.
2121 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
2122
2123 The Planning Commission approved POD2013-00194, 12400 W. Broad Street
2124 Infrastructure Plan, subject to the annotations on the plans, the standard conditions
2125 attached to these minutes for developments of this type, and the following additional
26 conditions:
2127
2128 29. The right-of-way for widening of W. Broad Street (U.S. Route 250) as shown on
2129 approved plans shall be dedicated to the County prior to any occupancy permits
2130 being issued. The right-of-way dedication plat and any other required information
2131 shall be submitted to the County Real Property Agent at least sixty (60) days prior
2132 to requesting occupancy permits.
2133 30. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall
2134 be approved by the Virginia Department of Transportation and the County.
2135 31. A notice of completion form, certifying that the requirements of the Virginia
2136 Department of Transportation entrances permit have been completed, shall be
2137 submitted to the Department of Planning prior to any occupancy permits being
2138 issued.
2139 32. Outside storage shall not be permitted.
2140 33. The proffers approved as a part of zoning case C-18C-12 shall be incorporated in
2141 this approval.
2142 34. Approval of the construction plans by the Department of Public Works does not
2143 establish the curb and gutter elevations along the Virginia Department of
2144 Transportation maintained right-of-way. The elevations will be set by the
2145 contractor and approved by the Virginia Department of Transportation.
2146 35. The limits and elevations of the **Special Flood Hazard Area** shall be
2147 conspicuously noted on the plan and labeled "**Limits of Special Flood Hazard**
48 **Area.**" In addition, the delineated **Special Flood Hazard Area** must be labeled

- 2149 "Variable Width Drainage and Utility Easement." The easement shall be granted
 2150 to the County prior to the issuance of any occupancy permits.
 2151 36. An access easement extending to the property line shall be provided at the
 2152 eastern terminus of the loop road. The easement may be vacated at such time the
 2153 road is extended to the property line.
 2154 37. A subdivision plat for right-of-way dedication of a portion of the access road,
 2155 providing required public street frontage for residential development, shall be
 2156 submitted with the first phase of any residential development, **unless determined**
 2157 **by the Director of Planning that a public road is not required.**
 2158

2159 **PLAN OF DEVELOPMENT**
 2160

2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178	POD2013-00124 West Broad Village, Phase III - Golfsmith - 2000 Old Brick Road (POD-66-08 Rev.) Timmons Group for West Broad Village IV, LLC: Request for approval of a plan of development and revised master plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to revise the master plan for West Broad Village Phase III, an urban mixed use development, to construct a one-story, 24,142 square foot retail building in the location of a previously approved 33,480 square foot two- story retail/office building (Building B11). The 7.03-acre parcel is located along the north line of Old Brick Road at the northern terminus of Geese Landing, and on the south line of the Interstate 64 east bound access ramp from W. Broad Street (U.S. Route 250), at 2000 Old Brick Road, on parcel 744-760-6050 and part of parcels 744-760-4764 and 744- 760-7007. The zoning is UMUC, Urban Mixed Use District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)
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2161
 2162 Mrs. Jones - Is there opposition here today to POD2013-00124, West
 2163 Broad Village, Phase III? All right. Good morning, Mr. Kennedy.
 2164

2165 Mr. Kennedy - Good morning, members of the Commission.
 2166

2167 This plan is the UMU Master Plan for West Broad Village in Phase III. It would substitute
 2168 a building at this location here. The original B11 building was the Thomasville building,
 2169 and it would substitute a new building in that place. The Thomasville building has a
 2170 16,000 square-foot, approximately, footprint and it was originally two stories. This building
 2171 will be a 24,000 square-foot footprint and be one story.
 2172

2173 Planning staff has advised the developer that the zoning requirements of the UMU District
 2174 that were adopted with the West Broad Village Sketchpak do not appear to be addressed
 2175 at this time. These are the copies of the design guidelines regarding building
 2176 requirements. Primarily, staff would like to—the following specifications need to be
 2177 addressed.
 2178

2179 The building facade shall be street-facing. The building materials shall include brick,
2180 stone, stucco, and HardiPlank. And these walls that are blank need to be to be articulated
2181 or otherwise screened.

2182
2183 Planning staff has identified these concerns with the building elevations.

2184
2185 Mrs. Jones - I can barely hear you, Mr. Kennedy. I'm sorry.

2186
2187 Mr. Kennedy - I'm sorry. I will speak closer to the microphone.

2188
2189 Mr. Glover - I haven't heard a thing he's said.

2190
2191 Mrs. Jones - Is there a way that you could just speak a lot louder? We're
2192 having trouble hearing it up here. Thank you.

2193
2194 Mr. Kennedy - What I first said was, the building requirements in the
2195 Sketchpak were not addressed completely. Primarily, we're concerned with the building
2196 facade being straight-facing the street; building materials being brick, stucco, or stone, or
2197 HardiPlank; blank windows and walls should be avoided to the extent possible or other
2198 articulation features should be provided.

2199
2200 Staff has reviewed the current plans and has identified the following concerns. The
2201 building's entrance faces REI, and doesn't have principal access from Old Brick Road.
2202 The dominant material for the building is EIFS as opposed to one of the principal
2203 materials required by the ordinance. The facade is not pedestrian in scale, and the
2204 building has a single roofline and doesn't have canopies or other things to kind of break
2205 up the facade.

2206
2207 This facade here faces the REI building. This facade here faces the community. This
2208 facade will face Interstate 64. And this façade here will face the future office building and
2209 hotel site.

2210
2211 I'm sorry the elevations on the plans do not truly reflect the color elevations that were
2212 provided. Color rendition is very poor. They did provide some material samples here. The
2213 developer can provide them. They submitted those materials today for review. We had
2214 not received them previously to this.

2215
2216 At this time, staff believes additional revisions are necessary to meet the proffered design
2217 guidelines in the West Broad Street Overlay—West Broad Street Sketchpak. Should the
2218 Commission wish to act on this request, staff recommends approval of the site plan only
2219 so they can move forward with pad site development. But there are some alternate
2220 architectural changes that need to be made to bring those plans back for review.

2221
2222 Mrs. Jones - I have a question, or would you like to go? All right.
2223 Mr. Kennedy, if I'm hearing you correctly, this will take the place of the Thomasville
2224 building.

2225
2226 Mr. Kennedy - Yes, ma'am.
2227
2228 Mrs. Jones - However, it doesn't have the required look, mass, or coloration
2229 that would be needed to meet the design guidelines of the Sketchpak.
2230
2231 Mr. Kennedy - It would be the pedestrian access, the pedestrian feel, building
2232 articulation, and color, and materials. Not mass. The mass is acceptable.
2233
2234 Mrs. Jones - One story versus two stories?
2235
2236 Mr. Kennedy - One story versus two stories.
2237
2238 Mrs. Jones - All right.
2239
2240 Mr. Kennedy - We do have one-story buildings in that area.
2241
2242 Mr. Branin - The footprint is practically the same.
2243
2244 Mrs. Jones - Okay. It sounds to me like there are significant issues that you
2245 all are still working through.
2246
2247 Mr. Kennedy - Still working through in the architectural, yes, ma'am.
2248
2249 Mrs. Jones - Other questions for Mr. Kennedy?
2250
2251 Mr. Branin - I have none for Mr. Kennedy. I'd like to see the applicant; have
2252 the applicant come down.
2253
2254 Mrs. Jones - All right. Thank you, Mr. Kennedy. Could someone come
2255 forward from the applicant?
2256
2257 Mr. Kukoski - Good morning, Madam Chair, members of the Commission.
2258 My name is Mark Kukoski. I'm with Eagle Construction, and I'm the agent for the
2259 developer of the site.
2260
2261 Mrs. Jones - Good morning.
2262
2263 Mr. Branin - Good morning. Mr. Kukoski, you heard me earlier reprimand
2264 about getting materials, information that we need here to make decisions in a timely
2265 fashion. I was giving them a hard time about getting the information into us on Monday
2266 and Tuesday. You guys came in with the color and samples, the boards, this morning.
2267 Can you understand the job we're trying to perform, and working with the community,
2268 working with the development community, and how you're strangling our progress by not
2269 being able to provide what we need to make our decisions?
2270

2271 Mr. Kukoski - Yes sir.
2272
2273 Mr. Branin - Why are you guys coming in so late?
2274
2275 Mr. Kukoski - We have the elevations. We've been working through it. Just
2276 miscommunication with us and the architect to get the samples to Mr. Kennedy and Tom.
2277
2278 Mr. Branin - We started working on this project two months ago?
2279
2280 Mr. Kukoski - Yes.
2281
2282 Mr. Branin - Two, three months ago. The site plan is a challenge,
2283 absolutely it is a challenge. Your layout and your plan of development for the site plan are
2284 very good. I don't see any reason to hold that up. Your elevations I still think need some
2285 work to meet the criteria of West Broad Village, to meet the criteria of the Thomasville, to
2286 meet the criteria for more pedestrian elevation sight lines. So on recommendation of staff,
2287 what we're going to do is we're going to move forward with your case in regards to your
2288 site development, but the elevations we're going to pull back for review to see. I think
2289 there are some additional things that can be done with it, and we're going to work through
2290 those. Hopefully, with information quickly, so we can get it done.
2291
2292 Mr. Kukoski - We'd be delighted to work with staff and you to make revisions
2293 necessary for it to be a complementary use to West Broad Village.
2294
2295 Mr. Leabough - Do we have photographs of the adjacent properties?
2296
2297 Mr. Kukoski - I have a thumb drive that we prepared to show some adjacent
2298 buildings. There are some similar ones to this in materials. I can show you that, if you'd
2299 like.
2300
2301 Mr. Leabough - It's going to come back anyway, so we can look at it at that
2302 time.
2303
2304 Mr. Branin - Well, I would like to see it.
2305
2306 Mr. Leabough - Yes, it would be helpful when we look at these cases to see
2307 the—since the elevations and the materials are in question whether it matches what's
2308 there. It would be helpful to have those images.
2309
2310 Mr. Emerson - I will take that back to him.
2311
2312 Mr. Kukoski - This is West Broad Village. We're going to be back in the
2313 corner of West Broad Village. I have just a couple of editorial comments. When Markel
2314 Eagle made their investment in 2009, there were 45 townhouses. Today there are 420
2315 already built or under construction. This is the area of the site that we're changing. This is
2316 REI. This is HomeGoods. These townhouses are built. There will be just a couple

2317 townhouses that will kind of look “catty-corner” over to our site, the Golfsmith. And this is
2318 a deeded wetland area that will remain in perpetuity.

2319
2320 This is at the main entrance, Kona Grill. Some of the architecture on Kona Grill that is at
2321 the main entrance to the community at Gathering Place and Broad Street. You have the
2322 different aesthetics in the pedestrian area here. This is a part of the REI building looking
2323 from Diamonds Direct, the loading dock tunnel, and some lighting.

2324
2325 This is the HomeGoods, which is directly across the entrance from HomeGoods. While it
2326 backs up to Old Brick Road, it is in the parking lot across the street from REI.

2327
2328 Mr. Branin - I have to tell you, Mr. Kukoski, that this is—when I did my site
2329 review, this is the building that I was comparing it to the most in West Broad Village
2330 because it’s going to be pretty darn hard to compare Chuy’s or Whole Foods or—

2331
2332 Mr. Kukoski - But it’s part of the community, though.

2333
2334 Mr. Branin - But I’m telling you where I came from.

2335
2336 Mr. Kukoski - This is the elevation of HomeGoods from the Whole Foods
2337 parking lot. This is Old Brick Road. Here is a little bit more. This is the back of
2338 HomeGoods facing Old Brick Road, and the townhouses are here. This is the loading
2339 dock area of HomeGoods. This is the ACAC building predominantly there, which has a
2340 large use of the EIFS and brick on the side. This is, again, ACAC next to the Aloft Hotel
2341 on the western side of ACAC. This is Whole Foods again. This is Gathering Place and
2342 Old Brick Road. This is the ACAC building.

2343
2344 Mr. Branin - Do you know what that material is on the Aloft hotel? The
2345 white where your arrow is.

2346
2347 Mr. Kukoski - That is EIFS.

2348
2349 Mr. Branin - That is EIFS?

2350
2351 Mr. Kukoski - Yes, sir.

2352
2353 Mr. Branin - So what percent would you “guestimate” is EIFS?

2354
2355 Mr. Kukoski - On here is just appears off the cuff that that’s probably 60
2356 percent EIFS. The rest is probably masonry.

2357
2358 Mr. Branin - Okay.

2359
2360 Mr. Kukoski - This is the Golfsmith building. The proportions, we have 52
2361 percent masonry and 48 percent EIFS on here. This is the side that will face REI. This is
2362 the side that’s going to face Old Brick Road. And again, the townhouse section will be

2363 looking at this end of the building. And this side of the building will be directly facing the
2364 deeded wetland area of West Broad Village. This is the Broad Street side that you'll see.
2365 But again, there are some trees that will break up that elevation somewhat. And then this
2366 is the back parking lot area of the building. This is kind of a representation that we looked
2367 at. The neighbor is HomeGoods. Obviously a little bit larger percent of masonry to EIFS.
2368 But the look and feel of the building is similar, and that's why we put it on the same slide.
2369 And again, this is Chuy's out front.

2370
2371 That kind of gives you an idea. We thought we made a pretty good representation to
2372 blend into the community. We'll be glad to work with staff and the Planning Commissioner
2373 to further blend into the community.

2374
2375 Mr. Leabough - Just an observation, if you don't mind. To me, the elevation, I
2376 hope, doesn't do this property any justice because it does kind of look like a Family
2377 Dollar, just looking at the elevation. I'm sure that's not the case. It does. We just need
2378 some more awnings or windows, something to kind of spruce up the entrance. It is a
2379 significant departure from the Thomasville building. So, you know, just stepping it up a
2380 little bit may be helpful. I'm looking at you because I know you'll take care of it.

2381
2382 Mr. Branin - You know.

2383
2384 Mr. Leabough - I'm trying to catch up with you—

2385
2386 Mr. Branin - We're going to get some mats. We're going to put on some
2387 wrestling uniforms and we're going take it on. I have no further questions.

2388
2389 Mr. Kukoski - Thank you.

2390
2391 Mr. Branin - All right. Madam Chair?

2392
2393 Mrs. Jones - Anything further from the Commission? All right, Mr. Branin.

2394
2395 Mr. Branin - I'm probably going to botch this motion, but I'm going to give it
2396 a shot anyway. I'd like to move that POD2013-00124, West Broad Village, Phase III,
2397 Golfsmith, 2000 Old Brick Road, be approved subject to standard conditions for
2398 developments of this type, conditions—well, no, how am I going to do that, Mr. Secretary?
2399 Conditions #29 through #31, holding back the elevations for approval by—

2400
2401 Mrs. Jones - The Commission?

2402
2403 Mr. Branin - Not the Planning Commission, by the Director of Planning and
2404 Commissioner.

2405
2406 Mr. Branin - I'd say elevation—just add a Condition #32, final elevation
2407 shall be reviewed and approved by Director of Planning and Planning Commissioner.

2408

2409 Mrs. Jones - Okay.
2410
2411 Mr. Branin - And Condition #32.
2412
2413 Mrs. Jones - So, the Condition #32 would bring the architectural back to
2414 the Director of Planning and the Planning Commissioner.
2415
2416 Mr. Branin - Right.
2417
2418 Mr. Witte - Second.
2419
2420 Mrs. Jones - All right. I have a motion by Mr. Branin, second by Mr. Witte.
2421 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
2422
2423 The Planning Commission approved POD2013-00124, West Broad Village, Phase III,
2424 subject to the annotations on the plans, the standard conditions attached to these minutes
2425 for developments of this type, and the following additional conditions:
2426
2427 29. In order to maintain the effectiveness of the County's public safety radio
2428 communications system within buildings, the owner will install radio equipment that
2429 will allow for adequate radio coverage within the building, unless waived by the
2430 Director of Planning. Compliance with the County's emergency communication
2431 system shall be certified to the County by a communications consultant within
2432 ninety (90) days of obtaining a certificate of occupancy. The County will be
2433 permitted to perform communications testing in the building at anytime.
2434 30. The proffers approved as a part of zoning cases C-12C-06 and C-15C-07, and
2435 Provisional Use Permit P-02-06 shall be incorporated in this approval.
2436 31. The location of all existing and proposed utility and mechanical equipment
2437 (including HVAC units, electric meters, junction and accessory boxes,
2438 transformers, and generators) shall be identified on the landscape plans. All
2439 equipment shall be screened by such measures as determined appropriate by the
2440 Director of Planning or the Planning Commission at the time of plan approval.
2441 32. Final elevations shall be reviewed and approved by the Director of Planning and
2442 the Planning Commissioner from the Three Chopt Magisterial District.
2443
2444
2445
2446
2447
2448
2449
2450
2451
2452
2453
2454

2455 **PLAN OF DEVELOPMENT**

2456

POD2013-00198
Cooper's Hawk Winery
and Restaurant at Short
Pump Town Center -
11792 W. Broad Street
(U.S. Route 250)

Timmons Group for Short Pump Town Center, LLC and Brewer Development, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 10,690 square foot restaurant with outdoor dining in an existing shopping center. The 2.59-acre site is located at the northwest corner of the intersection of W. Broad Street (U.S. Route 250) and Lauderdale Drive, on parcel 737-763-0900. The zoning is B-3C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

2457

2458 Mrs. Jones - Well, we're getting down to the last few folks. Is anyone here
2459 in opposition to POD2013-00198, Cooper's Hawk Winery and Restaurant at Short Pump
2460 Town Center?

2461 Mr. Branin - Since I've had most of the agenda today, would anyone like
2462 to do this one for me

2463
2464 Mrs. Jones - No, sir. I see no opposition. Mr. Wilhite?

2465
2466 Mr. Wilhite - Thank you, Madam Chair. This is one of the last two
67 remaining outparcels at Short Pump Town Center. This one's located at the main
2468 entrance at W. Broad Street and Lauderdale Drive. Actually, we've had a number of
2469 different proposals on this outparcel before. The Cheesecake Factory was looking at this
2470 outparcel. Plow and Hearth, which went across the street. We actually had Talbot's
2471 approved on this with a few other retail spaces back in 2008. It got to the point where we
2472 actually had signed construction plans, and the project fell through. Hopefully this one
2473 might make it through.

2474
2475 This is a restaurant that's not local. It's a new chain. I believe this is the first store in
2476 Virginia that they're proposing. It has some comments related to the architectural design
2477 of the building. We did receive revised elevations, and they have been reviewed and
2478 placed in your packet that you received this morning. Essentially, we asked them to
2479 provide more masonry material on the north and the west sides of the building. And that
2480 is reflected in the plans that you have now. There were some areas on the side facing
2481 West Broad Street, and also the eastern side, which is towards the entrance feature
2482 pond area there where some brick was not shown on the elevation. We've annotated the
2483 plans to have them replace that back as it was shown on the original elevations, and
2484 they've agreed to do so. We did get evidence of approval from Short Pump Town
2485 Center's architectural review board that they're agreeable and approved the elevation of
2486 the architectural plans.

2487
2488

2489 Staff is in a position to recommend approval of the revised architectural, along with the
2490 site plan in the packet. I can answer any questions that you have. We do have some
2491 material samples here, if you want to see them. The applicant is here to add some
2492 additional information in addressing the architectural plans.

2493
2494 Mr. Branin - Mr. Wilhite, did they get their information in to you in a timely
2495 fashion?

2496
2497 Mr. Wilhite - Actually, they did. They brought me the packet on Friday.

2498
2499 Mr. Branin - Amazing guys from out of town that have never been through
2500 our system get the stuff in on time. And guys that are here all the time don't. Goodness
2501 gracious. I guess everybody can see the horse I'm on today.

2502
2503 Mr. Wilhite - Actually, the architect is local, but we did get the required
2504 information.

2505
2506 Mrs. Jones - Any other questions for Mr. Wilhite? I kind of would like to
2507 hear from someone about this particular restaurant. I'm curious about the operation. All
2508 right.

2509
2510 Mr. Branin - Can we hear from the applicant, please?

2511
2512 Mr. Bell - Good morning, Madam Chairperson, members of the
2513 Commission. My name is Mike Bell with ML Bell Construction. We're the design builder
2514 representing Brewer Development.

2515
2516 Cooper's Hawk was founded about eight years ago. They're out of the Midwest, out in
2517 Chicago. They were actually founded as a winery, importing grapes from California and
2518 Washington. After about five years in business, they decided they wanted to pair wines
2519 with food, so they developed a restaurant and wine-tasting concept that they've rolled
2520 out in the Midwest. They currently have 12 locations out in the Midwest, four under
2521 construction. This would be their first facility in Virginia.

2522
2523 The facility is about 10,000 square feet. About 8,000 of it is restaurant and seating, and
2524 about 2,000 of it is wine-tasting that is also paired with cheeses, and fruits, and those
2525 types of things that are associated with wine. Their concept is you have a fine meal, they
2526 recommend a wine pairing with it.

2527
2528 Mrs. Jones - I'm sorry. Tell me your name again.

2529
2530 Mr. Bell - My name is Mike Bell.

2531
2532 Mrs. Jones - Mr. Bell, you've answered a number of questions I had. So
2533 the wine that will be appearing at this restaurant will be made—

2534

2535 Mr. Bell - It will be made in Chicago at their current winery, and brought
2536 into Virginia, and shipped all over the country. This wine is not specific to their
2537 restaurants. They actually sell it on a retail distribution as well.
2538

2539 Mrs. Jones - Okay. So there will be wine tasting, wine education as well as
2540 the working restaurant.
2541

2542 Mr. Bell - Absolutely. And they also have the ability to have a wine club.
2543 You can have wine-tasting parties with your office or different social groups that you
2544 might have at their facility.
2545

2546 Mrs. Jones - Can you tell I enjoy wine? I'm interested in this. The other
2547 thing I was wondering was whether you were familiar with Cooper Winery.
2548

2549 Mr. Bell - I am not, ma'am.
2550

2551 Mrs. Jones - In Goochland.
2552

2553 Mr. Bell - I am not.
2554

2555 Mrs. Jones - Okay. When this first came across my desk, I thought they
2556 had ramped up their operation quite a bit, but no. Okay. Thank you. That was what I
2557 needed to know.
58

2559 Mr. Branin - Mr. Bell, when do you guys plan to begin, if approved?
2560

2561 Mr. Bell - Once the site plans are approved, we will be submitting
2562 building permits. We would anticipate this fall to go in and start construction, mid to late
2563 fall, and be operational by May.
2564

2565 Mr. Branin - Okay. And has your experience been fantastic in coming to
2566 Henrico County?
2567

2568 Mr. Bell - Absolutely. We are local. We do a lot of work with Henrico
2569 County.
2570

2571 Mr. Branin - If you said no, you'd be denied. So say yes.
2572

2573 Mr. Bell - Fantastic.
2574

2575 Mr. Branin - Well good, I'm glad. Welcome to Henrico.
2576

2577 Mr. Bell - Thank you.
2578

2579 Mr. Branin - Welcome to the Three Chopt District. I think your product is
2580 exceptional. We look forward to having you. We'll see you soon. I have no further
2581 questions or comments.

2582
2583 Mrs. Jones - Anything else? Okay, thank you.

2584
2585 Mr. Bell - Thank you very much.

2586
2587 Mr. Branin - All right. Madam Chair, I'd like to move that POD2013-00198,
2588 Cooper's Hawk Winery and Restaurant at Short Pump Town Center, be approved with
2589 conditions for developments of this type and the following additional conditions #29
2590 through #34.

2591
2592 Mrs. Jones - And the revised architecturals on the addendum?

2593
2594 Mr. Branin - And the revised architecturals on the addendum. I'm having
2595 issues with the addendum today.

2596
2597 Mrs. Jones - All right. I have a motion by Mr. Branin.

2598
2599 Mr. Witte - Second.

2600
2601 Mrs. Jones - Second by Mr. Witte. All in favor say aye. All opposed say no.
2602 The ayes have it; the motion passes.

2603
2604 The Planning Commission approved POD2013-00198, Cooper's Hawk Winery and
2605 Restaurant at Short Pump Town Center, subject to the annotations on the plans, the
2606 standard conditions attached to these minutes for developments of this type, and the
2607 following additional conditions:

- 2608
2609 29. Outside storage shall not be permitted.
2610 30. The proffers approved as a part of zoning case C-29C-98 shall be incorporated in
2611 this approval.
2612 31. The developer shall install an adequate restaurant ventilating and exhaust system
2613 to minimize smoke, odors, and grease vapors. The plans and specifications shall
2614 be included with the building permit application for review and approval. If, in the
2615 opinion of the County, the type system provided is not effective, the Commission
2616 retains the rights to review and direct the type of system to be used.
2617 32. The location of all existing and proposed utility and mechanical equipment
2618 (including HVAC units, electric meters, junction and accessory boxes,
2619 transformers, and generators) shall be identified on the landscape plans. All
2620 equipment shall be screened by such measures as determined appropriate by the
2621 Director of Planning or the Planning Commission at the time of plan approval.
2622 33. The ground area covered by all the buildings shall not exceed in the aggregate 25
2623 percent of the total site area.

2624 34. No merchandise shall be displayed or stored outside of the building(s) or on
2625 sidewalk(s).

2626
2627 Mr. Emerson - Madam Chair, the next item on your agenda for consideration
2628 is the 2014 Planning Commission calendar.

2629
2630 Mrs. Jones - All right, sir. As chairman, I'm going to take the first swipe at
2631 this. What I'd like to do for my fellow commissioners' consideration is to just very briefly
2632 say a few things. I have a motion in mind that I'd like to make. Basically, I'd like to
2633 introduce a few thoughts, and hopefully we can agree to have a final vote on this at our
2634 next meeting. There have been a number of things.

2635
2636 Mr. Branin - I'm listening.

2637
2638 Mrs. Jones - I can't hear myself think with that. There have been a number
2639 of times we've discussed this. For those who are new to the Commission within the last
2640 year or two, this happens to be something I bring up. And I bring it up not because I don't
2641 like vacations; I love them. I just like consistency in process. My concern has always
2642 been the fact that there is no meeting scheduled for the Plans of Development and
2643 Subdivisions section of Planning in August. This tends to put an artificial pressure not
2644 only on this meeting—as we can see from the 48 cases that potentially could have come
2645 before us tonight that finally got whittled down to 24 cases. And this is I think an artificial
2646 pressure that has its ramifications for staff as well as the Commission. It also then puts a
47 pressure on the September meeting because of the backup. I am in favor of doing what
2648 works best for the Planning Department and for the Commission in order to make sure
2649 Henrico is open for business and ready to go. I've been trying to think about a way to do
2650 this.

2651
2652 We have been very—not slow, but we have not had the volume of cases that we
2653 potentially could have over the past few years. So I think the number of cases and the
2654 amount of work will continue to increase as the recovery fades a little, hopefully, into the
2655 background. I have just a couple of points.

2656
2657 I believe that the system works okay as it is now, as long as we are mindful of the fact
2658 that there are artificial pressures put on two meetings that I would think would be better
2659 not to be there. I also think that staff does a beautiful job. There are many people who
2660 cover for others when they have a reason not to be here. That includes the Planning
2661 Commissioners. None of us are so important that anything needs to be customized to us.
2662 The process is there and it works I would like to suggest that we do one of two things in
2663 order to make our calendar consistent with the process that we have.

2664
2665 One suggestion would be to add in a POD meeting in August at the regular time so that
2666 there is one meeting for each division each month. Or we could combine the Zoning and
2667 POD meetings on one day in August with a POD meeting starting, for instance, at four
2668 o'clock, the Zoning meeting starting at seven o'clock. And then we have a little bit of
19 room to take away the artificial pressure that is created by there being no POD meeting

2670 at all in August. I would think that either of those could be considered as a nice
2671 compromise for the no meeting at all in August. However, that's my suggestion. I would
2672 ask that we make a concerted effort just to think this through. I am one person among
2673 five commissioners, and so that's my suggestion. I'll open it up for discussion.
2674

2675 Mr. Leabough - I have a question regarding combining the POD and
2676 Rezoning. Doesn't that kind of put pressure on staff to meet the deadline of the Rezoning
2677 for the POD, or is there not a concern for that issue?
2678

2679 Mr. Emerson - Depends on how you would structure it, I guess. I was
2680 thinking the same thing. If you kept the first meeting in August on the same day, certainly
2681 it would. We could plan ahead for that. If you moved it out a little bit and just scheduled
2682 the one meeting somewhere in between where the two meetings normally fall, we would
2683 just have to plan for that accordingly. And that could relieve some of that pressure. That
2684 really didn't occur to me until Mrs. Jones just mentioned that. If the Commission did want
2685 to consider that, certainly we could arrange something where during your break we could
2686 provide dinner or something before you began your evening portion of the meeting. So
2687 there is a way that could work. We would have to think about it a little bit and plan
2688 accordingly. You could either keep it on the same day, and it would have to push the
2689 filing deadline to a different date for the August Plan of Development meeting, if we
2690 stayed on the same date. Or we could move it, but then filing deadlines for both of your
2691 meetings would change if the whole meeting moved to—
2692

2693 Mrs. Jones - The following week or something like that.
2694

2695 Mr. Emerson - Right. And that certainly could be accommodated, as long as
2696 we know we're planning for it. That's the big thing. So it's really up to the Commission's
2697 discretion.
2698

2699 Mr. Leabough - You prompted another question, but it escaped me, so hold
2700 on a second. I'll get it back. So the deadline would be the same. But we've done that for
2701 other meetings, so if there was something that was pressing in terms of a POD or a
2702 transfer of approval, or whatever, then we could put it on the agenda—nothing prevents
2703 us from putting that on the agenda for the Rezoning meeting today, right?
2704

2705 Mr. Emerson - Normally those are deferred from this meeting to that
2706 meeting, unless it's something that we just know—but then those have been advertised
2707 accordingly. But the ones that would be deferred, say, from this meeting to the first
2708 meeting in August would have already been advertised, so we don't re-advertise. We'd
2709 have to turn the notifications around.
2710

2711 Mr. Leabough - So I think we did that with one of Mr. Branin's cases where
2712 we had a public hearing during the Rezoning meeting for that.
2713

2714 Mr. Emerson - We've had that happen. And you almost had it happen today
2715 with Innsbrook. We were right down to the wire on that one.

2716
2717 Mrs. Jones - But that is not a preferred outcome.
2718
2719 Mr. Emerson - No ma'am.
2720
2721 Mrs. Jones - That obviously is a safety valve that we have, but it's not a
2722 preferred outcome. If everyone knows to plan on one meeting in August, a combined
2723 meeting, happy summer, we could keep that lessened meeting time in August, but we
2724 could still have an opportunity on a very scheduled basis to address both kinds of cases.
2725 It's a thought. Again, I am one person. I welcome your thoughts. We can vote on this
2726 now; we can vote on it later. Whatever you feel is appropriate.
2727
2728 Mr. Leabough - The only reason I asked that question was that if there is a
2729 situation where there is a case that it will delay the development, construction, etcetera,
2730 then we have that option.
2731
2732 Mrs. Jones - You still have the artificial pressures on the cases that are
2733 trying desperately to get done today because they know if they don't they've got two
2734 months to wait. And then you have the backlog in September.
2735
2736 Mr. Emerson - You do run into conflicts on occasion. I'll share this with you.
2737 This just came up this last week, and I don't know how it'll pan out. There is an
2738 undisclosed economic development prospect that we're working with that was highly
39 pressured to move forward. And I have agreed to put them on the first meeting in
2740 September if they choose to locate here in the County. So that's in order to work with
2741 them to meet their building schedule. Occasionally you have things like that. We may not
2742 see that, but that's the way I'm working with them.
2743
2744 Mrs. Jones - But that's an example of why it would have been nice to have
2745 at least an opportunity that is a regularly scheduled opportunity.
2746
2747 Mr. Emerson - Right. And whether that would have helped them or not, I'm
2748 not sure, depending upon where they are in their process. We might still be where we
2749 are in order to move them on.
2750
2751 Mrs. Jones - I would suggest that if there's any merit to this somewhat of a
2752 compromise idea that we give it some thought and take a final vote on it in August.
2753
2754 Mr. Leabough - So we don't need a motion for that, correct?
2755
2756 Mrs. Jones - Is there—
2757
2758 Mr. Leabough - To consider it in August—I mean move it until then, and then
2759 in August we'll take a vote on it?
2760

2761 Mr. Emerson - If by consensus you want it placed on the next agenda, I don't
2762 really need a motion on that. I'll just put it on your next agenda. That doesn't impact us at
2763 this point.
2764

2765 Mrs. Jones - Could I ask you with staff to consider the implications of a
2766 combined, compromised meeting potentially the week after, kind of as a one-time August
2767 meeting for both types of cases and to see if there are things that would make that
2768 impractical from a staff point of view?
2769

2770 Mr. Emerson - Certainly we'll take a look at it. We actually looked at this as a
2771 cost-saving measure some time ago. We just never brought it forward.
2772

2773 Mrs. Jones - And I thought I was so smart.
2774

2775 Mr. Witte - Mr. Emerson, can I ask you a question? Have there been any
2776 problems because of this absent day of meetings?
2777

2778 Mr. Emerson - We've managed to work around it. The last meeting—and
2779 Leslie, if you'll help me—wasn't that 2000? You have the minutes this morning. That's
2780 the last time that the Commission had a second meeting in August was in 2000.
2781

2782 Mr. Witte - But have there been any issues because of it?
2783

2784 Mr. Emerson - We have worked around them. We have had, during the high
2785 times, very heavy loads coming into this meeting, people trying to rush because they
2786 don't want to wait until September. And then, of course, in the interim you had a large
2787 September meeting. We've managed to work around any major issues by utilizing the
2788 first meeting in August or the first meeting in September as well.
2789

2790 Mr. Witte - Okay.
2791

2792 Mr. Emerson - So we manage to work around any problem that might have
2793 cropped up. So I don't know if there's any real major inconvenience.
2794

2795 Mr. Witte - And it hasn't put an overload on staff?
2796

2797 Mr. Emerson - Well, when we were very busy it was quite an effort to get
2798 everything—when you had a lot of plans filed for this meeting in particular because
2799 people didn't want to wait until September. Yes, that created a lot of overtime for staff.
2800

2801 Mr. Witte - In the event we get a large amount coming in, how far in
2802 advance do we need to schedule a special meeting?
2803

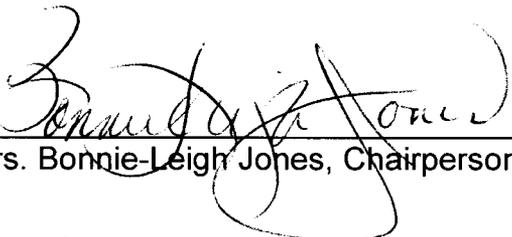
2804 Mr. Emerson - Well, a special meeting is kind of difficult because we would
2805 have to—you have advertising deadlines and things that you have to plan around.
2806

2807 Mr. Witte - Is that two weeks, 30 days?
2808
2809 Mr. Emerson - I think it's more like six weeks.
2810
2811 Mr. Witte - Six weeks?
2812
2813 Mrs. Jones - Yes.
2814
2815 Mr. Emerson - Yes, sir, because of filing deadlines. People can't plan for
2816 that.
2817
2818 Mr. Witte - Okay.
2819
2820 Mr. Emerson - So that's the challenge with that. It has not necessarily been
2821 a big issue.
2822
2823 Mr. Witte - Good.
2824
2825 Mr. Leabough - Let me ask this question. What happens—the Board doesn't
2826 meet in December, correct?
2827
2828 Mrs. Jones - They meet in December once and they meet in August once.
2829
2830 Mr. Emerson - That's correct.
2831
2832 Mr. Leabough - So then what happens with they don't meet? Are there
2833 special meetings held or?
2834
2835 Mr. Emerson - No.
2836
2837 Mr. Leabough - I mean, how do they adjust or accommodate that?
2838
2839 Mr. Emerson - Their agendas are not—
2840
2841 Mrs. Jones - They're different.
2842
2843 Mr. Emerson - They're different from yours. They don't split their business
2844 the way that you split your business. So that's the difference.
2845
2846 Mrs. Jones - I know there are probably daggers coming to me from the
2847 POD side, and I don't mean to imply that I think people don't need a vacation from the
2848 worries of the Planning Department. But I think this department is efficient, it will work
2849 through every single challenge. Whether there are one hundred cases that come
2850 forward, I know this staff will do it. I just don't want to make those artificial pressures
2851 come to them more than we need to. And I think a little bit of an option here in August

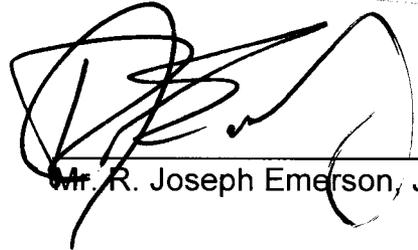
2852 might help with the workload to divide it up through the season here. That's my
2853 suggestion. I would welcome your thoughts on that.
2854
2855 Is the Commission in agreement to think about it or would you like to move forward with
2856 some kind of a definitive vote this morning?
2857
2858 Mr. Branin - Why are you looking at me?
2859
2860 Mrs. Jones - Because you're the one who's going to say something.
2861
2862 Mr. Witte - I think maybe we better wait.
2863
2864 Mr. Branin - I have said enough today. I'm done.
2865
2866 Mr. Witte - I think we should wait until Mr. Archer is here and we have a
2867 full board.
2868
2869 Mrs. Jones - That would be fine. If that is your pleasure—
2870
2871 Mr. Leabough - Sure. I'm open to whatever works best.
2872
2873 Mrs. Jones - I would ask for some input from staff before our next meeting,
2874 which is the Zoning meeting in August. And at that point we will take a definitive vote on
2875 the calendar, if that suits for purposes of timing for approving the calendar.
2876
2877 Mr. Emerson - So you want to put it on the August—
2878
2879 Mrs. Jones - Zoning meeting.
2880
2881 Mr. Emerson - Zoning meeting?
2882
2883 Mrs. Jones - Yes, please.
2884
2885 Mr. Leabough - I know we all have jobs to get to. Since the pressure sort of is
2886 on the POD side as opposed to the Rezoning, could we switch them and make the POD
2887 meeting the one in August and not have the Rezoning since there aren't the same
2888 pressures there? Just a thought.
2889
2890 Mr. Emerson - Depending on workload, I don't know that it really—you just
2891 create a different dynamic in terms of, I guess, who's held up, if anybody is, or
2892 inconvenienced.
2893
2894 Mr. Branin - And then if you take Zoning out, that progresses not here—
2895 the buck doesn't stop here. It progresses—
2896
2897 Mrs. Jones - Because that goes on to the Board.

2898
2899 Mr. Branin - We're actually holding up the Board.
2900
2901 Mr. Leabough - I'm thinking off the top of my head here, so.
2902
2903 Mrs. Jones - I would suggest a compromise.
2904
2905 Mr. Emerson - Yes, it's difficult. Well, we will take a look at the potential of
2906 combining a meeting in August and see what we come up with, and we'll report back to
2907 you in August.
2908
2909 Mr. Leabough - I just hear your concerns, and I'm trying to kind of meet you
2910 halfway and think through this.
2911
2912 Mrs. Jones - That's what we should do. All right. Is there any further
2913 business to come before the Commission?
2914
2915 Mr. Emerson - Yes ma'am, you have your minutes of June 26, 2013, to
2916 consider.
2917
2918 APPROVAL OF MINUTES: June 26, 2013
2919
2920 Mrs. Jones - I wasn't here, that's why I didn't think of them. Yes.
2921
2922 Mr. Emerson - And we do have an errata sheet with a few errors that have
2923 been brought to our attention. That should have been in your package. Other than that, I
2924 don't believe staff's had any comments beyond what's on that sheet.
2925
2926 Mrs. Jones - Are there any additional corrections or additions to the
2927 minutes? All right, if not, I will entertain a motion.
2928
2929 Mr. Branin - I move to accept the minutes with the corrected errata sheet.
2930
2931 Mr. Leabough - Second.
2932
2933 Mrs. Jones - All right, motion by Mr. Branin, second by Mr. Leabough. All
2934 in favor say aye. All opposed say no. The ayes have it; the motion passes.
2935
2936 I am not voting; I was not at the meeting.
2937
2938 The Planning Commission approved the June 26, 2013 minutes as corrected.
2939
2940 Mrs. Jones - Now, Mr. Secretary, is there anything else?
2941
2942 Mr. Emerson - I have nothing else for the Commission this morning.
43

2944 Mrs. Jones - Anything from the commissioners?
2945
2946 Mr. Witte - Move to adjourn.
2947
2948 Mr. Branin - Second.
2949
2950 Mrs. Jones - All right. I have a motion to adjourn and I have a second. This
2951 meeting stands adjourned.
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Mrs. Bonnie-Leigh Jones, Chairperson, C.P.C.



Mr. 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 24, 2013**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature. **(For POD which includes lighting plan approval)**
12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. **(Revised January 2008)**
17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.

19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the POD.
20. The approved Plan of Development is granted by the Planning Commission only to the owners(s)/applicant(s) listed on the Plan of Development application on file for this project. Upon written notification to the Director of Planning, the Plan of Development approval may be transferred to subsequent owner(s) subject to approval by this Commission **(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 24, 2013**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 24, 2013**, 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 23, 2014**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **July 24, 2013**, 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 23, 2014**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 24, 2013**, 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 23, 2014**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to the Department of Planning for review, prior to final approval. The proposed Homeowners Association for the project shall be responsible for the exterior maintenance of all buildings and grounds.
13. All block corners shall be monumented and referenced, where possible, to the exterior boundaries of the site
14. The record plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of **(name of subdivision)** and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.

Standard Conditions for Zero Lot Line Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 24, 2013**, 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 23, 2014**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 24, 2013**, 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 23, 2014**, 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.