

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Springs Roads beginning at 9:00 a.m. Wednesday, July 25, 2018.
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Members Present: Mrs. Sandra M. Marshall, Chairperson (Three Chopt)
Mr. Gregory R. Baka, Vice-Chairperson (Tuckahoe)
Mr. William M. Mackey, Jr. (Varina)
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning,
Secretary
Mrs. Patricia S. O'Bannon, Board of Supervisors' Representative

Members Absent: Mr. C. W. Archer, C.P.C. (Fairfield)
Ms. Adrienne F. Kotula (Brookland)

Others Present: Ms. Jean Moore, Assistant Director of Planning, Acting Secretary
Ms. Leslie A. News, PLA, Senior Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Ms. Christina L. Goggin, AICP, County Planner
Ms. Aimee B. Crady, AICP, County Planner
Mr. Matt Ward, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Kate B. McMillion, County Planner
Mr. Salim Chishti, ASLA, County Planner
Mr. Spencer Norman, County Planner
Mr. Robert Peterman, GIS Technician
Ms. Melissa Ferrante, Office Assistant / Recording Secretary

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6 **Mrs. Patricia S. O'Bannon, the Board of Supervisors' representative, abstains on**
7 **all cases unless otherwise noted.**
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9 Mrs. Marshall - I call this meeting of the Henrico County Planning
10 Commission to order. This is our plans of development meeting for July 25, 2018. At
11 this time, I ask that you take a moment to silence your cell phones. And as you do,
12 please stand with the Commission for the Pledge of Allegiance. Thank you.
13

14 Do we have anyone in the audience with the news media this morning? We do not.
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16 We have Mrs. Pat O'Bannon, our representative from the Board of Supervisors who is
17 sitting with the Commission. Thank you for being here. We are missing Mr. Archer and
18 Mrs. Kotula this morning, but we do have enough commissioners present for a quorum.
19 At this point, I will turn the meeting over to Ms. Moore, our secretary.
20

21 Ms. Moore - Thank you, Madam Chair. First on your agenda are the
22 requests for deferrals and withdrawals, and we have none of these on your agenda
23 today. So we'll move on to items to be expedited on the agenda. These will be
24 presented by Ms. Leslie News.

25
26 Ms. News - Thank you, Madam Chair. Good morning, members of the
27 Commission. We have eleven cases on our expedited agenda this morning. The first
28 item is found on page 3 of your agenda and is located in the Tuckahoe District. This is a
29 transfer of approval for POD-22-97, Grace Auto Sales, which was formerly Excalibur
30 Auto Sales. Staff recommends approval.

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32 **TRANSFER OF APPROVAL**

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POD-22-97 POD2017-00195 Grace Auto Sales (Formerly Excalibur Auto Sales) – 2711 Enterprise Parkway	Dale F. Moes and Neil Moes: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from John Dankos and George Minor to Victor J. Moes and Dale F. Moes. The 0.6-acre site is located on the southeastern line of Enterprise Parkway, approximately 250 feet southwest of West Broad Street (U.S. Route 250), on parcel 763-752-7811. The zoning is B-3, Business District. County water and sewer. (Tuckahoe)
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34 Mrs. Marshall - Is there anyone present who is opposed to POD-22-97
35 (POD2017-00195), Grace Auto Sales (formerly Excalibur Auto Sales)? I see no
36 opposition.
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39 Mr. Baka - Madam Chair, I would move for approval of the transfer of
40 approval of POD-22-97 (POD2017-00195), Grace Auto Sales (formerly Excalibur Auto
41 Sales), subject to the previously approved conditions on the expedited agenda.
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43 Mrs. Marshall - Second. We have a motion by Mr. Baka, a second by
44 Mrs. Marshall. All in favor say aye. Those opposed say no. There is no opposition; that
45 motion passes.
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47 The Planning Commission approved the transfer of approval request for POD-22-97
48 (POD2017-00195), Grace Auto Sales (formerly Excalibur Auto Sales), subject to the
49 standard and added conditions previously approved.
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51 Ms. News - The next item is found on page 4 of your agenda and is
52 located in the Fairfield District. This is a transfer of approval for POD-18-85, CubeSmart
53 Richmond Henrico Turnpike, formerly Richmond-Henrico Mini Storage. Staff
54 recommends approval.
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TRANSFER OF APPROVAL

POD-18-85
POD2018-00190
CubeSmart Richmond
Henrico Turnpike
(Formerly Richmond-
Henrico Mini-Storage) –
5312 Richmond Henrico
Turnpike

Alan Jacobs for CubeSmart and Henrico Self Storage, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Paul N. Belmont, Edwin H. Ragsdale, and Nelson-White Construction to Henrico Self Storage, LLC. The 4.41-acre site is located on the northern line of Richmond-Henrico Turnpike, approximately 1,300 feet northeast of Azalea Avenue, on parcel 795-745-6496. The zoning is M-1, Light Industrial District and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

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Mrs. Marshall - Is there anyone present who is opposed to POD-18-85 (POD2018-00190), CubeSmart Richmond Henrico Turnpike (formerly Richmond-Henrico Mini-Storage)? I see no opposition. I move approval of the transfer of approval for POD-18-85 (POD2018-00190), CubeSmart Richmond Henrico Turnpike (formerly Richmond-Henrico Mini-Storage), subject to the previously approved conditions on the expedited agenda.

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Mr. Baka - Second.

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

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The Planning Commission approved the transfer of approval request for POD-18-85 (POD2018-00190), CubeSmart Richmond Henrico Turnpike (formerly Richmond-Henrico Mini-Storage), from Paul N. Belmont, Edwin H. Ragsdale, and Nelson-White Construction to Henrico Self Storage, LLC, subject to the standard and added conditions previously approved.

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Ms. News - The next item is on page 5 of your agenda and located in the Three Chopt District. This is a transfer of approval for POD-87-73, UDIG Office Building at Forest Office Park, formerly Fairfield National Bank – Koger Office Center. Staff recommends approval.

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TRANSFER OF APPROVAL

POD-87-73
POD2018-00169
UDIG Office Building at
Forest Office Park
(Formerly Fairfield
National Bank - Koger
Office Center) – 8000
Franklin Farms Drive

Susan Frank for Franklin Farms, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Fairfield National Bank and Koger Properties, Inc. to Franklin Farms, LLC. The 2.42-acre site is located on the northeastern corner of Franklin Farms Drive and Rolling Hills Drive, on parcel 759-744-3417. The zoning is O-2, Office District. County water and sewer. **(Three Chopt)**

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88 Mrs. Marshall - Is there anyone present who is opposed to POD-87-73
89 (POD2018-00169), UDIG Office Building at Forest Office Park (formerly Fairfield
90 National Bank - Koger Office Center)? I see no opposition. I move approval of the
91 transfer of approval for POD-87-73 (POD2018-00169), UDIG Office Building at Forest
92 Office Park (formerly Fairfield National Bank - Koger Office Center), subject to the
93 previously approved conditions, on the expedited agenda.

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95 Mr. Baka - Second.

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

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101 The Planning Commission approved the transfer of approval request for POD-87-73
102 (POD2018-00169), UDIG Office Building at Forest Office Park (formerly Fairfield
103 National Bank - Koger Office Center), from Fairfield National Bank and Koger
104 Properties, Inc. to Franklin Farms, LLC, subject to the standard and added conditions
105 previously approved.

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107 Ms. News - The next item is found on page 6 of your agenda and is
108 located in the Brookland District. This is a transfer of approval for POD-40-81, Tomlynn
109 Business Center, which was formerly the Clayman Industrial Park. Staff recommends
110 approval.

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112 **TRANSFER OF APPROVAL**

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POD-40-81 POD2018-00182 Tomlynn Business Center (Formerly Clayman Industrial Park) – 2000 Tomlynn Street	R. Gaines Tavenner for Doswell Ventures, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Mr. Jacob Clayman to Doswell Ventures, LLC. The 1.02-acre site is located on the western line of Tomlynn Street, approximately 250 feet south of Jacque Street, on parcel 778-735-3363. The zoning is M-1, Light Industrial District. County water and sewer. (Brookland)
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115 Mrs. Marshall - Is there anyone present who is opposed to POD-40-81
116 (POD2018-00182), Tomlynn Business Center (formerly Clayman Industrial Park)? I see
117 no opposition.

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119 Mr. Baka - I would move for approval of the transfer of approval for
120 POD-40-81 (POD2018-00182), Tomlynn Business Center (formerly Clayman Industrial
121 Park), subject to the previously approved conditions, on the expedited agenda.

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123 Mr. Mackey - Second.

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

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129 The Planning Commission approved the transfer of approval request for POD-40-81
130 (POD2018-00182), Tomlynn Business Center (formerly Clayman Industrial Park), from
131 Mr. Jacob Clayman to Doswell Ventures, LLC, subject to the standard and added
132 conditions previously approved.

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134 Ms. News - The next item is on page 7 of your agenda and located in the
135 Three Chopt District. This is a transfer of approval for POD-20-94, which is a portion of
136 the POD, for Concourse Commons, formerly The Concourse at Wyndham. You have an
137 addendum item on page 1 of your addendum with a correction to the title of the project.
138 Staff recommends approval.

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140 **TRANSFER OF APPROVAL**
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POD-20-94 (pt) POD2018-00168 Concourse Commons (Formerly Westshore IV Formerly The Concourse at Wyndham) – 11520 Nuckols Road	Doswell Ventures, LLC for MGME Richmond-Nuckols, 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 MDME Richmond-Nuckols, LLC to Doswell Ventures, LLC. The 2.11-acre site is located on the northern line of Nuckols Road, approximately 150 feet west of its intersection with Concourse Boulevard, on parcel 745-775-7141. The zoning is O/SC, Office Service District (Conditional). County water and sewer. (Three Chopt)
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143 Mrs. Marshall - Is there anyone present who is opposed to POD-20-94 (pt),
144 (POD2018-00168), Concourse Commons (formerly The Concourse at Wyndham)? I see
145 no opposition. I move approval of the transfer of approval for POD-20-94 (pt),
146 (POD2018-00168), Concourse Commons (formerly The Concourse at Wyndham),
147 subject to the previously approved conditions and the revised project name in the
148 addendum, on the expedited agenda.

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150 Mr. Baka - Second.

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

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156 The Planning Commission approved the transfer of approval request for POD-20-94
157 (pt), (POD2018-00168), Concourse Commons (formerly The Concourse at Wyndham),
158 from MDME Richmond-Nuckols, LLC to Doswell Ventures, LLC, subject to the standard
159 and added conditions previously approved.

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161 Ms. News - The next item is on page 8 of your agenda and located in the
162 Varina District. This is POD2018-00134, Greater Unity Adult Daycare Facility at Eubank
163 and Laburnum Commercial Center. There is an addendum item on page 1 of your
164 addendum, which includes a revised architectural plan to provide an all brick building
165 and a revised site plan addressing sidewalks. Staff recommends approval.
166

167 **PLAN OF DEVELOPMENT**
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POD2018-00134 **Youngblood, Tyler, and Associates for J.G. Laburnum
Greater Unity Adult LLC, RL LLC, and Laburnum Holdings, LLC:** Request
Services – Adult Daycare for approval of a plan of development, as required by
Facility at Eubank and Chapter 24, Section 24-106 of the Henrico County Code,
Laburnum Commercial to construct a one-story, 6,000-square foot adult daycare
Center – 5481 South facility in an existing commercial center. The 1.52-acre site
Laburnum Avenue is located on the eastern side of South Laburnum Avenue,
approximately 450 feet south of Eubank Road, on parcel
817-711-0712 and part of parcel 816-711-8151. The
zoning is B-2C, Business District (Conditional) and ASO,
Airport Safety Overlay District. County water and sewer.
(Varina)

169
170 Mrs. Marshall - Is there anyone present who is opposed to POD2018-00134,
171 Greater Unity Adult Services – Adult Daycare Facility at Eubank and Laburnum
172 Commercial Center? I see no opposition. Mr. Mackey?
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174 Mr. Mackey - Seeing no opposition, I move that POD2018-00134, Greater
175 Unity Adult Services – Adult Daycare Facility at Eubank and Laburnum Commercial
176 Center, be approved on the expedited agenda, subject to the annotations on the plans,
177 standard conditions for developments of this type, conditions 29 through 33 on the
178 agenda, and the revised architectural and site plan in the addendum.
179

180 Mr. Baka - Second.
181

182 Mrs. Marshall - We have a motion by Mr. Mackey, a second by Mr. Baka. All
183 in favor say aye. Those opposed say no. There is no opposition; that motion passes.
184

185 The Planning Commission approved POD2018-00134, Greater Unity Adult Services –
186 Adult Daycare Facility at Eubank and Laburnum Commercial Center, subject to the
187 annotations on the plans, the standard conditions attached to these minutes for
188 developments of this type, and the following additional conditions:
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190 29. Outside storage shall not be permitted.

191 30. The proffers approved as a part of zoning case C-63C-06 shall be incorporated in
192 this approval.

- 193 31. Evidence of a joint ingress/egress and maintenance agreement must be
94 submitted to the Department of Planning and approved prior to issuance of a
195 certificate of occupancy for this development.
- 196 32. The conceptual master plan, as submitted with this application, is for planning
197 and information purposes only. All subsequent detailed plans of development
198 needed to implement this conceptual plan shall be submitted for staff review and
199 Planning Commission approval, and shall be subject to all regulations in effect at
200 the time such subsequent plans are submitted for review/ approval.
- 201 33. The location of all existing and proposed utility and mechanical equipment
202 (including HVAC units, electric meters, junction and accessory boxes,
203 transformers, and generators) shall be identified on the landscape plans. All
204 equipment shall be screened by such measures as determined appropriate by
205 the Director of Planning or the Planning Commission at the time of plan approval.
206

207 Ms. News - The next item is on page 10 of your agenda and located in
208 the Brookland District. This is POD2018-00239, Britlyn South. There is an addendum
209 item on page 2 of your addendum, which includes condition 37 revised related to
210 sidewalk on Staples Mill Road. Staff recommends approval.
211

212 **PLAN OF DEVELOPMENT**
213

POD2018-00239
Britlyn South – 10623
Staples Mill Road

Townes Site Engineering for Staples Mill Investment, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 17 age-restricted detached single-family dwellings for sale with zero lot lines. The 6.81-acre site is located on the eastern line of Staples Mill Road (U.S. Route 33), approximately 100 feet south of its intersection with Meadow Pond Lane, on parcels 764-767-0232, 764-767-0509, and 763-767-9947. The zoning is R-5AC, General Residential District. County water and sewer. **(Brookland)**

214
215 Mrs. Marshall - Is there anyone present who is opposed to POD2018-00239,
216 Britlyn South? I see no opposition. Mr. Baka?
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218 Mr. Baka - Seeing no opposition here this morning, I would move
219 POD2018-00239, Britlyn South, be approved on the expedited agenda subject to
220 annotations on the plan, standard conditions for developments of this type, conditions
221 29 through 40 in the agenda with condition 37 revised as shown on the addendum.
222

223 Mrs. Marshall - Second. We have a motion by Mr. Baka, a second by
224 Mrs. Marshall. All in favor say aye. Those opposed say no. There is no opposition; that
225 motion passes.
226

227 The Planning Commission approved POD2018-00239, Britlyn South, subject to the
228 annotations on the plans, the standard conditions attached to these minutes for
229 developments of this type, and the following additional conditions:
230

- 231 29. Roof edge ornamental features that extend over the zero lot line, and which are
232 permitted by Section 24-95(i)(1), must be authorized in the covenants.
- 233 30. Eight-foot easements for construction, drainage, and maintenance access for
234 abutting lots shall be provided and shown on the POD plans.
- 235 31. Building permit request for individual dwellings shall each include two (2) copies of
236 a layout plan sheet as approved with the plan of development. The developer may
237 utilize alternate building types providing that each may be located within the
238 building footprint shown on the approved plan. Any deviation in building footprint or
239 infrastructure shall require submission and approval of an administrative site plan.
- 240 32. Windows on the zero lot line side of the dwelling can only be approved with an
241 exception granted by the Building Official and the Director of Planning during the
242 building permit application process.
- 243 33. The mechanical equipment for each building shall be located on its respective lot.
244 The location of the equipment shall be reviewed and approved with the building
245 permit application for each lot. Except for wall-mounted electric meters, in no
246 case shall the eight-foot easement for construction, drainage, and maintenance
247 access on the abutting lot be used to locate other mechanical equipment (such
248 as HVAC equipment, generators, and the like) for the subject lot.
- 249 34. The subdivision plat for Britlyn South shall be recorded before any building
250 permits are issued.
- 251 35. The entrances and drainage facilities on U.S. Route 33 shall be approved by the
252 Virginia Department of Transportation and the County.
- 253 36. A notice of completion form, certifying that the requirements of the Virginia
254 Department of Transportation entrances permit have been completed, shall be
255 submitted to the Department of Planning prior to any occupancy permits being
256 issued.
- 257 37. **REVISED.** A concrete sidewalk meeting VDOT standards shall be provided along
258 the eastern side of Staples Mill Road. The sidewalk shall extend along Staples
259 Mill Road to its intersection with Meadow Pond Lane in accordance with the
260 terms outlined in the letter dated February 14, 2018, unless deemed unfeasible
261 by the Director of Planning.
- 262 38. The proffers approved as a part of zoning case REZ2017-00028 shall be
263 incorporated in this approval.
- 264 39. The owners shall not begin clearing of the site until the following conditions have
265 been met:
 - 266 (a) The site engineer shall conspicuously illustrate on the plan of development
267 or subdivision construction plan and the Erosion and Sediment Control
268 Plan, the limits of the areas to be cleared and the methods of protecting
269 the required buffer areas. The location of utility lines, drainage structures
270 and easements shall be shown.
 - 271 (b) After the Erosion and Sediment Control Plan has been approved but prior
272 to any clearing or grading operations of the site, the owner shall have the

273 limits of clearing delineated with approved methods such as flagging, silt
274 fencing or temporary fencing.

275 (c) The site engineer shall certify in writing to the owner that the limits of
276 clearing have been staked in accordance with the approved plans. A copy
277 of this letter shall be sent to the Department of Planning and the
278 Department of Public Works.

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

284 40. Approval of the construction plans by the Department of Public Works does not
285 establish the curb and gutter elevations along the Virginia Department of
286 Transportation maintained right-of-way. The elevations will be set by the
287 contractor and approved by the Virginia Department of Transportation.
288

289 Ms. News - The next item is on page 12 of your agenda and located in
290 the Brookland District. This is POD2018-00240, Britlyn North. There is an addendum
291 item on page 2 of the addendum, which includes condition 37 revised related to
292 sidewalk on Staples Mill Road. Staff recommends approval.
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294 **PLAN OF DEVELOPMENT**
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296 297 298 299 300 301 302 303 304	POD2018-00240 Britlyn North – 10701 Staples Mill Road	Townes Site Engineering for Staples Mill Investment, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 29 age-restricted detached single-family dwellings for sale with zero lot lines. The 12.38-acre site is located on the eastern line of Staples Mill Road (U.S. Route 33), approximately 280 feet north of its intersection with Meadow Pond Lane, on parcels 763-768-3605, 763-768-2735, and 763-767-6290. The zoning is R-5AC, General Residential District. County water and sewer. (Brookland)
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305 Mrs. Marshall - Is there anyone present who is opposed to POD2018-00240,
306 Britlyn North? I see no opposition. Mr. Baka?

307 Mr. Baka - Seeing no opposition, I move POD2018-00240, Britlyn
308 North, be approved on the expedited agenda subject to the annotations on the plans,
309 standard conditions for developments of this type, conditions 29 through 40 in the
310 agenda with condition 37 revised as shown on the addendum.

311 Mr. Mackey - Second.

307 Mrs. Marshall - We have a motion by Mr. Baka, a second by Mr. Mackey. All
308 in favor say aye. Those opposed say no. There is no opposition; that motion passes.
309

310 The Planning Commission approved the transfer of approval request for POD2018-
311 00240, Britlyn North, subject to the standard and added conditions previously approved
312 and the following additional conditions:
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- 314 29. Roof edge ornamental features that extend over the zero lot line, and which are
315 permitted by Section 24-95(i)(1), must be authorized in the covenants.
- 316 30. Eight-foot easements for construction, drainage, and maintenance access for
317 abutting lots shall be provided and shown on the POD plans.
- 318 31. Building permit request for individual dwellings shall each include two (2) copies of
319 a layout plan sheet as approved with the plan of development. The developer may
320 utilize alternate building types providing that each may be located within the
321 building footprint shown on the approved plan. Any deviation in building footprint or
322 infrastructure shall require submission and approval of an administrative site plan.
- 323 32. Windows on the zero lot line side of the dwelling can only be approved with an
324 exception granted by the Building Official and the Director of Planning during the
325 building permit application process.
- 326 33. The mechanical equipment for each building shall be located on its respective lot.
327 The location of the equipment shall be reviewed and approved with the building
328 permit application for each lot. Except for wall-mounted electric meters, in no
329 case shall the eight-foot easement for construction, drainage, and maintenance
330 access on the abutting lot be used to locate other mechanical equipment (such
331 as HVAC equipment, generators, and the like) for the subject lot.
- 332 34. The subdivision plat for Britlyn North shall be recorded before any building
333 permits are issued.
- 334 35. The entrances and drainage facilities on U.S. Route 33 shall be approved by the
335 Virginia Department of Transportation and the County.
- 336 36. A notice of completion form, certifying that the requirements of the Virginia
337 Department of Transportation entrances permit have been completed, shall be
338 submitted to the Department of Planning prior to any occupancy permits being
339 issued.
- 340 37. **REVISED.** A concrete sidewalk meeting VDOT standards shall be provided along
341 the eastern side of Staples Mill Road. The sidewalk shall extend along Staples
342 Mill Road to its intersection with Meadow Pond Lane in accordance with the
343 terms outlined in the letter dated February 14, 2018, unless deemed unfeasible
344 by the Director of Planning
- 345 38. The proffers approved as a part of zoning case REZ2017-00029 shall be
346 incorporated in this approval.
- 347 39. The owners shall not begin clearing of the site until the following conditions have
348 been met:
 - 349 (a) The site engineer shall conspicuously illustrate on the plan of development
350 or subdivision construction plan and the Erosion and Sediment Control
351 Plan, the limits of the areas to be cleared and the methods of protecting

352 the required buffer areas. The location of utility lines, drainage structures
53 and easements shall be shown.

354 (b) After the Erosion and Sediment Control Plan has been approved but prior
355 to any clearing or grading operations of the site, the owner shall have the
356 limits of clearing delineated with approved methods such as flagging, silt
357 fencing or temporary fencing.

358 (c) The site engineer shall certify in writing to the owner that the limits of
359 clearing have been staked in accordance with the approved plans. A copy
360 of this letter shall be sent to the Department of Planning and the
361 Department of Public Works.

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

367 40. Approval of the construction plans by the Department of Public Works does not
368 establish the curb and gutter elevations along the Virginia Department of
369 Transportation maintained right-of-way. The elevations will be set by the
370 contractor and approved by the Virginia Department of Transportation.

371
372 Ms. News - The next item is on page 14 of your agenda and located in
373 the Three Chopt District. This is POD2018-00243, which also includes a lighting plan,
374 for Everleigh Apartments. There is an addendum item on page 3 of the addendum,
75 which includes a revised plan addressing the provision of turn lanes and right-of-way
376 dedication and additional condition 9 amended. Staff recommends approval.

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378 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

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POD2018-00243 Everleigh Apartments – Three Chopt Road and Lauderdale Drive	Kimley-Horn and Associates, Inc. for Short Pump Investors, LLC and Greystar GP II, LLC: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a four-story, 222,500-square foot, 165-unit age restricted apartment building. The 8.65- acre site is located on the southern line of Three Chopt Road, approximately 650 feet west of its intersection with Lauderdale Drive, on part of parcel 735-761-8792. The zoning is R-6C, General Residential District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)
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381 Mrs. Marshall - Is there anyone present who is opposed to the plan of
382 development and lighting plan for POD2018-00243, Everleigh Apartments? I see no
383 opposition. I move POD2018-00243, Everleigh Apartments, including the lighting plan,
384 be approved on the expedited agenda subject to the annotations on the plan, standard
85 conditions for developments of this type, additional conditions 11B and 29 through 34 in

386 the agenda, added condition 9 amended in the addendum, and the revised staff plan in
387 the addendum.

388

389 Mr. Mackey - Second.

390

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

394

395 The Planning Commission approved POD2018-00243, Everleigh Apartments, including
396 the lighting plan, subject to the annotations on the plans, the standard conditions
397 attached to these minutes for developments of this type, and the following additional
398 conditions:

399

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

403 11B. Prior to the approval of an electrical permit application and installation of
404 the site lighting equipment, a plan including light spread and intensity
405 diagrams, and fixture specifications and mounting heights details shall be
406 revised as annotated on the staff plan and included with the construction
407 plans for final signature.

408 29. The right-of-way for widening of Lauderdale Drive and Three Chopt Road
409 as shown on approved plans shall be dedicated to the County prior to any
410 occupancy permits being issued. The right-of-way dedication plat and any
411 other required information shall be submitted to the County Real Property
412 Agent at least sixty (60) days prior to requesting occupancy permits.

413 30. A concrete sidewalk meeting County standards shall be provided along
414 the southern side of Three Chopt Road.

415 31. The proffers approved as a part of zoning case REZ2018-00010 shall be
416 incorporated in this approval.

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

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

424 34. The location of all existing and proposed utility and mechanical equipment
425 (including HVAC units, electric meters, junctions and accessory boxes,
426 transformers, and generators) shall be identified on the landscape plan. All
427 building mounted equipment shall be painted to match the building, and all
428 equipment shall be screened by such measures as determined
429 appropriate by the Director of Planning or the Planning Commission at the
430 time of plan approval.

431

432 Ms. News - The next item is on page 21 of your agenda and is located in
33 the Fairfield District. This is SUB2018-00077, Grove Point, July 2018 Plan for 95 lots.
434 Staff recommends approval.

435
436 **SUBDIVISION**

437
SUB2018-00077 **Bay Companies, Inc. for Reality I, LLC and Land One, LLC:** The 20.58-acre site proposed for 95 two-story residential townhomes for sale is located along the northern line of Neale Street, approximately 280 feet east of Mechanicsville Turnpike (State Route 360), on parcel 804-737-7961 and part of parcel 804-736-0481. The zoning is R-5C, General Residential District (Conditional). County water and sewer. **(Fairfield) 95 Lots**

438
439 Mrs. Marshall - Is there anyone present who is opposed to SUB2018-00077,
440 Grove Point (July 2018 plan)? I see no opposition. I move SUB2018-00077, Grove Point
441 (July 2018 plan), be approved on the expedited agenda subject to the annotations on
442 the plans, the standard conditions for residential townhouse for sale subdivisions, and
443 additional conditions 15 and 16 in the agenda.

444
445 Mr. Baka - Second.

446
447 Mrs. Marshall - We have a motion by Mrs. Marshall and a second by
448 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition; that
449 motion passes.

450
451 The Planning Commission granted conditional approval to SUB2018-00077, Grove
452 Point (July 2018 plan), subject to the standard conditions attached to these minutes for
453 residential townhouse for sale subdivisions, the annotations on the plans, and the
454 following additional conditions:

- 455
456 15. A County sidewalk shall be constructed along the northern side of North Neal
457 Street.
458 16. The proffers approved as part of zoning cases C-11C-09 and REZ2018-00023
459 shall be incorporated in this approval.

460
461 Ms. News - The final item is on page 22 of your agenda and is located in
462 the Tuckahoe District. This is a landscape and lighting plan for POD2018-00209 and
463 POD2018-00210, Gaskins Professional Offices Phase II. Staff recommends approval.

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LANDSCAPE AND LIGHTING PLAN

POD2018-00209 and
POD2018-00210
Gaskins Professional
Offices Phase II – 10201
Three Chopt Road

Balzer and Associates, Inc. for Railey Hill Associates, LLC and Gaskins Professional Office Condos: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 8.78-acre site is located at the northwestern corner of Gaskins Road and Three Chopt Road, on parcels 749-754-7958 and 749-754-5736. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Tuckahoe)**

Mrs. Marshall - Is there anyone present who is opposed to POD2018-00209 and POD2018-00210, Gaskins Professional Offices Phase II? I see no opposition. Mr. Baka?

Mr. Baka - I would move for approval of the landscape and lighting plan for POD2018-00209 and POD2018-00210, Gaskins Professional Offices Phase II, subject to the annotations on the plans and standard conditions for landscape and lighting plans.

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

The Planning Commission approved the landscape and lighting plan for POD2018-00209 and POD2018-00210, Gaskins Professional Offices Phase II, subject to the annotations on the plans and the standard conditions attached to these minutes for landscape and lighting plans.

Ms. News - That completes our expedited agenda.

Ms. Moore - Madam Chair, now we move on to our regular agenda. We start on page 16 of your regular agenda. And this is POD2018-00244, Kimley-Horn and Associates for SP Hotel II, LLC. The staff report will be presented by Ms. Aimee Crady.

506 **PLAN OF DEVELOPMENT, LIGHTING PLAN, TRANSITIONAL BUFFER DEVIATION,**
507 **AND SPECIAL EXCEPTION**
508

POD2018-00244
Home 2 Suites at Towne
Center West – 209 Towne
Center West Boulevard

Kimley-Horn and Associates, Inc. for SP Hotel II, LLC: Request for approval of a plan of development, lighting plan, transitional buffer deviation, and special exception as required by Chapter 24, Sections 24-106, 24-106.2, and 24-2 of the Henrico County Code, to construct a seven-story, 99,477-square foot hotel including 138 rooms, 1,500 square feet of conference space, and approximately 4,000 square feet of retail space, and to authorize a special exception for building height up to 85 feet, in an existing shopping center. The transitional buffer deviation would reduce the width of the transitional buffer adjacent to the northern property line. The 2.28-acre site is located on the northern line of Towne Center West Boulevard (private), approximately 1,600 feet northeast of West Broad Street (U.S. Route 250), on parcel 736-764-3961. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer.
(Three Chopt)

509
510 Mrs. Marshall - Is there anyone present who is opposed to POD2018-00244,
511 Home 2 Suites at Towne Center West? Ms. Crady?

512
513 Ms. Crady - Good morning. As noted, this plan of development request
514 seeks approval to construct a 7-story, 138-room hotel with retail and conference space
515 included. And as noted, the consideration of a special exception for height and a
516 transitional buffer deviation are also included in the request.

517
518 Adjacent development within the shopping center includes a variety of retail, restaurant,
519 recreation, child care, hotel, office, and medical uses. Two outstanding outparcel sites
520 are on the site here and here. They have active plans of development. They were
521 approved in 2016 for office use but have not been constructed at this time. The existing
522 Hilton Short Pump Hotel and Conference Center is just to the west of here—located
523 here—and was approved in 2006 at eight stories high.

524
525 The proposed building is compatible in style and material with the surrounding
526 development and is consistent with proffered conditions. A mix of face brick in medium
527 tones, reddish browns, cast stone base elements, and beige tones, and tan EIFS are
528 proposed. The applicant has product samples available if the Commission should wish
529 to see those.

530
531 The four building elevations provided are designed to meet and exceed the minimum
532 proffered brick ratios that range between 39 percent and 64 percent brick on each

533 building face. The layout plan demonstrates that the proposed hotel will meet the
534 enhanced setbacks for tall buildings. That would be at the 74-foot setback.

535
536 The Towne Center West shopping center is adjacent also to an A-1 zone north of the
537 site. By code, a transitional buffer of twenty-five feet in width is required between the
538 project's B-2C zone and the A-1 zone, unless the transitional buffer deviation is granted.

539
540 The conceptual landscape plan shows that the 25-foot transitional buffer quantity of
541 plantings will fit within a variable-width planting strip, back here, ranging between 8 and
542 28 feet along the rear northernmost aisle of parking spaces. Final design and material
543 selections for those plantings will be finalized with the subsequent landscape plan
544 review. Additional parking lot interior landscaping and foundations plantings will be
545 provided where available throughout the site. The plan will implement the preservation
546 of existing mature street trees along Towne Center West Boulevard here, which were
547 installed at the initial overall shopping center construction. The applicant proposes
548 enhancing this streetscape with additional shrubs at the end of the parking spaces here.

549
550 The A-1 property north of the site currently houses a Dominion Virginia Power
551 substation. A moderate vegetative buffer exists there on the Dominion Virginia Power
552 property. Access to the substation will be maintained in the same general location and
553 perpendicularly through the buffer. That will be in accordance with the existing
554 easement agreement that impacts this site already.

555
556 A supplemental lighting plan is also included with the staff plan, and it proposes LED
557 concealed-source fixtures to be installed at or below the maximum proffered mounting
558 height of twenty-five feet. Perimeter lighting was installed also with the overall plan. So
559 this would be the interior lighting only.

560
561 While staff does not customarily make a recommendation based specifically on a
562 special exception or transitional buffer deviation, staff has no objection to the plan as
563 shown. Should the Commission act on this request, including the special exception for
564 height and the transitional buffer deviation, staff recommends in addition to the
565 annotations on the plans, and the additional and the standard conditions for
566 developments of this type, the additional conditions 11B and 29 through 37 that are
567 listed in your agenda. The request may be acted upon with one combined motion.

568
569 That concludes my presentation. I'm happy to answer any questions you may have of
570 staff. Michael Sweeney of Shamin Hotels is here. And David Ellington with Kimley Horn
571 is also here on behalf of the applicant, should you have any questions for them.

572
573 Mrs. Marshall - Can Mr. Sweeney please come forward? Good morning.
574 Ms. Crady, if possible, could we go back to the pictures of the hotel? The very first
575 picture. Looking at the picture myself, it almost looks like it's black.

576
577 Mr. Sweeney - That's just the quality of the rendering.

578

579 Mrs. Marshall - The one that appears to me—the darkest one, yes.
80
581 Mr. Sweeney - That's just the rendering. I brought samples.
582
583 Mrs. Marshall - Okay. And if you could stick close to the podium, I'd
584 appreciate it. And how about the accent material?
585
586 Mr. Sweeney - Which one are you looking at?
587
588 Mrs. Marshall - The one that looks like the lighter brick.
589
590 Mr. Baka - The lighter brick.
591
592 Mrs. Marshall - Yes.
593
594 Mr. Sweeney - [Inaudible] That helps demonstrate that there's a good
595 contrast between the two.
596
597 Mrs. Marshall - And if you don't mind answering for the Commission, why
598 the height variance?
599
600 Mr. Sweeney - It's just to get the room count based on the size of the site.
601
602 Mrs. Marshall - Okay. And what is the room count?
603
604 Mr. Sweeney - 138 rooms.
605
606 Mrs. Marshall - Okay. Does anyone have any questions? Thank you so
607 much.
608
609 Mr. Sweeney - Thank you.
610
611 Mrs. Marshall - I move that POD2018-00244, Home 2 Suites at Towne
612 Center West, including the lighting plan, transitional buffer deviation, and special
613 exception be approved subject to annotations on the plans, the standard conditions for
614 developments of this type, and additional conditions 11B and 29 through 37 in the
615 agenda.
616
617 Mr. Baka - Second.
618
619 Mrs. Marshall - We have a motion by Mrs. Marshall, a second by Mr. Baka.
620 All in favor say aye. Those opposed say no. There is no opposition; that motion passes.
621
622 The Planning Commission approved POD2018-00244, Home 2 Suites at Towne Center
623 West, subject to the annotations on the plans, the standard conditions attached to these
24 minutes for developments of this type, and the following additional conditions:

- 625
626 11B. Prior to the approval of an electrical permit application and installation of the site
627 lighting equipment, a plan including light spread and intensity diagrams, and
628 fixture specifications and mounting heights details shall be revised as annotated
629 on the staff plan and included with the construction plans for final signature.
630 29. Only retail business establishments permitted in a B-2 zone may be located in this
631 center.
632 30. The ground area covered by all the buildings shall not exceed in the aggregate 25
633 percent of the total site area.
634 31. No merchandise shall be displayed or stored outside of the building(s) or on
635 sidewalk(s).
636 32. Outside storage shall not be permitted.
637 33. In order to maintain the effectiveness of the County's public safety radio
638 communications system within buildings, the owner will install radio equipment
639 that will allow for adequate radio coverage within the building, unless waived by
640 the Director of Planning. Compliance with the County's emergency
641 communication system shall be certified to the County by a communications
642 consultant within ninety (90) days of obtaining a certificate of occupancy. The
643 County will be permitted to perform communications testing in the building at
644 anytime.
645 34. Evidence that an engineer has certified the height of the building shall be
646 provided to the Director of Planning prior to the issuance of a Certificate of
647 Occupancy.
648 35. The proffers approved as a part of zoning cases REZ2014-00012, C-27C-09, and
649 C-49C-04 shall be incorporated in this approval.
650 36. Prior to approval of construction plans, the developer must furnish a letter from
651 Dominion Virginia Power stating that this proposed development does not conflict
652 with their facilities.
653 37. The location of all existing and proposed utility and mechanical equipment
654 (including HVAC units, electric meters, junctions and accessory boxes,
655 transformers, and generators) shall be identified on the landscape plan. All
656 building mounted equipment shall be painted to match the building, and all
657 equipment shall be screened by such measures as determined appropriate by
658 the Director of Planning or the Planning Commission at the time of plan approval.
659

660 Ms. Moore - Thank you, Madam Chair. The next item is on page 19 of
661 your regular agenda and page 4 of your addendum. This is POD2018-00245. The
662 applicant is Bay Companies, Inc. for SM Richmond, LLC. The staff report will be
663 presented by Mr. Greulich.
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672

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2018-00245
West Broad Landing –
7411 West Broad Street

Bay Companies, Inc. for SM Richmond, LLC, Lawrence Motor Company, and North Gayton Company: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 18 four-story buildings containing a total of 200 condominium units. The 13.52-acre site is located at the northwestern corner of the intersection of West Broad Street (U.S. Route 250) and Willard Road, on parcels 765-749-6000 and 765-748-4555. The zoning is R-6C, General Residential District (Conditional) and M-1, Light Industrial District. County water and sewer. (**Tuckahoe**)

673

674 Mrs. Marshall - Is there anyone present who is opposed to POD2018-00245,
675 West Broad Landing? Good morning.

676

677 Mr. Greulich - Good morning. The plans before you are for the construction
678 of eighteen four-story buildings comprised of 200 condominiums. They will appear to be
679 a two-over-two townhouse development similar to what has been constructed in the
680 Broad Hill Center development. REZ2018-00012 is the rezoning case that governs this
681 project and was approved by the Board of Supervisors at their April 10, 2018, meeting.
82 The R-6C zoning approved by the Board is a less-intensive use than the M-1 zoning
683 that existed prior to rezoning.

684

685 The main portion of the subject development is the Lawrence-Dodge car dealership.
686 Once the plan is approved, all the existing buildings and improvements will be cleared.
687 The approximately four-acre portion along West Broad Street will be left as green space
688 for future development. The proffers require a 25-foot perimeter buffer, and the plans
689 are proposing tree save to help facilitate that requirement. These areas will be
690 evaluated, and supplemental landscaping installed so that the required volume of
691 plantings is provided.

692

693 During the rezoning process, a community meeting was held on February 22, 2018,
694 where concerns were raised by the adjacent property owners. Those items raised at
695 that meeting and in correspondence received by staff were addressed with the
696 approved proffers. In particular, a sidewalk in the southwest corner of the development
697 has been moved so that it is between the BMP and the building instead of between the
698 BMP and the proffered 25-foot perimeter buffer. A wooden privacy fence adjacent to Lot
699 19 of the adjacent subdivision has been moved to create a larger buffer to the
700 neighborhood. Finally, the proffers dictate that the hours of construction shall be limited
701 to between 7 a.m. and 7 p.m., Monday through Friday, and 7:30 a.m. and 5 p.m. on
702 Saturdays.

703

704 After the review of the initial submittal of plans, multiple agencies had concerns as
705 stated in your packet. These included adequate circulation, lane width, setbacks, and
706 the provision of the required number of parking spaces. Staff also had concerns with the
707 lighting plan, requesting that the pole height be adjusted to meet the proffers, along with
708 the recommendation to add more lights. Finally, the height of the two roof top options
709 needed to be clarified.

710
711 The applicant provided revised plans and elevations that have addressed all of the
712 concerns of staff. Those plans have been provided to you in your addendum along with
713 the revised staff report and recommendation. The plan proposes an external sidewalk
714 along Willard Road. It also proposes an extensive internal sidewalk system connecting
715 all the units, including connections to Willard Road. It also continues to propose
716 entrances into the development from the existing industrial portion of Willard Road
717 instead of other entrances that could have a greater impact on the adjacent residential
718 properties. Finally, it will provide multiple open areas, including a large central
719 communal grass area with amenities such as a pavilion, benches, and lighting.

720
721 This image depicts the front of the building and illustrates the optional roof terrace.
722 These elevations generally match what was approved with the rezoning case. Should
723 the applicant choose to propose different architecture, one of the proffers states that the
724 applicant can do so if approved by the Planning Commission. The buildings will have
725 exposed surfaces of stone, stone veneer, brick HardiPlank vinyl, or a combination of
726 them. Each unit will have a rear garage that faces into an alley.

727
728 The proposed plan of development, including the elevations, is now in general
729 compliance with the rezoning case and the Zoning Ordinance. With this, staff
730 recommends approval of the case subject to the annotations on the plans in your
731 packets and in the addendum, and standard conditions for developments of this type,
732 and the additional conditions as indicated in the staff report and agenda.

733
734 The applicant and County staff are prepared to address the Commission if you have any
735 questions.

736
737 Mr. Baka - You mentioned the timing. One thing I wasn't aware of is that
738 former car dealership would be demolished and removed. Is that a timing that that has
739 to be done prior to construction, prior to the building, prior to occupancy?

740
741 Mr. Greulich - There is no requirement in regards to timing.

742
743 Mr. Baka - So is that up to the developer?

744
745 Mr. Greulich - Right. The applicant could address that.

746
747 Mr. Baka - Another question I have, which may also be for the
748 applicant, is I wanted to ask about the establishment of the perimeter buffer on the north
749 and the west sides, the south and the west side where it borders the neighbors in back.

750 A couple that came to the rezoning meeting a few months ago and also several
51 neighbors who came to the community meeting at a local elementary school prior to
752 that. I just wanted clarification on the perimeter buffer. If there are existing trees there
753 right now that are at least twenty-five feet or greater, those trees remain. But if there
754 aren't any trees within that buffer area, then there would be a requirement to
755 supplement that open area with new plantings? Is that correct?

756
757 Mr. Greulich - Correct. In this area, Mr. Baka, there is 25-foot proffered
758 buffer. But it's also required to meet the transitional 35 in terms of volume. So once the
759 clearing is completed, staff will go out there, probably with the applicant, and evaluate
760 the landscape vegetation as well. And if additional landscaping is needed, then
761 additional landscaping will be proposed so that they will meet the 35-foot volume.

762
763 Mr. Baka - Will that buffer be in place at the beginning of the project so
764 that while this project progresses through development the neighbors would have the
765 advantage of seeing that buffer screening ongoing?

766
767 Mr. Greulich - Absolutely. The limits of the clearing will have to be put in
768 place before clearing the site begins, as those limits of clearing will be at least where
769 the buffer is, if not greater. So that buffer area will be there from the very beginning.

770
771 Mr. Baka - Those are all the questions I have for staff, but I do have a
772 couple questions for the applicant. I do have a couple questions for the applicant
773 regarding the phasing of the development, if someone representing the applicant can
774 answer that. Would you please state your name for the record?

775
776 Mr. Swink - Jeremy Swink, representing Stanley Martin Homes.

777
778 Mr. Baka - I just wanted to follow up on the couple of questions I asked
779 there. So what's your idea for the timing of removing the car dealership? And it was
780 indicated there would be open space or green space at that time. What does that look
781 like? When is that done? And when you're all done, will it be seeded and strawed and
782 placed as community grounds?

783
784 Mr. Swink - I'll start with the demo of the existing Lawrence Dodge
785 dealership and the surrounding buildings on the property. So upon establishment of the
786 perimeter erosion sediment control, the demolition of that building, that parking lot is
787 among the first things we would do because it would precede any earthwork that could
788 take place. If you would look at an aerial of the site, you would see that that building and
789 that parking lot, the existing asphalt, impacts roughly 60 percent of the site or so. So
790 there's not very much that we can with the site without razing that property. And I
791 believe that that would be the best course for our homeowners as well.

792
793 Mr. Baka - So removing that asphalt and replacing with natural earth or
794 sod, etcetera, would improve the drainage there. So would most of that fall back and
95 drain towards the center of your site?

796
797 Mr. Swink - We have two detention basins on site. One is an
798 underground detention under the green space. And the other is a pond on the
799 southwest side of the property, I believe on the Willard Road side.
800

801 Mr. Baka - Okay. As you look, there are 200 units. Earlier at the
802 rezoning hearing, I believe the attorney represented there might be some time, multiple
803 years to develop. How do you decide which areas of this concept plan would be
804 developed first? Which buildings would be developed toward the beginning of the
805 project?
806

807 Mr. Swink - Our plan, sir, is to start with this building here. We hope to
808 model this building and then begin our construction in this area. My guess is that we
809 work our back around the site in a kind of clockwise manner. By the time we service our
810 model, the ponds will be in placed to service the drainage. We should have utilities to
811 where we can directly go just about anywhere on the site, but our plan is to start on the
812 Willard side at that entrance and work our way through the site.
813

814 You did have question in terms of buffering. What we've attempted to do, knowing that's
815 a concern, we've attempted to keep that as natural as possible. It would be our
816 preference to clean out any invasive types of species, which is something we'll have to
817 work through with staff through plan approval. But to keep the natural and good and
818 healthy trees in there would be our first goal, our first line of defense. And then what
819 we've agreed to do, and what we should do, is plant to the required buffer density for
820 anything that's short there.
821

822 Mr. Baka - Thank you. And one other comment for the applicant. There
823 was a neighbor that spoke previously at the rezoning hearing who lived at Lockwood
824 Road near the corner of Willard Road and that sidewalk. The interior sidewalk around
825 the BMP was removed from the area closest to the properties, further away from those
826 lots. So I wanted to point that out and thank the applicant. I don't have any further
827 questions.
828

829 Mrs. O'Bannon - I just have one. As you look at the graphic that is up there
830 right now to the upper left-hand corner, again, the person living on Lockwood Road, the
831 property owner there, their lot appears to have a triangular slice out of it. And it appears
832 you are accommodating that?
833

834 Mr. Swink - Absolutely.
835

836 Mrs. O'Bannon - There was some discussion. And obviously I'm not going to
837 impose on you your private business discussions. But I appreciate that. They had asked
838 if they could possibly approach you later after the development starts and possibly
839 purchase that. So it appears you are accommodating that, which I appreciate.
840

841 Mr. Swink - They were a very nice family to work with, and we appreciate
842 the relationship.

843
844 Mrs. O'Bannon - I know that was difficult as you started the process. But once
845 you get everything started, it could be possible to begin discussions again.

846
847 Mr. Swink - I think once they and we had a chance to see what
848 everything looks like out there in the proximity, it starts to take shape out there, I think
849 our path forward will be a bit more clear.

850
851 Mrs. O'Bannon - That's great, and I appreciate that. Thank you.

852
853 Mr. Swink - Absolutely.

854
855 Mrs. Marshall - Thank you.

856
857 Mr. Swink - Thank you.

858
859 Mr. Baka - At this time, I would move for approval of POD2018-00245,
860 West Broad Landing, subject to the standard conditions for developments of this type
861 and the additional conditions 11B and 29 through 37 in the staff report.

862
863 Mrs. Marshall - Second. We have a motion by Mr. Baka, a second by
864 Mrs. Marshall. All in favor say aye. Those opposed say no. There is no opposition; that
865 motion passes.

866
867 The Planning Commission approved POD2018-00245, West Broad Landing, subject to
868 the annotations on the plans, the standard conditions attached to these minutes for
869 developments of this type, and the following additional conditions:

870
871 11B. Prior to the approval of an electrical permit application and installation of the site
872 lighting equipment, a plan including light spread and intensity diagrams, and
873 fixture specifications and mounting heights details shall be revised as annotated
874 on the staff plan and included with the construction plans for final signature.

875 29. The unit house numbers shall be visible from the parking areas and drives.

876 30. The names of streets, drives, courts and parking areas shall be approved by the
877 Richmond Regional Planning District Commission and such names shall be
878 included on the construction plans prior to their approval. The standard street
879 name signs shall be installed prior to any occupancy permit approval.

880 31. The right-of-way for widening of Willard Road as shown on approved plans shall
881 be dedicated to the County prior to any occupancy permits being issued. The
882 right-of-way dedication plat and any other required information shall be submitted
883 to the County Real Property Agent at least sixty (60) days prior to requesting
884 occupancy permits.

885 32. A concrete sidewalk meeting County standards shall be provided along the
886 northern side of Willard Road.

- 887 33. Outside storage shall not be permitted.
888 34. The proffers approved as a part of zoning case REZ2018-00012 shall be
889 incorporated in this approval.
890 35. Approval of the construction plans by the Department of Public Works does not
891 establish the curb and gutter elevations along the Henrico County maintained
892 right-of-way. The elevations will be set by Henrico County.
893 36. The location of all existing and proposed utility and mechanical equipment
894 (including HVAC units, electric meters, junction and accessory boxes,
895 transformers, and generators) shall be identified on the landscape plans. All
896 equipment shall be screened by such measures as determined appropriate by
897 the Director of Planning or the Planning Commission at the time of plan approval.
898 37. A draft of the Declaration of Covenants, Conditions, and Restrictions shall be
899 submitted to the Department of Planning for review and approval prior to
900 approval of construction plans for this development.
901

902 Ms. Moore - Madam Chairman, next on your agenda is the approval of
903 the June 27, 2018 minutes. I'm not aware of an errata sheet, but we certainly can take
904 any changes if you have any.
905

906 APPROVAL OF MINUTES: June 27, 2018
907

908 Mrs. Marshall - Are there any changes to the minutes? If not, a motion would
909 be in order.
910

911 Mr. Baka - I move we approve the minutes as submitted.
912

913 Mr. Mackey - Second.
914

915 Mrs. Marshall - We have a motion by Mr. Baka, a second by Mr. Mackey for
916 approval of the minutes. All in favor say aye. Those opposed say no. There is no
917 opposition; that motion passes.
918

919 The Planning Commission approved the June 27, 2018 minutes as submitted.
920

921 Ms. Moore - Madam Chair, we do have a public hearing item on your
922 agenda. You heard it in a work session earlier this month. This will be presented by
923 Mr. Newby from the County Attorney's Office.
924

925 **PUBLIC HEARING:** Ordinance – To Amend and Reordain Section 24-116 Titled
926 "Powers" of the Code of the County of Henrico to Allow a New Circumstance for
927 Granting a Variance.
928

929 Mr. Newby - Thank you, Madam Secretary, Madam Chair, members of
930 the Commission. This amendment to the Zoning Ordinance is required by changes to
931 state law that took effect on July 1. As Ms. Moore mentioned, this was discussed at the
932 Commission's last work session on July 12th. As discussed during that work session,

933 this would allow the Board of Zoning Appeals to grant a variance to accommodate an
934 individual with a disability so long as the usual requirements for a variance are met. In
935 addition, the Board of Zoning Appeals may provide that the variance expires when the
936 person with the disability no longer needs the variance. Staff asks that the Commission
937 recommend the ordinance for approval by the Board of Supervisors so that the Zoning
938 Ordinance complies with the new state law.

939

940 That's the end of my presentation. I'll be happy to answer any questions.

941

942 Mrs. Marshall - Is there anyone in the audience that would like to speak?

943

944 Mr. Baka - Seeing no questions of staff, I will go ahead and make a
945 motion. I believe this would be in order and also grant a reasonable accommodation for
946 flexibility for the Board of Zoning Appeals. I would move approval of the ordinance to
947 amend and reordain Section 24-116 Titled "Powers" for BZA measures for variances as
948 submitted.

949

950 Mr. Mackey - Second.

951

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

954

955 Is there any more business to conduct this morning?

956

957 Ms. Moore - Madam Chairman, I do have one, a sad one. I did want to
958 mention that this is Kevin Wilhite's last meeting. He will be retiring, I think at the end of
959 the month. Kevin has been with us—why don't you step up to the podium, Kevin.

960

961 Mr. Baka - Can we deny that motion?

962

963 Mrs. O'Bannon - He's not that old.

964

965 Ms. Moore - You've been with County well over thirty years, I believe.

966

967 Mr. Wilhite - Thirty in May.

968

969 Ms. Moore - He's been a tremendous asset. I've only been half of that
970 time with Kevin, but I really, really will miss you. You've done great work.

971

972 Mrs. Marshall - It's very sad, do you have any words of wisdom.

973

974 Mr. Baka - Kevin, thank you for all your work, especially on some
975 difficult cases in Tuckahoe. And perhaps we can invite you to the community meeting
976 upcoming on one of zoning cases that you were working on. You're more than welcome
977 to be there.

978

979 Mr. Wilhite - I can bring my old ordinance and be an irate citizen, if you'd
980 like.
981
982 Mr. Baka - Oh. That wasn't what I had in mind. Thank you for all you've
983 done.
984
985 Mr. Wilhite - I've gone through a lot of Planning Commission members.
986 Congratulations on surviving.
987
988 Mr. Mackey - If I may, I only met Kevin last week, it's been a pleasure
989 working with him. I can't say I'm sad to see him go, I'm very happy for him. Sounds like
990 he's earned his retirement.
991
992 Mrs. O'Bannon - Do you live in Tuckahoe?
993
994 Mr. Wilhite - Yes I do.
995
996 Mrs. O'Bannon - He's a great guy.
997
998 Mr. Wilhite - Thank you.
999
1000 Mrs. O'Bannon - Thank you.
1001
1002 Ms. Moore - And Madam Chair, I have no further business.
1003
1004 Mrs. Marshall - With that I'll entertain a motion for adjournment.
1005
1006 Mr. Baka - Move to adjourn.
1007
1008 Mr. Mackey - Second.
1009
1010 Mrs. Marshall - We have a motion by Mr. Baka, a second by Mr. Mackey.
1011 The meeting is now adjourned.
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Mrs. Sandra M. Marshall, Chairperson



Mr. Joseph Emerson, Jr., Secretary

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Conventional Single-Family Subdivisions Served By Public Utilities

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of sixteen (16) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on-site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 25, 2018**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **July 24, 2019**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Conventional Single-Family Subdivisions Not Served By Public Utilities

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of eleven (11) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **July 25, 2018**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **July 24, 2019**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.
11. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Residential Townhouse for Sale (RTH) Subdivisions

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 25, 2018**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **July 24, 2019**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to the Department of Planning for review, prior to final approval. The proposed Homeowners Association for the project shall be responsible for the exterior maintenance of all buildings and grounds.
13. All block corners shall be monumented and referenced, where possible, to the exterior boundaries of the site
14. The record plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of **(name of subdivision)** and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Zero Lot Line Subdivisions

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 25, 2018**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **July 24, 2019**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.

11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers and Chesapeake Bay Act Areas.

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Road Dedication with No Lots

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of sixteen (16) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 25, 2018**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **July 24, 2019**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

A. **Standard Conditions for all POD's:**

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **July 25, 2018**, which shall be as much a part of this approval as if details were fully described herein. Nine (9) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised October 2015)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.

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

21. Vehicles shall be parked only in approved and constructed parking spaces.
22. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
23. The site, including paving, pavement markings, signage, curb and gutter, dumpster screens, walls, fences, lighting and other site improvements shall be properly maintained in good condition at all times. Any necessary repairs shall be made in a timely manner.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. Insurance Services Office (ISO) calculations shall be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
27. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
28. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
29. **(Start of miscellaneous conditions)**

STANDARD CONDITIONS FOR LANDSCAPE/LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **July 25, 2018**, which shall be as much a part of this approval as if all details were fully described herein. Four (4) sets of prints of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

29. Roof edge ornamental features that extend over the zero lot line, and which are permitted by Section 24-95(i)(1), must be authorized in the covenants.
30. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.
31. Building permit request for individual dwellings shall each include two (2) copies of a layout plan sheet as approved with the plan of development. The developer may utilize alternate building types providing that each may be located within the building footprint shown on the approved plan. Any deviation in building footprint or infrastructure shall require submission and approval of an administrative site plan.
32. Windows on the zero lot line side of the dwelling can only be approved with an exception granted by the Building Official and the Director of Planning during the building permit application process.
33. The mechanical equipment for each building shall be located on its respective lot. Except for wall-mounted electric meters, in no case shall the eight-foot easement for construction, drainage, and maintenance access on the abutting lot be used to locate other mechanical equipment (such as HVAC equipment, generators, and the like) for the subject lot.

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

29. The dry cleaning establishment shall use only non-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)**