

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County  
2 held in the County Administration Building in the Government Center at Parham and  
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, June 25, 2014.  
4

Members Present: Mr. Eric Leabough, C.P.C., Chairman, (Varina)  
Mr. Robert H. Witte, Jr., Vice Chairman (Brookland)  
Mr. C. W. Archer, C.P.C., (Fairfield)  
Mr. Tommy Branin, (Three Chopt)  
Mrs. Bonnie-Leigh Jones, C.P.C. (Tuckahoe)  
Mr. R. Joseph Emerson, Jr., AICP,  
Director of Planning, Secretary  
Mr. David Kaechele,  
Board of Supervisors' Representative

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning  
Ms. Leslie A. News, PLA, Principal Planner  
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner  
Mr. Michael F. Kennedy, County Planner  
Ms. Christina L. Goggin, AICP, County Planner  
Mr. Tony Greulich, C.P.C., County Planner  
Mr. Matt Ward, County Planner  
Mr. Gregory Garrison, AICP, County Planner  
Mr. Lee Pambid, C.P.C., County Planner  
Ms. Aimee B. Crady, AICP, County Planner  
Ms. Sharon Smidler, Traffic Engineering  
Ms. Kim Vann, Police  
Mr. Eric Dykstra, Office Assistant/Recording Secretary

5  
6 **Mr. David Kaechele, the Board of Supervisors' representative, abstains on all**  
7 **cases unless otherwise noted.**  
8

9 Mr. Leabough - I would like to call the public hearing for the Planning  
10 Commission of Henrico County to order. Thank you for being here today. As we rise for  
11 the Pledge of Allegiance, I ask that you mute or silence your cell phones.  
12

13 I see that we have Mr. Strong from the *Richmond-Times Dispatch*. Thank you for being  
14 here, sir. We also have all Planning Commissioners present as well as our Board  
15 member, Mr. Kaechele, from the Three Chopt District who's sitting with us. I'd like to  
16 thank you for being here Mr. Kaechele.  
17

18 Mr. Kaechele - All right. Thank you, Mr. Chairman.  
19

20 Mr. Leabough - All right. We can conduct business; we do have a quorum.  
21 Now I'd like to turn the agenda over to our secretary, Mr. Emerson.  
22

23 Mr. Emerson - Thank you, Mr. Chairman. First on the agenda this morning  
24 are the requests for deferrals and withdrawals. Those will be presented by Ms. Leslie  
25 News.

26  
27 Ms. News - Thank you, Mr. Secretary. Good morning members of the  
28 Commission. We have three items requested for deferral this morning on your agenda.  
29 The first is found on page eight of your agenda and is located in the Three Chopt District.  
30 This is POD2014-00091, GreenGate Phase I, Infrastructure and Master Plan. The  
31 applicant is requesting a deferral to the July 23, 2014 meeting.

32  
33 *(Deferred from the May 28, 2014 Meeting)*

34  
35 **PLAN OF DEVELOPMENT**

36  
POD2014-00091 **Kimley-Horn and Associates, Inc. for ME Nuckols, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct the first phase of an urban mixed-use development consisting of two entrance roads, improvements to W. Broad Street (U.S. Route 250), and other infrastructure including utilities and storm sewer. The master plan proposes a total of 122,000 square-feet of retail and office space, along with 259 residential lots on a 68.68-acre site, including parcels 731-764-5533 and 731-764-4292. The 13.0-acre site for Phase I is located on the south line of W. Broad Street (U.S. Route 250), approximately 540 feet west of its intersection with N. Gayton Road, on part of parcel 731-764-5533. The zoning is UMUC, Urban Mixed Use District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

37  
38 Mr. Leabough - Is there anyone here in opposition to the deferral of  
39 POD2014-00091 – Infrastructure and Master Plan? There is no opposition.

40  
41 Mr. Branin - Mr. Chairman, I'd like to move that POD2014-00091 –  
42 Infrastructure and Master Plan, be deferred to the July 23rd meeting per the applicant's  
43 request.

44  
45 Mr. Witte - Second.

46  
47 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in  
48 favor say aye. All opposed say no. The ayes have it; the motion passes.

49  
50 At the request of the applicant, the Planning Commission deferred POD2014-00091 –  
51 Infrastructure and Master Plan, to its July 23, 2014 meeting.

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Ms. News - The next item is on page 10 of your agenda and located in the Three Chopt District. This is SUB2014-00026, GreenGate (April 2014 plan). The applicant is requesting a deferral to the July 23, 2014 meeting.

**SUBDIVISION**

SUB2014-00026 **Kimley-Horn and Associates, Inc. for ME Nuckols, LLC:** The 55.68-acre site proposed for 46 single-family dwellings and 213 residential townhouses for sale is located on the north line of Graham Meadows Drive, approximately 575 feet north of its intersection with N. Gayton Road, on part of parcels 731-764-5533 and 731-764-4292. The zoning is UMUC, Urban Mixed Use District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt) 259 Lots**  
GreenGate  
(April 2014 Plan) - 12121  
W. Broad Street (U.S.  
Route 250)

Mr. Leabough - Is there anyone here in opposition to SUB2014-00026, GreenGate (April 2014 Plan)? There is no one in opposition to the deferral.

Mr. Branin - Mr. Chairman, I'd like to move that SUB2014-00026, GreenGate (April 2014 Plan), be deferred as well to the July 23rd meeting per the applicant's request.

Mr. Witte - Second.

Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte.

At the request of the applicant, the Planning Commission deferred SUB2014-00026, GreenGate (April 2014 Plan), to its July 23, 2014 meeting.

Ms. News - Next on page 30 of your agenda and located in the Varina District is POD 2014-00175, Family Dollar at 1276 New Market Road. The applicant has requested a deferral to the July 23, 2014 meeting.

89 **PLAN OF DEVELOPMENT**

90

POD2014-00175  
Family Dollar at 1276  
New Market Road - New  
Market Road (State Route  
5)

**Balzer and Associates, Inc. for Felts & Kilpatrick Construction Company, Inc. and Twin Rivers Capital, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 8,320 square-foot retail store. The 2.50-acre site is located at the southeast corner of the intersection of New Market Road (State Route 5) and North James Estates Drive, on parcels 802-702-9916, 802-702-8535, 802-702-8929, and 803-702-1005. The zoning is B-1C, Business District Conditional). County water and sewer. **(Varina)**

91

92 Mr. Leabough - Is there anyone here in opposition to the deferral of  
93 POD2014-00175, Family Dollar at 1276 New Market Road? There is no opposition, so I  
94 move that POD2014-00175, Family Dollar at 1276 New Market Road, be deferred at the  
95 applicant's request to the July 23, 2014 meeting.

96

97 Mrs. Jones - Second.

98

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

101

102 At the request of the applicant, the Planning Commission deferred POD2014-00175,  
103 Family Dollar at 1276 New Market Road, to its July 23, 2014 meeting.

104

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

106

107 Mr. Emerson - Yes, Mr. Chairman, that does complete the deferrals staff has  
108 this morning unless the Commission has anything additional they may wish to add.

109

110 Mr. Leabough - Yes I do. I'd like to add POD2014-00152 to be deferred to the  
111 July 23, 2014 meeting.

112

113 Mr. Branin - What page is that. Mr. Chairman.

114

115 Mr. Leabough - That is on page 21, I believe.

116

117 Mr. Emerson - POD2014-00152. Dollar General at 202 E. Williamsburg  
118 Road. It's on page 21 and your amended agenda page two.

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120

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123

124 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**  
125

POD2014-00152  
Dollar General at 202 E.  
Williamsburg Road – E.  
Williamsburg Road (U.S.  
Route 60)

**Highmark Engineering for Alan Strawderman and Par  
3 Development, 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  
one-story, 9,100 square-foot retail building. The 1.58-acre  
site is located on the north line of E. Williamsburg Road  
(U.S. Route 60), approximately 250 feet east of N. Raines  
Avenue, on parcel 828-715-5292. The zoning is B-1,  
Business District, and ASO, Airport Safety Overlay District.  
County water and sewer. **(Varina)**

126  
127 Mr. Leabough - Is there anyone in opposition to the deferral of POD2014-  
128 00152, Dollar General at 202 E. Williamsburg Road? You're in opposition to the deferral?  
129 Mr. Gammon, we should talk off line, but I'd like to request that that case be deferred  
130 until July. Okay? Is there anyone else in opposition to the deferral of that case? With  
131 that, I move that POD2014-00152, Dollar General at 202 E. Williamsburg Road, be  
132 deferred to the July 23, 2014 meeting at the Commissioner's request.

133  
134 Mr. Branin - Second.

135  
136 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Branin.  
137 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

138  
139 At the request of the Commissioner, the Planning Commission deferred POD2014-  
140 00152, Dollar General at 202 E. Williamsburg Road, to its July 23, 2014 meeting.

141  
142 Mr. Emerson - Mr. Chairman, if that completes any additions the  
143 Commission has this morning for the deferral list, the next item would be the expedited  
144 items. Those will also be presented by Ms. Leslie News.

145  
146 Ms. News - Sir, we have five items on our expedited agenda this morning.  
147 The first is found on page three of your agenda and is located in the Varina District. This  
148 is a transfer of approval for POD-84-07, Wells Fargo (Formerly Wachovia Bank) at The  
149 Shops at White Oak Village. Staff recommends approval.

160 **TRANSFER OF APPROVAL**

161

POD-84-07  
POD2013-00050  
Wells Fargo (Formerly  
Wachovia Bank) at The  
Shops at White Oak  
Village – 4489 S.  
Laburnum Avenue

**Forest City for Cole MT Richmond VA, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Laburnum Investment, LLC to Cole MT Richmond VA, LLC. The 1.0-acre site is located in an existing shopping center at the northeast corner of the intersection of S. Laburnum Avenue and Audubon Drive, on parcel 815-716-6961. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

162  
163 Mr. Leabough - Is there anyone here in opposition to the transfer request for  
164 POD-84-07 (POD2013-00050), Wells Fargo (Formerly Wachovia Bank)? There is no  
165 opposition, so I move that the transfer request for POD-84-07 (POD2013-00050), Wells  
166 Fargo (Formerly Wachovia Bank), be approved.

167  
168 Mr. Archer - Second.

169  
170 Mr. Leabough - Motion by Mr. Leabough, a second by Mr. Archer. All in favor  
171 say aye. All opposed say no. The ayes have it; the motion passes.

172  
173 The Planning Commission approved the transfer of approval request for POD-84-07  
174 (POD2013-00050), Wells Fargo (Formerly Wachovia Bank), from Laburnum Investment,  
175 LLC to Cole MT Richmond VA, LLC, subject to the standard and added conditions  
176 previously approved.

177  
178 Ms. News - The next item is on page four of your agenda and is located  
179 in the Fairfield District. This is transfer of approval for POD-76-84, Burger King. Staff  
180 recommends approval.

181 **TRANSFER OF APPROVAL**

182

POD-76-84  
POD2013-00186  
Burger King - 3720  
Mechanicsville Turnpike  
(U.S. Route 360)

**Daniel A. Gonzalez for Burger King Corporation:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Robert Prager to Burger King Corporation. The 0.82-acre site is located on the southwest corner of the intersection of Mechanicsville Turnpike (U.S. Route 360) and E. Laburnum Avenue, on parcel 802-735-7062. The zoning is B-2, Business District, and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

184  
185 Mr. Leabough - Is there anyone here in opposition to the transfer request for  
186 POD-76-84 (POD2013-00186), Burger King? No opposition.

87  
88 Mr. Archer - Mr. Chairman, I move approval of this transfer of POD-76-84  
89 (POD2013-00186), Burger King.

90  
91 Mrs. Jones - Second.

92  
93 Mr. Leabough - We have a motion by Mr. Archer, a second by Mrs. Jones. All  
94 in favor say aye. All opposed say no. The ayes have it; the motion passes.

95  
96 The Planning Commission approved the transfer of approval request for POD-76-84  
97 (POD2013-00186), Burger King, from Robert Prager to Burger King Corporation, subject  
98 to the standard and added conditions previously approved.

99  
200 Ms. News - The next item is on page five of your agenda and is located in  
201 the Varina District. This is a transfer of approval for POD-96-88, Nelsen Funeral Home  
202 Reception Center. Staff recommends approval.

203  
204 **TRANSFER OF APPROVAL**

205  
POD-96-88 **Jeffrey Frucht for SCI Virginia Funeral Services, Inc.:**  
POD2013-00027 Request for transfer of approval as required by Chapter  
Nelsen Funeral Home 24, Section 24-106 of the Henrico County Code from  
Reception Center – 4660 Nelwood, LC to SCI Virginia Funeral Services, Inc. The  
S. Laburnum Avenue 1.75-acre site is located along the west line of Laburnum  
Avenue, approximately 625 feet north of Audubon Drive,  
on parcel 814-716-9454. The zoning is B-2C, Business  
District (Conditional) and ASO, Airport Safety Overlay  
District. County water and sewer. **(Varina)**

206  
207 Mr. Leabough - Is there anyone here in opposition to the transfer request for  
208 POD-96-88 (POD2013-00027), Nelsen Funeral Home Reception Center? There is no  
209 opposition, so I move that the transfer request for POD-96-88 (POD2013-00027), Nelsen  
210 Funeral Home Reception Center, be approved.

211  
212 Mr. Branin - Second.

213  
214 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Branin.  
215 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

216  
217 The Planning Commission approved the transfer of approval request for POD-96-88  
218 (POD2013-00027), Nelsen Funeral Home Reception Center from Nelwood, LC to SCI  
219 Virginia Funeral Services, Inc, subject to the standard and added conditions previously  
220 approved.

221  
222 Ms. News - Next on page six and located in the Varina District is a  
223 transfer of approval for POD-16-83, Nelsen Funeral Home. Staff recommends approval.

224  
225  
226

## TRANSFER OF APPROVAL

POD-16-83                                    **Jeffrey Frucht for SCI Virginia Funeral Services, Inc.:**  
POD2013-00072                              Request for transfer of approval as required by Chapter  
Nelsen Funeral Home –                      24, Section 24-106 of the Henrico County Code from  
4650 S. Laburnum Avenue                  Nelsen Funeral Home, Inc. to SCI Virginia Funeral  
Services, Inc. The 4.95-acre site is located along the west  
line of S. Laburnum Avenue, approximately 500 feet north  
of Audubon Drive, on parcel 814-716-7558. The zoning is  
O-2, Office District, and ASO, Airport Safety Overlay  
District. County water and sewer. **(Varina)**

227  
228    Mr. Leabough -                              Is there anyone here in opposition to the transfer request for  
229    POD-16-82 (POD2013-00072), Nelsen Funeral Home? There's no opposition, so I move  
230    that POD-16-82 (POD2013-00072), Nelsen Funeral Home, be approved.

231  
232    Mr. Branin -                                    Second.

233  
234    Mr. Leabough -                              We have a motion by Mr. Leabough, a second by Mr. Branin.  
235    All in favor say aye. All opposed say no. The ayes have it; the motion passes.

236  
237    The Planning Commission approved the transfer of approval request for POD-16-82  
238    (POD2013-00072), Nelsen Funeral Home, from Nelsen Funeral Home, Inc. to SCI  
239    Virginia Funeral Services, Inc., subject to the standard and added conditions previously  
240    approved.

241  
242    Ms. News -                                    The final item is on page seven of your agenda and is located  
243    in the Fairfield District. This is a transfer of approval for POD-58-05, 9800 JEB Stuart  
244    Parkway, which is formerly JEB Stuart Place. Staff recommends approval.

245  
246    **TRANSFER OF APPROVAL**

247  
POD-58-05                                    **Roger Bowers for Schnabel Real Estate Holdings,**  
POD2014-00027                              **LLC:** Request for transfer of approval as required by  
9800 JEB Stuart Parkway                  Chapter 24, Section 24-106 of the Henrico County Code  
(Formerly JEB Stuart                          from Winging It, LLC to Schnabel Real Estate Holdings,  
Place) – 9800 JEB Stuart                      LLC. The 3.29-acre site is located at the northwest corner  
Parkway    of the intersection of JEB Stuart Parkway and Technology  
Park Drive, on parcel 785-768-9646. The zoning is M-1C,  
Light Industrial District (Conditional). County water and  
sewer. **(Fairfield)**

248  
249    Mr. Leabough -                              Is there anyone here in opposition to the transfer request for  
250    POD-58-05 (POD2014-00027), 9800 JEB Stuart Parkway (Formerly JEB Stuart Place)?  
251    There is no opposition.

252  
253 Mr. Archer - Mr. Chairman, I move that the transfer of approval for POD-  
254 58-05 (POD2014-00027), 9800 JEB Stuart Parkway (Formerly JEB Stuart Place), be  
255 approved.

256  
257 Mrs. Jones - Second.

258  
259 Mr. Leabough - We have a motion by Mr. Archer, a second by Mrs. Jones. All  
260 in favor say aye. All opposed say no. The ayes have it; the motion passes.

261  
262 The Planning Commission approved the transfer of approval request for POD-58-05  
263 (POD2014-00027), 9800 JEB Stuart Parkway (Formerly JEB Stuart Place) from Winging  
264 It, LLC to Schnabel Real Estate Holdings, LLC, subject to the standard and added  
265 conditions previously approved.

266  
267 Ms. News - That completes our expedited agenda.

268  
269 Mr. Emerson - Mr. Chairman, we now move to the Subdivision Extensions of  
270 Conditional Approval. Those will be presented by Mr. Lee Pambid. And we do have one  
271 withdrawal this morning that will require action by the Commission.

272  
273  
274 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**  
275 **FOR INFORMATIONAL PURPOSES ONLY**

276

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
<b>SUB2011-00042 The Townes at Oakley's Bluff (June 2011 Plan)</b>	131	86	2	Varina	6/22/2015

277  
278 **FOR PLANNING COMMISSION APPROVAL – SUBDIVISION WITHDRAWAL REQUEST**

279

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District
<b>SUB2008-00183 (SUB-01-01) Lafayette Park (Formerly Malvern Hill Manor) (January 2001 Plan)</b>	121	80	9	Varina

280  
281 Mr. Leabough - Good morning, Mr. Pambid.

282  
283 Mr. Pambid - Good morning. This map indicates the location of one  
284 subdivision that is presented for an extension of conditional approval. It is eligible for a



322  
323 Mr. Leabough - Is there anyone here in opposition to POD2014-00159,  
324 Westwood Center? There is no opposition.

325  
326 Mr. Pambid - Good morning. The POD proposing an office warehouse  
327 building was approved by the Planning Commission on April 23, 2014, and the  
328 architectural plans including elevations and floor plans were deferred to today's date.  
329 Since the last hearing in April on the POD, new plans have been received that feature  
330 various changes to the elevations and floor plans. No changes to the building footprint  
331 are proposed.

332  
333 Previous versions of the elevations featured gray precast concrete panels for this  
334 building. The elevations now feature earth tone precast concrete panels with additional  
335 horizontal and vertical color bands. Color is applied using a penetrating high-  
336 performance commercial grade textured coating.

337  
338 Changes to the Westwood Center floor plans include additional loading bay doors,  
339 recessed entrances provided in lieu of previously shown canopies, reduced number of  
340 personnel doors along the rear elevation facing the power substation, and two loading  
341 bay doors (one each on the north and south elevations). While the number of tenants  
342 remains the same, it bears noting that building permits may be received in the future for  
343 additional tenant spaces.

344  
345 Staff would like to add that any building permits for tenant upfits of individual and  
346 additional spaces will include a review of required and available parking.

347  
348 Staff recommends approval of the architectural plans for Westwood Center pursuant to  
349 the conditions approved with the POD on April 23, 2014. This concludes my  
350 presentation. I can now field any questions you have regarding this. Architect Fred  
351 Thompson with Architects Dayton and Thompson, and Brenda Hartless and Joey  
352 Caperton with Brandywine Realty are also here to help answer your questions.

353  
354 Mr. Leabough - Are there any questions for Mr. Pambid from the  
355 Commission?

356  
357 Mr. Witte - Mr. Pambid, do we have a rear elevation to this?

358  
359 Mr. Pambid - Yes, sir. The rear elevation—and this is Westwood Center—  
360 is this top elevation here. And if I can refer to the case map, I-195 comes around here,  
361 and this is the rear elevation that we're referring to. The Dominion Virginia Power  
362 substation is here. Back to the rear elevation.

363  
364 Mr. Witte - So the rear is facing the power station.

365  
366 Mr. Pambid - Yes, sir.

367

368 Mr. Witte - And there are no architectural changes to that.  
369  
370 Mr. Pambid - Just the noted reduction in the number of personnel doors—  
371 or the increase in the number of doors. Excuse me, no. Here's the rear elevation up  
372 here. So it's a decrease.  
373  
374 Mr. Witte - All right. Thank you.  
375  
376 Mr. Pambid - You're welcome.  
377  
378 Mr. Leabough - Are there other questions for Mr. Pambid? Would you like to  
379 hear from the applicant?  
380  
381 Mr. Witte - I would.  
382  
383 Mr. Pambid - Okay. We have the architect and two—  
384  
385 Mr. Witte - The architect please.  
386  
387 Mr. Pambid - Okay.  
388  
389 Mr. Leabough - Would the architect please come forward? These are  
390 recorded proceedings. So if you would state your name for the record we would  
391 appreciate it.  
392  
393 Mr. Thompson - Good morning. I'm Fred Thompson with Architects Dayton  
394 and Thompson.  
395  
396 Mr. Witte - Good morning, Mr. Thompson. I was under the impression  
397 when we had our meeting a few weeks ago that there was going to be some type of  
398 architectural design on the back side of this building.  
399  
400 Mr. Thompson - There are some enhancements on the back side of the  
401 building. They don't show up very well in this drawing.  
402  
403 Mr. Witte - Will it look similar to the front of the building?  
404  
405 Mr. Thompson - We don't have as many openings, but the color continues on  
406 the rear.  
407  
408 Mr. Witte - The accent colors?  
409  
410 Mr. Thompson - The accent colors. And the impression of pilasters at every 20  
411 feet to help break up that mass is on the back. They show green. They're really not  
412 green. These pilasters continue across the back. And then there's a color band at the top  
413 that's different than the color of the body.

4  
415 Mr. Witte - Okay. Well that answered that question.  
416  
417 Mr. Thompson - Thank you.  
418  
419 Mr. Leabough - Thank you. Are there other questions? All right.  
420  
421 Mr. Witte - Well, Mr. Chair, I move for approval of POD2014-00159,  
422 Westwood Center architectural plans, as presented, subject to the annotations on the  
423 plans, the standard conditions for developments of this type—we're just approving the  
424 architecturals. Yes, just the architecturals.  
425  
426 Mr. Leabough - Second. So we have a motion by Mr. Witte and a second by  
427 Mr. Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion  
428 passes.  
429  
430 The Planning Commission approved the architectural plans for POD2014-00159,  
431 Westwood Center, subject to the terms and conditions previously approved for  
432 POD2014-00094 by the Planning Commission at their April 23, 2014 meeting.

433  
434 *(Deferred from the April 23, 2014 Meeting)*  
435

436 **PLAN OF DEVELOPMENT - ARCHITECTURAL PLANS**  
437

438  
439 POD2014-00160 **RK&K, LLP for Brandywine Dabney, LLC:** Request for  
440 Dabney XII and XIV – approval of architectural plans for a plan of development,  
441 2283 Dabney Road as required by Chapter 24, Section 24-106 of the Henrico  
442 County Code, to construct a one-story, 45,000 square-foot  
443 office warehouse (XII) and a one-story, 41,300 square-foot  
444 office warehouse (XIV). The 11.61-acre site is located on  
445 the east line of Dabney Road, at the intersection of  
446 Dabney Road and Par Street, on parcel 777-739-8812.  
447 The zoning is M-2, General Industrial District. County  
448 water and sewer. **(Brookland)**

438  
439 Mr. Leabough - Is there anyone here in opposition to POD2014-00160,  
440 Dabney XII and XIV? There's no opposition. Mr. Pambid.

441  
442 Mr. Pambid - Good morning. As with the previous report, the POD  
443 proposing two office warehouse buildings on one parcel was approved by the Planning  
444 Commission on April 23, 2014. The architectural plans including elevations and floor  
445 plans were deferred to today's date. Since the last hearing in April on this POD, new  
446 plans have been received that feature various changes to the elevations and floor plans.  
447 No changes to the footprints of either building are proposed.

448  
449 Previous versions of the elevations featured gray precast concrete panels for both  
450 buildings. The elevations now feature earth tone precast concrete panels with additional

451 horizontal and vertical color bands. Color is applied using a penetrating high-  
452 performance commercial grade textured coating. These elevations are typical of both  
453 buildings, but I also have Dabney XIV if you'd like to look at those.

454  
455 Changes on the new floor plans to both Dabney XII and Dabney XIV include additional  
456 loading bay doors, reduced number of tenants, and recessed entrances that are new  
457 features for both buildings. While the number of tenants has been reduced, it bears  
458 noting that building permits may be received in the future for additional tenant spaces.  
459 Staff would like to add that any building permits for tenant upfits for individual and  
460 additional spaces will include a review of required and available parking.

461  
462 Staff recommends approval of the architectural plans for both buildings, Dabney XII and  
463 Dabney XIV pursuant to the conditions approved with the POD of April 23, 2014. This  
464 concludes my presentation. I can now field any questions you have regarding this. Again,  
465 Fred Thompson with the architects, and Joey Caperton and Brenda Hartless are here  
466 with Brandywine Realty.

467  
468 Mr. Leabough - Any questions from Mr. Pambid? Mr. Witte, would you like to  
469 hear from the applicant?

470  
471 Mr. Witte - I don't think we need to.

472  
473 Mr. Leabough - Okay.

474  
475 Mr. Witte - Mr. Chairman, I move for approval of POD2014-00160,  
476 Dabney XII and XIV, architectural plans.

477  
478 Mr. Branin - I second that.

479  
480 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Branin. All in  
481 favor say aye. All opposed say no. The ayes have it; the motion passes.

482  
483 The Planning Commission approved the architectural plans for POD2014-00160,  
484 Dabney XII and XIV, subject to the terms and conditions previously approved for  
485 POD2014-00096 by the Planning Commission at their April 23, 2014 meeting.

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496

497 (Deferred from the May 28, 2014 Meeting)

498

499 **SUBDIVISION**

500

SUB2014-00061  
Bell Tower  
(May 2014 Plan) – 11351  
Church Road

**Bay Companies, Inc. for Mary Chase Eck Layman:** The **0.764** ~~0.59~~-acre site proposed for a subdivision of ~~one existing single-family home, and one~~ proposed single-family home to be incorporated within the existing Bell Tower subdivision, is located at the southeast corner of the intersection of Bell Tower Lane and Bell Tower Court, on part of parcel 743-756-3353. The zoning is R-3C, One-Family Residential District (Conditional), and ~~A-1, Agricultural District~~. County water and sewer. **(Three Chopt) 1 Lot 2-Lots**

501

502 Mr. Leabough - Is anyone here in opposition to SUB2014-00061, Bell Tower  
503 (May 2014 Plan)? There's no opposition. Good morning, Mr. Ward.

504

505 Mr. Ward - Good morning. Before you is a revised caption and the plan  
506 seen on page one in your addendum. Also at the applicant's request this subdivision was  
507 deferred to today, June 25th, 2014, so the applicant could have time to reconsider the lot  
508 design. This proposed subdivision layout here on the revised plan shows one lot for  
509 single-family development here, Lot 41, in accordance with proffers of rezoning case  
510 2014-00014, which was approved on April 8, 2014. The remaining piece that you see  
511 here along Bell Tower Lane, will be for future transfer to the adjacent piece to the east.  
512 Staff can recommend approval now subject to the annotations on the plan, the standard  
513 conditions for subdivisions served by public utilities, and the following additional  
514 conditions. Condition #13 was deleted in your regular agenda and then conditions #14  
515 through #16 on page 15 in your agenda.

516

517 I'm happy to answer any questions that the Commission may have of me.

518

519 Mr. Leabough - Are there any questions for Mr. Ward?

520

521 Mr. Branin - I have none.

522

523 Mr. Leabough - Okay. Would you like to hear from the applicant?

524

525 Mr. Branin - I don't think it's necessary.

526

527 Mr. Leabough - Okay. Well then I'll entertain a motion.

528

529 Mr. Branin - Mr. Chairman, I'd like to move that SUB2014-00061, Bell  
530 Tower (May 2014 Plan), be approved subject to annotations on the plan, standard  
531 conditions of subdivisions served by public utilities, and the following additional condition  
532 #13 deleted, and #14 through #16.

533  
534 Mr. Witte - Second.  
535  
536 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in  
537 favor say aye. All opposed say no. The ayes have it; the motion passes.  
538

539 The Planning Commission granted conditional approval to SUB2014-00061, Bell Tower  
540 (May 2014 plan), subject to the standard conditions attached to these minutes for  
541 subdivisions served by public utilities, the annotations on the plans, and the following  
542 additional conditions:  
543

- 544 13. **DELETED** - ~~The residual lot with the existing home shall contain at least 43,560~~  
545 ~~square feet.~~  
546 14. The proposed lot shall contain at least 11,000 square feet.  
547 15. Prior to requesting the final approval, a draft of the covenants and deed  
548 restrictions for the maintenance of the common area by a homeowners  
549 association shall be submitted to the Department of Planning for review. Such  
550 covenants and restrictions shall be in a form and substance satisfactory to the  
551 County Attorney and shall be recorded prior to recordation of the subdivision plat.  
552 16. The proffers approved as part of zoning case REZ2014-00014 shall be  
553 incorporated in this approval.  
554

## 555 SUBDIVISION

556

SUB2014-00074 Saunders Station Townes at Broad Hill Centre (June 2014 Plan) – 12400 W. Broad Street (U.S. Route 250)	<b>Timmons Group for Attack WB Investors, LLC:</b> The 10.55-acre site proposed for <b>78 76</b> residential townhomes for sale is located on the north line of West Broad Street (U.S. Route 250), approximately 3,700 feet west of its intersection N. Gayton Road, on part of parcel 730-766- 8896. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. <b>(Three Chopt) 78 76 Lots</b>
---	--

557  
558 Mr. Leabough - Is there anyone here in opposition to the SUB2014-00074,  
559 Saunders Station Townes at Broad Hill Centre? There is no opposition. Good morning  
560 again, Mr. Pambid.  
561

562 Mr. Pambid - Good morning. In your addendum is a revised layout showing  
563 78 townhouse lots that match the recently submitted POD that is currently under review.  
564 Those PODs include architectural and civil plans. The Planning Commission is  
565 scheduled to hear that on the July POD Planning Commission hearing.  
566

567 The revised layout addresses several issues from the original plan in addition to the two-  
568 lot increase. We originally received the plan for 76 lots. This increases that to 78. Several  
569 10-foot common area strips have been added between all rows of lots where required.  
570 And 10-foot setbacks have been verified between units and lot lines.  
571

572 A five-foot sidewalk has been added that connects the townhouses with the remainder of  
573 the Broad Hill Centre development as requested by staff. Other changes made to the  
574 plan include the renumbering of all lots, a general reduction of the number of units per  
575 building, and a reduction in the number of parking spaces from 181 to 179. The proffers  
576 of zoning case C-18C-12 continue to apply.

577  
578 Since the printing of the addendum, all agencies have reported their recommendations  
579 for approval of the revised 78-lot subdivision layout. Therefore, staff recommends  
580 approval subject to the annotations on the plans, the standard conditions for residential  
581 townhouses for sale, and the additional conditions in your agenda.

582  
583 This concludes my presentation. I can now field any questions you have regarding this.  
584 Engineer Roger Rodriguez with Timmons Groups and Rick Melchor of Attack Properties  
585 are also here to field questions.

586  
587 Mr. Leabough - Are there any questions for Mr. Pambid? There are no  
588 questions. Would you like to hear from the applicant? Okay. I'll entertain a motion,  
589 Mr. Branin.

590  
591 Mr. Branin - I'd like to move that SUB2014-00074, Saunders Station  
592 Townes at Broad Hill Centre, be approved, subject to the annotations on the plan,  
593 standard conditions for residential townhomes for sale, the following additional conditions  
594 #15 and #16, and the amended plan to show that there are 78 lots.

595  
596 Mr. Leabough - Second. We have a motion by Mr. Branin, a second by  
597 Mr. Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion  
598 passes.

599  
600 The Planning Commission granted conditional approval to SUB2014-00074, Saunders  
601 Station Townes at Broad Hill Centre, subject to the standard conditions attached to these  
602 minutes for subdivisions served by public utilities, the annotations on the plans, and the  
603 following additional conditions:

- 604  
605 15. The proffers approved as part of zoning case C-18C-12 shall be incorporated in  
606 this approval.  
607 16. Any future building lot containing a BMP, sediment basin or trap and located  
608 within the buildable area for a principal structure or accessory structure, may be  
609 developed with engineered fill. All material shall be deposited and compacted in  
610 accordance with the Virginia Uniform Statewide Building Code and geotechnical  
611 guidelines established by a professional engineer. A detailed engineering report  
612 shall be submitted for the review and approval by the Building Official prior to the  
613 issuance of a building permit on the affected lot. A copy of the report and  
614 recommendations shall be furnished to the Directors of Planning and Public  
615 Works.

616  
617 7

618 **PLAN OF DEVELOPMENT**

619

POD2014-00181 **Timmons Group for Attack WB Investors, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 13 four-story buildings containing 166 residential condominium dwellings. The 18.0-acre site is located on the north line of West Broad Street (U.S. Route 250), approximately 3,700 feet west of its intersection N. Gayton Road, on part of parcels 730-765-7288, 730-766-7511, and 730-766-8896. The zoning is R-6C, General Residential District (Conditional), B-2C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

620  
621 Mr. Leabough - Is there anyone here in opposition to POD2014-00181,  
622 Saunders Station at Broad Hill Centre? There's no opposition. Mr. Pambid.

623  
624 Mr. Pambid - This proposal is for 166 condominium units in 13 buildings  
625 within the Broad Hill Centre development. This plan of development, along with the  
626 companion case we just heard for the townhouses, is the next development within the  
627 Broad Hill Centre plans. Once these two approvals have been granted, two B-2C parcels  
628 will remain to be developed.

629  
630 This approval includes both phases of construction for these condominiums. Phase one  
631 consists of 62 units and phase two consists of 104 units. The proposed condominiums  
632 front on the loop road opposite the Bon Secours BMP—illustrated here—and Medical  
633 Pavilion 2, which is immediately to the east here. Some buildings back up to the  
634 Goochland County line or a creek. The Goochland County line is found along the  
635 western edge of the property and the creek is along this curve here.

636  
637 Staff has requested additional pedestrian connectivity to the remainder of the Broad Hill  
638 Centre development with crosswalks within the condo site and with Bon Secours across  
639 the loop road, as well as sidewalk and trail connections to the adjacent 320-unit  
640 apartment complex. This complex was previously reviewed as West Broad Street  
641 Apartments and only recently named Avia Luxury Apartments.

642  
643 The proffers of zoning case C-18C-12 apply.

644  
645 These units are generally four stories tall, are double stacked with the bottom units  
646 having the first two floors and the upper units having the top two floors. All have rear-  
647 loaded garages. Three floor plans are proposed. There is an option for a three-story unit.  
648 The units will be accessed through the garages and a shared access at the front door.

649  
650 The proposed colors of materials are in general conformance with the proffers of the  
651 zoning case. All units will feature some amount of brick on the front and side elevations,

652 and there are a few available front elevations that feature siding veneer. The various  
653 elevations contain other architectural features such as soldier courses, shutters, louvers,  
654 brick jack arches, keystones, and dormer windows. There is a proffer requiring 35  
655 percent brick, stone, or stone veneer on the front elevations.

656  
657 Staff recommends approval subject to the annotations on the plans, the standard  
658 conditions for developments of this type, and the additional conditions in your agenda.  
659 This concludes my presentation. I can now field any questions you may have regarding  
660 this. Again, engineer Rodriguez with Timmons Group and Rick Melchor of Atack  
661 Properties are also here to field your questions.

662  
663 Mr. Leabough - Are there questions for Mr. Pambid?  
664

665 Mr. Branin - I have none for Mr. Pambid, but I would like to hear from the  
666 applicant, if I may.  
667

668 Mr. Leabough - Okay. Thank you, Mr. Pambid.  
669

670 Mr. Pambid - You're welcome.  
671

672 Mr. Leabough - Would the applicant please come forward?  
673

674 Mr. Melchor - Hello. Rick Melchor with Atack Properties, and Roger  
675 Rodriguez is with me.  
676

677 Mr. Branin - Mr. Melchor, how are you today?  
678

679 Mr. Melchor - Good.  
680

681 Mr. Branin - I don't need to remind you that the proffers in the zoning case  
682 did not provide for vinyl siding.  
683

684 Mr. Melchor - That's correct. Brick or HardiPlank.  
685

686 Mr. Branin - Just wanted to make sure that everybody was on the same  
687 page. Who's going to be doing the—  
688

689 Mr. Melchor - We have not issued a contract. We have three different  
690 builders interested. This plan is a Northern Virginia Ryan Homes plan.  
691

692 Mr. Leabough - I'm sorry to interrupt you. Do you mind pulling the microphone  
693 closer? Thank you.  
694

695 Mr. Melchor - This plan is a Northern Virginia Ryan Homes plan. This is in  
696 Maryland and Northern Virginia, but we have a couple other builders with similar plans,  
697 and they are all very interested.

698  
699 Mr. Branin - I'm sure. This is an absolute fantastic location. I did recognize  
700 the elevation from the start, and that's why I just wanted to make it perfectly clear that  
701 Ryan perfectly, clearly understands that there will not be any vinyl siding on these  
702 buildings.  
703  
704 Mr. Melchor - Yes, sir.  
705  
706 Mr. Branin - Okay, fantastic. This is right up against—we're getting right  
707 up against the medical buildings. This elevation shows brick. I'm hoping that we're going  
708 to mirror the elevations of the medical?  
709  
710 Mr. Melchor - Yes, sir. This is the elevation that we want on the loop road,  
711 the one that has all the brick on it so that we have a similar quality of the Bon Secours  
712 building, which is of course a very beautiful group of buildings. We want that urban look  
713 which this gives us. That is the plan on the loop road, yes sir.  
714  
715 Mr. Branin - Okay. And we are going to have sidewalks and connectivity  
716 and paths and trails.  
717  
718 Mr. Melchor - Correct.  
719  
720 Mr. Branin - That was the vision that we came in with.  
721  
722 Mr. Melchor - There's also an area behind phase two, in between the  
723 apartments and us, that will have some other passive type amenities as well.  
724  
725 Mr. Branin - The green space that we were looking for.  
726  
727 Mr. Melchor - Yes, sir.  
728  
729 Mr. Branin - Okay. Those are the only questions.  
730  
731 Mrs. Jones - Can I ask a quick question? As a practical matter, from an  
732 older member of the Commission, the stacked units, is there elevator access to the  
733 upper unit?  
734  
735 Mr. Melchor - No, there are no elevators. They are all stair access.  
736  
737 Mrs. Jones - For energetic young people. Okay. Just wondered.  
738  
739 Mr. Melchor - And I'm not one of them anymore.  
740  
741 Mrs. Jones - Okay.  
742

743 Mr. Leabough - Are there other questions from the Commission? If not, thank  
744 you sir. Appreciate it. Mr. Branin?

745  
746 Mr. Branin - Well then Mr. Chairman, I think I would like to move that  
747 POD2014-00181, Saunders Station at Broad Hill Centre, be approved subject to the  
748 annotations on the plans, standard conditions for developments of this type, the following  
749 additional conditions #29 through #38, and Mr. Melchor's understanding that we're going  
750 to do lots and lots of brick with no vinyl.

751  
752 Mr. Witte - Second.

753  
754 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in  
755 favor say aye. All opposed say no. The ayes have it; the motion passes.

756  
757 The Planning Commission approved POD2014-00181, Saunders Station at Broad Hill  
758 Centre, subject to the annotations on the plans, the standard conditions attached to  
759 these minutes for developments of this type, and the following additional conditions:

- 760
- 761 29. Prior to issuance of a certificate of occupancy for any building in this development,  
762 the engineer of record shall certify that the site has been graded in accordance  
763 with the approved grading plans.
  - 764 30. Outside storage shall not be permitted.
  - 765 31. The proffers approved as a part of zoning case C-18C-12 shall be incorporated in  
766 this approval.
  - 767 32. A construction staging plan which includes details for traffic control, fire protection,  
768 stockpile locations, construction fencing and hours of construction shall be  
769 submitted for County review and prior to the approval of any final construction  
770 plans.
  - 771 33. A note in bold lettering shall be provided on the erosion control plan indicating that  
772 sediment basins or traps located within buildable areas or building pads shall be  
773 reclaimed with engineered fill. All materials shall be deposited and compacted in  
774 accordance with the applicable sections of the state building code and  
775 geotechnical guidelines established by the engineer. An engineer's report  
776 certifying the suitability of the fill materials and its compaction shall be submitted  
777 for review and approval by the Director of Planning and Director of Public Works  
778 and the Building Official prior to the issuance of any building permit(s) on the  
779 affected sites.
  - 780 34. Evidence of a joint ingress/egress and maintenance agreement must be  
781 submitted to the Department of Planning and approved prior to issuance of a  
782 certificate of occupancy for this development.
  - 783 35. The location of all existing and proposed utility and mechanical equipment  
784 (including HVAC units, electric meters, junction and accessory boxes,  
785 transformers, and generators) shall be identified on the landscape plans. All  
786 equipment shall be screened by such measures as determined appropriate by the  
787 Director of Planning or the Planning Commission at the time of plan approval.
  - 788 36. The unit house numbers shall be visible from the parking areas and drives.

- 789 37. The names of streets, drives, courts and parking areas shall be approved by the  
790 Richmond Regional Planning District Commission and such names shall be  
791 included on the construction plans prior to their approval. The standard street name  
792 signs shall be installed prior to any occupancy permit approval.
- 793 38. The pavement shall be of an SM-2A type and shall be constructed in accordance  
794 with County standard and specifications. The developer shall post a defect bond  
795 for all pavement with the Department of Planning - the exact type, amount and  
796 implementation shall be determined by the Director of Planning, to protect the  
797 interest of the members of the Homeowners Association. The defect bond shall  
798 remain in effect for a period of three years from the date of the issuance of the  
799 final occupancy permit. Prior to the issuance of the last Certificate of Occupancy,  
800 a professional engineer must certify that the roads have been designed and  
801 constructed in accordance with County standards.

802  
803 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**  
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POD2014-00165  
Dollar General at 2536  
New Market Road – New  
Market Road (State Route  
5)

**Highmark Engineering, LLC for Bernard L. Mahone  
and Par 3 Development, 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 one-story, 9,100 square-foot retail store. The  
1.88-acre site is located at the northwest corner of the  
intersection of New Market Road (State Route 5) and  
Gregg Road, on parcel 815-688-4303. The zoning is B-1C,  
Business District (Conditional), and ASO, Airport Safety  
Overlay District. County water and sewer. **(Varina)**

805  
806 Mr. Leabough - Is there anyone here in opposition to POD2014-00165, Dollar  
807 General at 2536 New Market Road? There is no opposition. Mr. Ward, good morning.

808  
809 Mr. Ward - Good morning. A revised site plan has been received  
810 providing the two raised landscape islands here in front of the eastern part of the  
811 building. The revised plan also reflects the proper right-of-way dedication and road  
812 improvements, as required by the County traffic engineer.

813  
814 The lighting plan provides the parking lot, underneath the canopy, and along the fronts  
815 and sides of the buildings. In addition, the three decorative cone-type fixtures will be  
816 between the first row of parking and the Capital Bike Trail. Also, the applicant has agreed  
817 to better exhibit these faux recessed window panels along the western building elevation,  
818 to use a lighter brick to make those stand out more. Each elevation with the dormers and  
819 the gables that has the tan flat siding you see here is going to be more of a greenish  
820 tone. The applicant has agreed to that as well. Again, signs are not part of this approval.

821  
822 With the changes on the plans and the annotations, staff can recommend approval of the  
823 plan of development as well as the lighting plan, standard conditions for developments of  
824 this type, all annotations, the added Condition #9 amended for landscaping to come back

825 to the Planning Commission, Condition #11B for the lighting plan on page three in the  
826 addendum, and conditions #29 through #38 in the regular agenda on page 23. I'm happy  
827 to answer any questions that the Commission may have of me. Bryant Gammon is here  
828 representing the applicant if you have any questions of him.  
829

830 Mr. Leabough - Are there any questions for Mr. Ward? All right. There being  
831 none, thank you, Mr. Ward. I would like to hear from Mr. Gammon. So if you would,  
832 please come forward. Mr. Ward, could you bring up the elevation, the rendering you just  
833 had? Okay. Thank you.  
834

835 Mr. Gammon - Good morning. My name's Bryant Gammon. I'm with  
836 Highmark Engineering here today.  
837

838 Mr. Leabough - Good morning, Mr. Gammon. I'd like to thank you and the  
839 developer for the work that you put in during the rezoning process. We spent a lot of time  
840 with the site plan as well as the architectural.  
841

842 You understand the concern that we have regarding this elevation here or this wall  
843 section here. It's just a lengthy wall that's really primarily brick. So we would appreciate  
844 you all adding the additional windows and then adding the faux windows. The one thing  
845 that we thought about was if you're driving—which I think the speed limit's about forty-  
846 five miles an hour there. So driving by at 45 miles per hour it's pretty hard to see a  
847 recessed brick there. So that's part of the reasoning behind making sure that there's  
848 some sort of color variation so that it breaks up that wall section and breaking up the  
849 roofline as well. The other reason that we asked for the landscaping plan to come back is  
850 that we discussed during the rezoning process to make sure that that section, as well as  
851 the entire site, is very heavily landscaped to kind of break it up as well. A very prominent  
852 site along a very historic corridor. So we appreciate you making those concessions  
853 there.  
854

855 I don't have any questions for you other than just thanking you for working with us on this  
856 project. And I'd like to ask if any other members of the Commission have any questions  
857 for Mr. Gammon. All right. If not, thank you sir.  
858

859 Mr. Gammon - Thank you.  
860

861 Mr. Leabough - With that, I would like to move that POD2014-00165, Dollar  
862 General at 2536 New Market Road, be approved subject to standard conditions for  
863 developments of this type, annotations on the plans, as well as the conditions as follows:  
864 #9 amended, #11B added, and #29 through #38 as noted on the agenda and on the  
865 addendum.  
866

867 Mr. Witte - Second.  
868

869 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Witte.  
870 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

871  
872 The Planning Commission approved POD2014-00165, Dollar General at 2536 New  
873 Market Road, subject to the annotations on the plans, the standard conditions attached  
874 to these minutes for developments of this type, and the following additional conditions:  
875

- 876 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of  
877 Planning for review and Planning Commission approval prior to the issuance of any  
878 occupancy permits.
- 879 11B. **ADDED** - Prior to the approval of an electrical permit application and installation of  
880 the site lighting equipment, a plan including light spread and intensity diagrams,  
881 and fixture specifications and mounting heights details shall be revised as  
882 annotated on the staff plan and included with the construction plans for final  
883 signature.
- 884 29. The right-of-way for widening of New Market Road (State Route 5) as shown on  
885 approved plans shall be dedicated to the County prior to any occupancy permits  
886 being issued. The right-of-way dedication plat and any other required information  
887 shall be submitted to the County Real Property Agent at least sixty (60) days prior  
888 to requesting occupancy permits.
- 889 30. The entrances and drainage facilities on (State Route) shall be approved by the  
890 Virginia Department of Transportation and the County.
- 891 31. A notice of completion form, certifying that the requirements of the Virginia  
892 Department of Transportation entrances permit have been completed, shall be  
893 submitted to the Department of Planning prior to any occupancy permits being  
894 issued.
- 895 32. A multi-use path meeting VDOT requirements and specifications of the Capital  
896 Bike Trail shall be provided along the north side of New Market Road (State Route  
897 5).
- 898 33. Outside storage shall not be permitted.
- 899 34. Approval of the construction plans by the Department of Public Works does not  
900 establish the curb and gutter elevations along the Henrico County maintained  
901 right-of-way. The elevations will be set by Henrico County.
- 902 35. Approval of the construction plans by the Department of Public Works does not  
903 establish the curb and gutter elevations along the Virginia Department of  
904 Transportation maintained right-of-way. The elevations will be set by the  
905 contractor and approved by the Virginia Department of Transportation.
- 906 36. The location of all existing and proposed utility and mechanical equipment  
907 (including HVAC units, electric meters, junctions and accessory boxes,  
908 transformers, and generators) shall be identified on the landscape plan. All  
909 building mounted equipment shall be painted to match the building, and all  
910 equipment shall be screened by such measures as determined appropriate by the  
911 Director of Planning or the Planning Commission at the time of plan approval.
- 912 37. Except for junction boxes, meters, and existing overhead utility lines, and for  
913 technical or environmental reasons, all utility lines shall be underground.
- 914 38. The proffers approved as a part of zoning case REZ2013-00022 shall be  
915 incorporated in this approval.  
916  
917

918 **PLAN OF DEVELOPMENT**

919

POD2014-00157 **E.D. Lewis and Associates, P.C. for GGC Associates and Midtown Land Partners, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story mixed use building consisting of approximately 22,511 square-feet of retail and restaurant space, 24,878 square-feet of office space and 137 parking spaces, as well as related site improvements. The 2.37 acre site is located in the future block bounded by Libbie Mill East Boulevard, Roux Street, Bethlehem Road and Staples Mill Road (U.S. Route 33). The site is located along the west side of Staples Mill Road (U.S. Route 33), approximately 200 feet south of Bethlehem Road, on part of parcel 773-740-5043. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

920

921 Mr. Leabough - Is there anyone here in opposition to POD2014-00157, Libbie  
922 Mill Phase 1D – Staples Mill Road?

923

924 Mr. Hutchins - [Off microphone.] I'm not—I'm conditionally in opposition to  
925 five stories.

26

927 Mr. Leabough - So you are in opposition.

928

929 Mr. Hutchins - [Off microphone.] I want to absolutely see what the plan  
930 incorporated.

931

932 Mr. Branin - Okay. Sir?

933

934 Mr. Emerson - This is a two-story building.

935

936 Mr. Witte - We'll call you up.

937

938 Mr. Leabough - So it's a two-story building not a five-story building. The next  
939 POD is the five stories. So are you in opposition to this POD which is a two-story  
940 building?

941

942 Mr. Hutchins - [Off microphone.] I'm not. I'm not in opposition to a two-story  
943 building, no.

944

945 Mr. Leabough - Okay. So you're not in opposition to this particular case.

946

947 Mr. Hutchins - [Off microphone.] No.

18

949 Mr. Leabough - Okay. Thank you, sir. So there's no opposition. All right,  
950 Mr. Kennedy, good morning.

951  
952 Mr. Kennedy - Good morning. This POD would revise the UMU land bay  
953 master plan for Libbie Mill (Formerly Staples Mill Centre) to authorize construction of  
954 Phase 1D. Now it could be D or C, just depends on how it's submitted, but this is D. So  
955 this is the land bay plan and it has this building at this location.

956  
957 Mr. Leabough - Mr. Kennedy, I'm sorry, I'm having a hard time hearing you.  
958 Do you mind speaking up and pulling the microphone closer?

959  
960 Mr. Kennedy - This is consistent with a two-story mixed-use building. There  
961 will be retail on the first floor and office on the second floor. This building matches the  
962 building A, which is on the previous POD, Phase 1B, which is across the street.

963  
964 The proposed Phase 1D building is generally consistent with Building B on the master  
965 plan, which was approved in the UMU master plan design manual, the UMU master plan  
966 for Libbie Mill itself, which contemplated construction of a mixed-use building with  
967 surface parking at this location. This is a typical floor plan. There's an area here for  
968 mechanical equipment. HVAC equipment and mechanical equipment and features will  
969 be enclosed within the building because this basically fronts on all sides. It's surrounded  
970 by access. So this building, like most buildings in the UMU, has to screen their  
971 mechanicals. There is actually an internal loading area as well.

972  
973 Drainage and utilities for this project were submitted for previous review with Libbie Mill  
974 Phase 1A, which was this area. It was previously approved by the Planning Commission  
975 in February 2013. The developer has requested some minor revisions to the original  
976 annotations on the plans as well as some minor revisions to conditions #30, #31, and  
977 #33 in the agenda to clarify staff's intent. Staff has no objection to revise the annotations  
978 on the plans or to revise conditions as detailed on the addendum.

979  
980 Staff recommends approval of the plan of development subject to the annotations on the  
981 plans as revised, standard conditions for developments of this type, additional conditions  
982 #29, #32, and #34 through #36 on the agenda, as well additionally revised conditions  
983 #30, #31, and #33 in the addendum. The revisions on the addendum primarily have to do  
984 with how we address parking. With that we recommend approval.

985  
986 Mr. Leabough - Are there questions for Mr. Kennedy? No questions?  
987 Mr. Witte, would you like to hear from the applicant?

988  
989 Mr. Witte - I would, please.

990  
991 Mr. Leabough - Would the applicant please come forward?  
992

93 Mr. Lewis - Good morning. My name is Monte Lewis. I'm with Lewis and  
94 Associates. We're the civil engineers. I also have Shane Finnegan here with Gumenick  
95 Properties if you have any other questions.  
96  
97 Mr. Leabough - Good morning.  
98  
99 Mr. Witte - Good morning, Mr. Lewis. I know we're been going back and  
1000 forth about this parking situation.  
1001  
1002 Mr. Lewis - Yes, sir.  
1003  
1004 Mr. Witte - There doesn't seem to be adequate parking with the  
1005 development the way it is at this time. We have revised Condition #33 that it will be  
1006 addressed at time for CO.  
1007  
1008 Mr. Lewis - Yes, sir.  
1009  
1010 Mr. Witte - Do you see any problems with complying with that?  
1011  
1012 Mr. Lewis - No, sir. The second POD that you will hear is the larger  
1013 building. That will take a year to design the building and then probably a year and a half,  
1014 two years to build it. By that time we'll have the parking study done. There's a parking  
1015 study with the PUP that was before the Board. I think they backed that off in the timing  
1016 so that we can catch up with some details on the statistics that the parking consultant  
1017 has provided. But I don't see any problem with meeting that. If it becomes an issue, we  
1018 can always design and build a parking lot to remedy the situation three years in the  
1019 future.  
1020  
1021 Mr. Witte - Excellent. That's what I wanted to hear. Thank you, sir.  
1022  
1023 Mr. Lewis - Yes, sir.  
1024  
1025 Mr. Leabough - Other questions for Mr. Lewis? Thank you, sir.  
1026  
1027 Mr. Witte - No other questions. Mr. Chair, I move approval of POD2014-  
1028 00157, Libbie Mill Phase 1D – Staples Mill Road, as presented, subject to the  
1029 annotations on the plans, standard conditions for developments of this type, additional  
1030 conditions #29 through #36 with conditions #30, #31, and #33 revised.  
1031  
1032 Mr. Branin - Second.  
1033  
1034 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Branin. All in  
1035 favor say aye. All opposed say no. The ayes have it; the motion passes.  
1036  
1037 29. The proffers and conditions approved as a part of zoning cases C-05C-07 and P-  
1038 01-07 shall be incorporated in this approval.

- 1039 30. **REVISED** - A construction staging plan which includes details for traffic control,  
1040 fire protection, stockpile locations, **and** construction fencing ~~and hours of~~  
1041 ~~construction~~ shall be submitted for County review and prior to the approval of any  
1042 final construction plans.
- 1043 31. **REVISED** -The developer shall install an adequate restaurant ventilating and  
1044 exhaust system to minimize smoke, odors, and grease vapors. The plans and  
1045 specifications shall be included with the building permit application for review and  
1046 approval. ~~If, in the opinion of the County, the type system provided is not effective,~~  
1047 ~~the Commission retains the rights to review and direct the type of system to be~~  
1048 ~~used.~~
- 1049 32. A note in bold lettering shall be provided on the erosion control plan indicating that  
1050 sediment basins or traps located within buildable areas or building pads shall be  
1051 reclaimed with engineered fill. All materials shall be deposited and compacted in  
1052 accordance with the applicable sections of the state building code and  
1053 geotechnical guidelines established by the engineer. An engineer's report  
1054 certifying the suitability of the fill materials and its compaction shall be submitted  
1055 for review and approval by the Director of Planning and Director of Public Works  
1056 and the Building Official prior to the issuance of any building permit(s) on the  
1057 affected sites.
- 1058 33. **REVISED** -The certification of ~~building permits~~, occupancy permits and change of  
1059 occupancy permits for individual units shall be based on the number of parking  
1060 spaces required for the proposed uses and the amount of parking available  
1061 according to approved plans. **An updated parking schedule reflecting**  
1062 **adequate parking shall be provided with each request for a certificate of**  
1063 **occupancy.**
- 1064 34. The location of all existing and proposed utility and mechanical equipment  
1065 (including HVAC units, electric meters, junction and accessory boxes,  
1066 transformers, and generators) shall be identified on the landscape plans. All  
1067 equipment shall be screened by such measures as determined appropriate by the  
1068 Director of Planning or the Planning Commission at the time of plan approval.
- 1069 35. Except for junction boxes, meters, and existing overhead utility lines, and for  
1070 technical or environmental reasons, all utility lines shall be underground.
- 1071 36. The drainage, utility, parking, landscaping, lighting, street and streetscape  
1072 improvements shown on the Libbie Mill Phase 1A, and Phase 1B plans necessary  
1073 for the development of the property in accordance with UMU and zoning design  
1074 standards and code requirements shall be provided in accordance with those  
1075 plans, prior to approval of a Certificate of Occupancy, unless otherwise approved  
1076 by the applicable county agency and a bond is posted for any uncompleted  
1077 improvements.
- 1078  
1079  
1080  
1081  
1082  
1083  
1084

1085  
1086

## PLAN OF DEVELOPMENT

POD2014-00167  
Libbie Mill Phase 1C –  
Staples Mill Road (U.S.  
Route 33)

**E.D. Lewis and Associates, P.C. for GGC Associates and Midtown Land Partners, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a five-story mixed-use building consisting of approximately 37,000 square-feet of retail and restaurant space, 4,455 square-feet of office space, 327 apartments, and a two-level parking garage with 216 parking spaces and a rooftop plaza, as well as related site improvements. The 3.01-acre site is located in the future block bounded by Libbie Mill East Boulevard, Roux Street, Seasons Mill Street and Libbie Lake East Street. The site is located approximately 250 feet west of Staples Mill Road (U.S. Route 33) and approximately 900 feet south of Bethlehem Road, on part of parcels 773-740-5043, 774-739-3999, 774-739-5750, and 773-739-8155. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

1087

1088 Mr. Leabough -  
1089 Mill Phase 1C?

Is there anyone here in opposition to POD2014-00167, Libbie

1090

1091 Mr. Hutchins -

[Off microphone.] That's the five-story building?

1092

1093 Mr. Leabough -

This is the five-story building, sir.

1094

1095 Mr. Hutchins -

[Off microphone.] I'm not going say that I'm absolutely in opposition to it. I want to see what it looks like.

1096

1097

1098 Mr. Leabough -

Okay. Okay. Well we'll note that you're in opposition. And then if you decide to change your mind, we'll note that as well. Because you're in opposition, at this point I will ask that our secretary read our rules for public speaking.

1099

1100

1101

1102 Mr. Emerson -

Yes, sir, Mr. Chairman. As you noted, the Planning Commission does have guidelines for the conduct of their public hearings, and they are as follows: The applicant is allowed ten minutes to present the request, and time may be reserved for responses to testimony. Opposition is allowed ten minutes to present its concerns. That is a cumulative 10 minutes. Commission questions do not count into the time limits. The Commission may waive time limits for either party at its discretion. Comments must be directly related to the case under consideration.

1103

1104

1105

1106

1107

1108

1109

1110 Mr. Leabough -

Thank you, sir. Mr. Kennedy.

1111

1112

Mr. Kennedy -

Yes, sir. Good morning again.

1113  
1114 This POD would revise the UMU land bay plan for Libbie Mill (Formerly Staples Mill  
1115 Centre) to authorize construction of Phase 1C which consists of this building here that I  
1116 previously identified on the master plan as building number three. The building on the  
1117 master plan is going to have a 75-foot height. There are several buildings that are  
1118 considered for 75-feet in height. This is one of those buildings in the master plan. There  
1119 are some other buildings that are located elsewhere that are actually higher, but they are  
1120 not subject to review at this time. There is an opportunity to go that high in this  
1121 development.

1122  
1123 As indicated in the caption, Phase 1C consists of a five-story mixed-use building having  
1124 approximately 37,000 square-feet of retail/restaurant space on the first floor on this side  
1125 of the building. Above that first floor we have 327 apartments up to four floors. There is a  
1126 two-level garage which is in the middle. It's considered a doughnut. The two-level  
1127 parking deck does not have building above it. This is what the plaza will look like on top  
1128 of the parking deck. So the first story of the building is actually eighteen feet in height.  
1129 Within that eighteen feet the parking deck is set down two feet below. It's like a ground  
1130 floor and mezzanine parking with this plaza above it.

1131  
1132 The plaza itself is 36,000 square feet plus. It provides private open space for the tenants  
1133 in the building. And there will be a pool and it will be a landscaped courtyard. The pool is  
1134 shown here. The design hasn't been finalized, but this design shows you the intent of  
1135 what is going to happen above the parking deck.

1136  
1137 The proposed building is consistent with Building 3 shown on the proffered UMU design  
1138 manual and the UMU master plan for Libbie Mill which contemplated construction of a  
1139 mixed-use apartment commercial building at this location with structured parking. The  
1140 building is intended to look like two warehouse buildings that were connected and  
1141 converted to apartments. It's kind of like lofts. This is the north elevation here. It will face  
1142 Libbie Mill Boulevard, which is the main entrance drive. The south elevation, which is  
1143 here, will face Seasons Mill Street, which is actually where the Seasons Mill parking lot is  
1144 primarily service areas. The side facing to the north is primarily retail space, but this side  
1145 here has some service areas. Those service areas face the parking lot.

1146  
1147 When you get to the east and west elevations, the west elevation faces the proposed  
1148 library. So again, it has storefronts along the front. The east side of the building, which  
1149 faces towards Staples Mill, is actually hidden with other office retail buildings. So a  
1150 portion of the service is hidden by that building that actually faces service areas in the  
1151 other building as well.

1152  
1153 At this time, the developer submitted schematic floor plans and elevations for Planning  
1154 Commission review and approval. Once the developer has completed their structural  
1155 design of the building, they have agreed to submit the final design plans—including  
1156 details primarily for screening of HVAC and mechanical equipment—back to the director  
1157 of Planning to review for compliance with the design guidelines in the UMU district. Our  
1158 concern there is just to make sure that all the ventilation equipment is actually screened

1159 as the building has fronts on all four sides. It's within a block. It has sidewalks all the way  
1160 around.

1161  
1162 Staff is currently reviewing a PUP amendment. It will be presented for full review by the  
1163 Planning Commission, approval by Board of Supervisors at a later date. In the  
1164 meantime, the developer has proposed parking that is generally consistent with mixed-  
1165 use and joint-use parking facilities, provisions of the zoning ordinance which were set  
1166 forth in Section 24-96(2). In addition, the developer has agreed to certificates of  
1167 occupancy not being issued unless they can demonstrate that sufficient parking in  
1168 accordance with zoning requirements then in effect are provided. Sufficient parking is  
1169 provided for the apartment building's use at this time. The additional parking required  
1170 would limit tenant fit-up of the commercial spaces on the first floor unless adequate  
1171 parking is then determined to be available. Given the developer's leasing schedule and  
1172 the fact that there is future development starting in the area, there is a lot of open space  
1173 where they can find parking. Staff believes they can satisfy parking at that time, so we  
1174 have no objection to not having fully-designed parking at this time.

1175  
1176 Drainage and utilities for the site were submitted for review and approval with Libbie Mill  
1177 Phase 1A plans previously approved by the Planning Commission in February of 2013.

1178  
1179 Given the developer's agreement to submit final construction plans for compliance  
1180 review with UMU design standards regarding mechanical equipment and their  
1181 agreement to limit Certificates of Occupancy unless adequate parking is demonstrated,  
1182 staff recommends approval of the proposed POD. The developer has requested some  
1183 minor revisions to the original annotations on the plans and to the additional conditions  
1184 #31, #32, and #34 in the agenda to clarify staff's intent. Staff has no objections to the  
1185 revisions to the annotations or conditions at this time.

1186  
1187 Staff recommends approval subject to the revised annotations on the plans, standard  
1188 conditions for developments of this type, the additional conditions #29, #30, #33, and  
1189 #35 through #38 on the agenda, and revised additional conditions #31, #32, and #34 on  
1190 the addendum. Again, just to be clear, an updated schedule for reflecting adequate  
1191 parking has to be provided with each request for certificate of occupancy. We will prove  
1192 that the parking is available at that time. Since this is the very beginning of the project,  
1193 there is plenty of time to provide that parking. There is plenty of room to provide that  
1194 parking.

1195  
1196 Here is the site plan just to show you. It will have typical street frontages on four sides  
1197 and landscaping. If you have any questions, I'll be happy to answer them.

1198  
1199 Mr. Leabough - Are there questions for Mr. Kennedy?

1200  
1201 Mr. Branin - Mr. Kennedy, would you go back to the picture of the  
1202 amenity?

1203  
1204 Mr. Kennedy - The plaza? Yes, sir.

1205  
1206 Mr. Branin - What floor is that on?  
1207  
1208 Mr. Kennedy - That's actually on the roof of the parking deck.  
1209  
1210 Mr. Branin - Yes, but would floor would that be?  
1211  
1212 Mr. Kennedy - That would be on the second floor of the building, technically.  
1213 The first floor building is—  
1214  
1215 Mr. Branin - Is practically ground parking.  
1216  
1217 Mr. Kennedy - Well, it actually has two levels. It's ground parking then a  
1218 mezzanine level of parking and then the plaza above it. The first story of the building is  
1219 18 feet in height. They take the first level of the parking deck and go down two feet. That  
1220 gives them now a 20-foot area in height for the first floor to put in two levels of parking  
1221 decks. Two 10-foot high bays. Then when you get to the residential section, which are  
1222 the third through fifth stories, they will actually be looking down on the plaza. The pool in  
1223 the plaza will have to be built up, structurally stepped up four feet. Anyone could walk out  
1224 on that second story of the building—which is the first story of residential uses—out into  
1225 this plaza. So you wrap this building with basically four stories of residential apartments  
1226 which will face this plaza.  
1227  
1228 Mr. Branin - Great concept. Wish it was in Three Chopt.  
1229  
1230 Mr. Witte - We're cutting edge in the Brookland District.  
1231  
1232 Mr. Branin - I swear, I swear. I just said to the supervisor how come we  
1233 don't have a plaza like that.  
1234  
1235 Mr. Witte - I think it's great.  
1236  
1237 Mr. Leabough - Sir, do you remain in opposition? I'm just asking do you  
1238 remain in opposition, yes or no.  
1239  
1240 Mr. Hutchins - [Off microphone.] My name is Will Hutchins, and I own the  
1241 building at the corner—  
1242  
1243 Mr. Leabough - Sir?  
1244  
1245 Mr. Hutchins - [Off microphone.] —off Libbie—  
1246  
1247 Mr. Leabough - Sir? Are you still in opposition?  
1248  
1249 Mr. Hutchins - [Off microphone.] Well, yes I am.  
1250

1251 Mr. Leabough - Okay. Thank you. That's the only question I have. Mr. Witte,  
1252 would you like to hear from the opposition first or—  
1253  
1254 Mr. Witte - I would. Mr. Hutchins, please.  
1255  
1256 Mr. Leabough - Great, thank you. Go ahead, Mr. Hutchins.  
1257  
1258 Mr. Hutchins - I have a building at the corner of Libbie, Crestwood, and  
1259 Spencer.  
1260  
1261 Mr. Leabough - Can we get a map on that? I'm familiar with that building.  
1262  
1263 Mr. Hutchins - Do you have a picture of it?  
1264  
1265 Mr. Leabough - Mr. Hutchins.  
1266  
1267 Mr. Hutchins - That's right. You don't have a picture of it to put up there. Or  
1268 do you?  
1269  
1270 Mr. Leabough - No.  
1271  
1272 Mr. Emerson - That's not going to show the building itself. It will show the  
1273 roof.  
1274  
1275 Mr. Hutchins - A few years ago before this project was approved—I don't  
1276 remember this gentleman's face, but two people from this organization—one of them  
1277 was an architect and I'd recognize him; I don't see him here at the present time—came  
1278 to my office seeking my approval of what they were planning to do. And they told me that  
1279 this building that I had there was going to be the cornerstone of what they're going to  
1280 develop. In other words, it would be in conformity. It would be that kind of architectural  
1281 conformity. And I said well, I certainly wouldn't object to that. And I don't object to it. But  
1282 what I see is all flat-top buildings, five stories high. It's not what I was expecting to see on  
1283 that property. I was expecting to see something very architecturally pleasing. I just—and  
1284 five stories? I think that's out of conformity for that area. It overshadows everything.  
1285  
1286 Mr. Branin - Mr. Hutchins?  
1287  
1288 Mr. Hutchins - It looks like to me they could—if you could design it so that  
1289 everything was not flat on top I think that—I don't think that that is the kind of building  
1290 that we in Henrico County want to see more of. We would like to see things that are  
1291 more architecturally pleasing. And five stories. I'm for lowering the height of buildings.  
1292  
1293 Mr. Leabough - Sir? Mr. Branin, I believe, has a question.  
1294  
1295 Mr. Branin - Yes, I do. Mr. Hutchins, were you active? I know this case  
6 went through zoning back in—

1297  
1298 Mr. Emerson - It was 2006.  
1299  
1300 Mr. Branin - In 2006. It was going through the process probably from  
1301 2005. Were you active in all the community meetings that were going on?  
1302  
1303 Mr. Hutchins - No, I was not active.  
1304  
1305 Mr. Branin - Did you participate or come to zoning when they rolled out all  
1306 the architectural and heights of the building for all of this?  
1307  
1308 Mr. Hutchins - I was not here. My wife—I believe my wife was here.  
1309  
1310 Mr. Branin - Okay. This isn't a surprise. We've been looking at these  
1311 architectural features since 2006.  
1312  
1313 Mr. Hutchins - Well it's a surprise to me. I can tell you that. I'm very  
1314 surprised.  
1315  
1316 Mr. Branin - Did you get any notification back 2006 that this was going  
1317 through the process and for the community meetings?  
1318  
1319 Mr. Hutchins - I think we got notification. And I believe that at that time I was  
1320 in Florida, but I think my wife appeared.  
1321  
1322 Mr. Branin - Okay. The reason I'm asking is, you know, this, like West  
1323 Broad Village, like the project that just came through you saw on Broad Street, has  
1324 multiple viewings and community meetings. And I was just surprised that now that it's  
1325 underway that you're surprised.  
1326  
1327 Mr. Hutchins - I'm very surprised.  
1328  
1329 Mr. Branin - This has been public knowledge since 2006.  
1330  
1331 Mr. Hutchins - Well I don't believe it was public knowledge that the buildings  
1332 were going to be five stories high, flat-top roofs. I didn't know that. I don't believe the  
1333 general public knew that.  
1334  
1335 Mr. Branin - Yes, sir.  
1336  
1337 Mr. Emerson - Mr. Chairman, I would like to correct myself. It looks like the  
1338 zoning case was 2007. But I would note that there was a full pattern book that came in  
1339 with this rezoning that reflected all the proposed architecture at that time. And of course  
1340 all the adjacent property owners were notified.  
1341  
1342 Mr. Leabough - Thank you, sir.

1343  
1344 Mr. Hutchins - Certainly not what was shown to me. I've had my speech.  
1345 Thank you.  
1346  
1347 Mr. Leabough - Thank you, sir. Mr. Witte? Would you like to hear from the  
1348 applicant?  
1349  
1350 Mr. Witte - I don't think we need to.  
1351  
1352 Mr. Leabough - Okay. If not, I'll entertain a motion, unless there are other  
1353 questions from the Commission. No other questions.  
1354  
1355 Mr. Witte - Mr. Chair, I move approval of POD2014-00167, Libbie Mill  
1356 Phase 1C as presented, subject to the annotations on the plan, standard conditions for  
1357 PODs of this type, additional conditions #29 through #36 with revised conditions #31,  
1358 #32, and #34. Oh, #29 through #38. My apologies.  
1359  
1360 Mr. Leabough - Second. We have a motion by Mr. Witte, a second by  
1361 Mr. Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion  
1362 passes.  
1363  
1364 The Planning Commission approved POD2014-00167, Libbie Mill Phase 1C, subject to  
1365 the annotations on the plans, the standard conditions attached to these minutes for  
1366 developments of this type, and the following additional conditions:  
1367  
1368 29. In order to maintain the effectiveness of the County's public safety radio  
1369 communications system within buildings, the owner will install radio equipment  
1370 that will allow for adequate radio coverage within the building, unless waived by  
1371 the Director of Planning. Compliance with the County's emergency  
1372 communication system shall be certified to the County by a communications  
1373 consultant within ninety (90) days of obtaining a certificate of occupancy. The  
1374 County will be permitted to perform communications testing in the building at  
1375 anytime.  
1376 30. The proffers and conditions approved as a part of zoning cases C-05C-07 and P-  
1377 01-07 shall be incorporated in this approval.  
1378 31. **REVISED** - A construction staging plan which includes details for traffic control,  
1379 fire protection, stockpile locations, **and** construction fencing ~~and hours of~~  
1380 ~~construction~~ shall be submitted for County review and prior to the approval of any  
1381 final construction plans.  
1382 32. **REVISED** - The developer shall install an adequate restaurant ventilating and  
1383 exhaust system to minimize smoke, odors, and grease vapors. The plans and  
1384 specifications shall be included with the building permit application for review and  
1385 approval. ~~If, in the opinion of the County, the type system provided is not effective,~~  
1386 ~~the Commission retains the rights to review and direct the type of system to be~~  
1387 ~~used.~~

- 1388 33. A note in bold lettering shall be provided on the erosion control plan indicating that  
 1389 sediment basins or traps located within buildable areas or building pads shall be  
 1390 reclaimed with engineered fill. All materials shall be deposited and compacted in  
 1391 accordance with the applicable sections of the state building code and  
 1392 geotechnical guidelines established by the engineer. An engineer's report  
 1393 certifying the suitability of the fill materials and its compaction shall be submitted  
 1394 for review and approval by the Director of Planning and Director of Public Works  
 1395 and the Building Official prior to the issuance of any building permit(s) on the  
 1396 affected sites.
- 1397 34. **REVISED** - The certification of ~~building permits~~, occupancy permits and change of  
 1398 occupancy permits for individual units shall be based on the number of parking  
 1399 spaces required for the proposed uses and the amount of parking available  
 1400 according to approved plans. **An updated parking schedule reflecting**  
 1401 **adequate parking shall be provided with each request for a certificate of**  
 1402 **occupancy.**
- 1403 35. The location of all existing and proposed utility and mechanical equipment  
 1404 (including HVAC units, electric meters, junction and accessory boxes,  
 1405 transformers, and generators) shall be identified on the landscape plans. All  
 1406 equipment shall be screened by such measures as determined appropriate by the  
 1407 Director of Planning or the Planning Commission at the time of plan approval.
- 1408 36. Except for junction boxes, meters, and existing overhead utility lines, and for  
 1409 technical or environmental reasons, all utility lines shall be underground.
- 1410 37. Final building construction plans shall be submitted for review and approval by the  
 1411 Director of Planning in accordance with UMU and zoning design standards and  
 1412 code requirements.
- 1413 38. The drainage, utility, parking, landscaping, lighting, street and streetscape  
 1414 improvements shown on the Libbie Mill Phase 1A, Phase 1B and Phase 1D plans  
 1415 necessary for the develop ment of the property in accordance with UMU and  
 1416 zoning design standards and code requirements shall be provided in accordance  
 1417 with those plans, prior to approval of a Certificate of Occupancy, unless otherwise  
 1418 approved by the applicable county agency and a bond is posted for any  
 1419 uncompleted improvements.

1420  
 1421 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**  
 1422

POD2014-00182 Grocery Store at 5221 Brook Road – Brook Road (U.S. Route 1)	<b>Balzer and Associates, Inc. for Makan Investments, Inc. and MVG Development, LLC:</b> 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 demolish an existing motel, and construct a one-story, 41,839 square-foot grocery store with pharmacy drive-through facilities and a detached fueling center. The 5.617-acre site is located on the east line of Brook Road (U.S. Route 1), the south line of Wilmer Avenue, and the west line of W. Seminary Avenue, on part of parcel 785-745-9803. The zoning is B-3, Business District. County water
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and sewer. **(Fairfield)**

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Mr. Leabough - Is there anyone here in opposition to POD2014-00182, Grocery Store at 5221 Brook Road? There is no opposition. Ms. Crady, good morning.

Ms. Crady - Good morning. This development is for an approximately 40,000-square-foot grocery store tenant building to replace the Virginia Inn on Brook Road near Wilmer Avenue.

Until this morning, staff had not received confirmation that the proposed center point of ingress and egress along Brook Road had been approved by the Virginia Department of Transportation and the Department of Public Works, Traffic Division. The Henrico County standard entrance spacing is required to meet 250 feet of separation unless otherwise granted by waiver. As Brook Road is a VDOT-maintained right-of-way, the applicant submitted a request to VDOT to waive the spacing requirements to allow the proposed entrances to be approximately 205 feet apart. This portion of Brook Road does not contain a median and multiple entrances with curb cuts across Brook Road would also be in conflict with the proposed entrances along Brook Road. The waiver approval was received from VDOT this morning to permit this spacing.

With the granting of the VDOT waiver to the spacing requirement, the plan may need to be revised to adjust the number of egress lanes for each exit to Brook Road. The original plan, as you see here, showed two outgoing lanes for each exit to Brook Road—the central and south exits. The revised plan shows one point of egress for each of these center and south lanes. This is subject to change with the waiver approval.

The applicant has indicated that he is prepared to address these concerns with revisions during the construction plan approval process.

Other modifications to the plan include the addition of a median on Wilmer Avenue at the north exit of the site to preclude any type of left-turn movements so it would be a right-in/right-out for the Wilmer access, as shown here.

Right-of-way dedication and widening is required along the West Seminary Avenue frontage. This morning the applicant provided additional information to the traffic engineer to demonstrate that the provision will be made to the satisfaction of the Department of Public Works. The Department of Public Works, Traffic Division, will need to confirm that they can recommend approval to this plan of development based on these revisions. The applicant, while showing these improvements on the revised plan, is still pursuing a waiver to—or relief from the widening of Seminary Avenue.

Staff also expressed concerns with the orientation of the loading dock facing Brook Road. Staff has requested truck maneuvering information to demonstrate that the trucks will not encroach upon Brook Road as they maneuver to back into this loading dock at the rear of the building. In addition, staff requested that the loading docks be oriented to face West Seminary Avenue to alleviate the need for additional screening. Staff has

1468 recommended that the landscape plan return to the Planning Commission for review and  
1469 approval.

1470  
1471 The original staff report indicated that several items were not submitted by the applicant  
1472 as of the preparation date of the agenda. On Friday, June 20th, staff received fuel center  
1473 kiosk elevations and floor plan as well as a revised canopy elevation, and renderings  
1474 with color and material information for all sides of the building. The lighting plan now  
1475 includes canopy lighting levels. The lighting levels have been raised throughout the site  
1476 and have been confirmed to be concealed source to meet the general lighting guidelines.  
1477 Staff has no objection to the lighting plan as revised herein.

1478  
1479 While the revised plan submitted Friday provided adequate information for staff to  
1480 complete its review, concerns regarding the building materials and design were not fully  
1481 addressed with that revision. Architectural elevations were again revised and submitted  
1482 by the applicant yesterday afternoon to include integral color CMU and stucco as the  
1483 primary building materials. Three standing-seam metal accent features with pilasters  
1484 were added to the north and west building walls facing the Wawa and the Brook Road  
1485 frontage. A smooth CMU band was added to all building sides with the uniform base  
1486 element of a darker integral color CMU. The rear elevation now includes a brick wall that  
1487 was added to the top of the recessed loading dock area here and the compactor  
1488 enclosure as shown here.

1489  
1490 The fuel center kiosk has been revised to incorporate integral color CMU on the base of  
1491 the kiosk building with vinyl vertical siding on the top portion. The canopy columns have  
1492 been wrapped with integral color CMU with a smooth band as well to match the building.  
1493 Architectural plans for the kiosk show that it will be externally accessed and open to the  
1494 public, but we have been told it will be key access.

1495  
1496 All architectural plans have been annotated to reiterate that the CMU proposed in these  
1497 plans will be integral color and not painted. A detail for a pallet and recycling enclosure  
1498 was provided as well. These materials are to match the building with integral color CMU.

1499  
1500 At this time, staff has several issues that need to be clarified by the applicant and  
1501 confirmed by the traffic engineer for the benefit of the Planning Commission. Should the  
1502 Commission act on this request, staff recommends that in addition to the annotations on  
1503 the plan, the conditions listed in your agenda, including nine amended, be accepted. The  
1504 proposal will need a waiver of time limits for the architectural and plan revisions.

1505  
1506 The applicant's representative, Chris Shust with Balzer and Associates, is here to  
1507 answer any questions you may have of the applicant. And I am happy to answer any  
1508 questions the Commission may have of me.

1509  
1510 Mr. Leabough - Any questions for Ms. Crady?

1511  
1512 Mr. Archer - Ms. Crady, could you briefly just summarize the things that  
1513 we need or would like to see so that the Commission can understand what they are?

1514  
1515 Ms. Crady - Yes. We would like to confirm with the traffic engineer that  
1516 they have satisfactory information to recommend approval based on the improvements  
1517 shown to them this morning on West Seminary Avenue, which would include the  
1518 widening and right-of-way dedication shown on the revised plans that were not included  
1519 in your addendum. Also, we would like them to analyze the truck maneuvering template  
1520 to ensure that we will not have an encroachment into Brook Road with the truck activity.  
1521 And then also to just give confirmation that they are in acceptance of the waiver provided  
1522 by VDOT this morning before the meeting.  
1523  
1524 Mr. Archer - Okay. Anybody else have questions?  
1525  
1526 Mr. Leabough - No, sir. Thank you, Ms. Crady.  
1527  
1528 Mr. Archer - Thank you, Ms. Crady. I'd like to hear from the applicant,  
1529 Mr. Chair.  
1530  
1531 Mr. Leabough - Would the applicant please come forward?  
1532  
1533 Mr. Archer - Mr. Shust, you have heard the things that Ms. Crady has  
1534 listed that we have concerns about. I'd also like to reiterate the fact that so much of the  
1535 activity that has occurred, that we have been able to sign onto, has been received in the  
1536 last two or three days. So we haven't had much time at all to work on this. In fact, we are  
1537 still behind the eight ball with some of the things that we would like to see improvement  
1538 on. But at this point in time can you sort of answer the things that she summarized? In  
1539 particular, we need to see—you said that you can demonstrate how the trucks could  
1540 maneuver at the loading dock. So cover all of those things for us if you would, please.  
1541  
1542 Mr. Leabough - Before you get started, just state your name for the record  
1543 please.  
1544  
1545 Mr. Shust - My name is Chris Shust. I'm with Balzer and Associates. I'm  
1546 the applicant's representative this morning. I also have the developer here this morning,  
1547 Mr. Dan Vorkink with MVG Development. Mr. Archer, I am prepared to provide you with  
1548 some clarification.  
1549  
1550 I do believe that Traffic can confirm receipt of clarification for West Seminary Avenue,  
1551 that the right-of-way shown is correct and that the road widening is 18 feet from the  
1552 center line of the road as requested. As Ms. Crady stated, we are still pursuing a request  
1553 to reduce the pavement on West Seminary for multiple reasons, but we recognize that  
1554 that is something that we will have to pursue with site plan development. If we are not  
1555 able to achieve that, we will still move this project forward. I think that that was probably  
1556 the first question. I believe that Ms. Smidler will be able to confirm receipt of the  
1557 exception request approval as signed by Mr. Hawthorn this morning. I sincerely  
1558 apologize for the late timing of that. We have been trying for a number of days to get that

1559 out of VDOT. We were subject to their timing, not to our timing. So fortunately we were  
1560 able to receive that.

1561  
1562 I think that the next question probably was the movement of trucks in the loading dock.  
1563 We will not be impacting Brook Road with our truck maneuvers. They will be coming in  
1564 off of West Seminary, drive along the back of the building towards Brook Road, and then  
1565 they will have sufficient room to maneuver back into the loading dock. And then they will  
1566 exit the site from Brook—towards Brook Road.

1567  
1568 I have two exhibits here. Let me open them. There are two different types of vehicles that  
1569 will be accessing the site. There is a standard WB50 vehicle truck. That truck, as you  
1570 can see, comes to the forward curb line. It's going to come in, maneuver along the  
1571 loading dock wall, come to the curb line, and then be able to maneuver backwards and  
1572 get into the loading dock.

1573  
1574 In order to accommodate the simplicity of maneuver for the WB67 and to free up as  
1575 much of the rear access aisle as possible, we have shown a small angle break here.

1576  
1577 Mr. Archer - Mr. Shust, can I interrupt for a second?

1578  
1579 Mr. Shust - Absolutely, sir.

1580  
1581 Mr. Archer - To those of us who are not that learned, can you explain what  
1582 a WB50 and WB67 are please?

1583  
1584 Mr. Shust - I apologize. Thank you. There are two sizes of tractor-trailers  
1585 that make deliveries to most grocery stores. One is 50 feet long and one is 67 feet long.  
1586 So I'm showing the maneuvers for both of those vehicles. This one here is the 50-foot  
1587 truck. This one is the 67-foot vehicle. As I said, rather than have the vehicles swing a  
1588 little wider across the back drive aisle, we'll make a revision on the site plan resubmittal  
1589 to open up this pavement here. And you can see I'm bringing the truck all the way off of  
1590 the rear access drive. Then he can back in. He pulls forward once to straight up, and he  
1591 shoots right back into the loading dock. I think Ms. Smidler can comment on that or  
1592 confirm as necessary.

1593  
1594 I believe, Mr. Archer, that those were the main points that were brought up that you  
1595 asked if I could address. I'm happy to answer any other questions.

1596  
1597 Mr. Archer - Yes. There was a question also about the amount of stacking  
1598 space to the pharmacy. Can you elaborate on that, please?

1599  
1600 Mr. Shust - I can. Currently, we are providing almost 81 feet of stacking  
1601 to the pharmacy, as shown right here. With the reconfiguration of the south and middle  
1602 entrances to the facility to being two egress lanes and one inbound lane, we'll still  
1603 maintain that nearly 81 feet of stacking. We also provide a bypass escape lane for  
1604 vehicles to come out of the drive-through.

1605  
1606 Mr. Archer - Did you indicate that there will be also be a drive-up space for  
1607 people who have prescriptions that might take some time to fill?  
1608  
1609 Mr. Shust - There is adequate room for a vehicle to pull forward if the  
1610 prescription takes time. If the prescription is going to take too long, they also have the  
1611 opportunity to bail out, so to speak, and come into the parking lot if they need to. We  
1612 have provided a one-way egress through here so they can get out and then get back into  
1613 the parking lot quite easily.  
1614  
1615 Mr. Archer - So based on our standards, how many automobiles would be  
1616 able to sit in eighty-one feet, approximately?  
1617  
1618 Mr. Shust - We would be able to comfortably fit four vehicles in there.  
1619  
1620 Mr. Archer - As long as they're not WB50s.  
1621  
1622 Mr. Shust - As long as they're not WB50s. And the grocery store has  
1623 indicated that their preference is they need us to provide three, and we've provided the  
1624 one extra.  
1625  
1626 Mr. Archer - Does anybody else have any questions?  
1627  
1628 Mr. Witte - I have one question. Is it actually called *The Grocery Store*, or  
1629 is there another name for it?  
1630  
1631 Mr. Shust - I am actually bound by a non-disclosure agreement. As much  
1632 as I would like to be able to discuss details of the end-user, I'm not permitted to. I can tell  
1633 you they are very excited about coming to Henrico County. They're going to provide  
1634 fresh groceries, a fuel center, pharmacy, and a fresh look. But that is the extent of what  
1635 I'm able to discuss.  
1636  
1637 Mr. Witte - Okay.  
1638  
1639 Mr. Leabough - I have a question regarding traffic.  
1640  
1641 Mr. Shust - Yes, sir.  
1642  
1643 Mr. Leabough - I don't know if you asked this already, Mr. Archer, or not. I  
1644 used to live in this area in Chamberlayne Farms and I frequented the Wawa there. It is  
1645 difficult at best to get in and out of the Wawa now with the fueling stations and the  
1646 amount of traffic that they have going in and out. This looks like it compounds the  
1647 problem and then puts the entrance even closer to that light at Wilmer and Brook. My  
1648 question would be—and I don't know how you're going to address that. You have a lot of  
1649 entrances on the—is that the west side of Brook?—of different business there, and you

1650 have all the traffic trying to get out on Brook from Wawa and from this facility as  
1651 proposed. What are you all doing to mitigate some of those challenges?

1652  
1653 Mr. Shust - Subject to the items in the VDOT exception request the first  
1654 big thing that we're doing is we're reducing the number of access points to Brook Road  
1655 with this proposal. We are maintaining the northern access point, which is right here,  
1656 which is servicing Wawa. It really isn't necessary for the function of our site, but we are  
1657 bound by a cross-access easement agreement. So we are maintaining that. We have  
1658 then—

1659  
1660 Mr. Leabough - Say that again? So the Wawa patrons can enter through that  
1661 as well?

1662  
1663 Mr. Shust - Yes, sir, that is absolutely—

1664  
1665 Mr. Leabough - Okay. So you're going to add the Wawa and the unknown  
1666 grocer to that entrance there.

1667  
1668 Mr. Shust - Yes, sir.

1669  
1670 Mr. Leabough - Okay.

1671  
1672 Mr. Shust - The other thing that we're doing is in working through  
1673 coordination of the exception request with VDOT, we have agreed to provide a cross-  
1674 access easement at the southern entry point to serve this parcel to the south. That will  
1675 provide cross-access through multiple sites to allow for internal tripping. The other thing  
1676 we have done is we are providing an additional point of egress onto Wilmer Road with a  
1677 raised concrete median to provide right-in/right-out maneuvers only.

1678  
1679 Mr. Archer - How far is that from the interstate exit, which is a challenge  
1680 now with people running that yield sign?

1681  
1682 Mr. Shust - The interstate exit aligns with West Seminary. That's the  
1683 reason for the request for the raised median from Traffic.

1684  
1685 Mr. Leabough - Okay.

1686  
1687 Mr. Shust - And then we're providing the egress and ingress points on  
1688 West Seminary, as that is another point to help distribute traffic coming to the site evenly  
1689 around the perimeter of the site. So we're providing the patrons with multiple options  
1690 given traffic conditions as they vary throughout the day.

1691  
1692 Mr. Leabough - Thank you.

1693  
1694 Mr. Archer - Anybody else? Mr. Branin?

1695

1696 Mr. Branin - This is just strictly a grocery store and pharmacy, correct?  
1697  
1698 Mr. Shust - A grocery store, pharmacy, and we are providing fuel.  
1699  
1700 Mr. Branin - And a tenant has been picked?  
1701  
1702 Mr. Shust - A tenant has been picked and we are shovel-ready, sir.  
1703  
1704 Mr. Branin - Okay. Is the tenant here?  
1705  
1706 Mr. Shust - The developer is only here.  
1707  
1708 Mr. Branin - The developer is?  
1709  
1710 Mr. Shust - Yes, sir.  
1711  
1712 Mr. Branin - Okay. And is there currently one of these grocery stores in  
1713 the metro Richmond area?  
1714  
1715 Mr. Shust - Not currently.  
1716  
1717 Mr. Branin - Not currently. Hmm. So it doesn't begin with a *K* or an *M*.  
1718  
1719 Mr. Shust - We would love to get this thing going and let the County have  
1720 the rights to claim the first one in the greater Richmond area.  
1721  
1722 Mr. Branin - Really? I'm so excited.  
1723  
1724 Mr. Archer - Mr. Shust, this is one of the reasons why we're concerned  
1725 about *this* one. This being the first one, unnamed grocery store, we want to make sure  
1726 that for the ones that may follow we'll have a pattern that is decent and that we can  
1727 accommodate. It may seem like we're asking a lot of questions, but that's really what it  
1728 boils down to.  
1729  
1730 Mr. Shust - Mr. Archer, I'm completely understanding of that point and  
1731 recognize that. And I feel that Ms. Crady and Mr. Emerson have worked very hard to  
1732 elevate the standards and particularly the architecture. And gratefully the developer and  
1733 the tenant were able to meet what the requests were. I think that we have provided a  
1734 very strong presence for the Brook Road corridor in this area.  
1735  
1736 Mr. Branin - Mr. Archer, how did you approve the signage if we don't know  
1737 what the sign is?  
1738  
1739 Mr. Archer - I'm sorry?  
1740  
1741 Mrs. Jones - Signage is not part of this.

1742  
1743 Mr. Emerson - Signage is not part of this, Mr. Branin.  
1744  
1745 Mrs. Jones - You know that. I would like to ask a quick question. I  
1746 understand there has been work done. This is not the practical side; this is more the  
1747 aesthetic side. And I realize that you all have worked hard on the architectural including  
1748 the color and materials. I will say there is an incredibly warehouse feel to this. I didn't  
1749 know whether there had been conversations about any kind of architectural details just to  
1750 break up that mass. Right now it is a very non-descript building, in my humble view.  
1751  
1752 Mr. Shust - I think that recognizing your comment, this is probably more  
1753 easily—and I'm not an architect—but probably easily characterized as urban architecture  
1754 as such. Mr. Emerson and Ms. Crady worked diligently to try to break up that façade.  
1755 And in doing so, we are providing that smooth face course that provides the line across  
1756 the building. And also the anchor on the bottom below that smooth face course of block.  
1757 We also have added this pilaster and standing seam metal roof element to help interrupt  
1758 the length of the building. And then on the Brook Road side we've done a similar  
1759 treatment. You have a color break that provides an interruption to the length of the  
1760 building and almost—with the elevation change in the height, almost provides the feeling  
1761 of two separate buildings. The adding of the pilasters and standing seam on the side  
1762 here further that breakup in architecture.  
1763  
1764 Mrs. Jones - How about the east elevation?  
1765  
1766 Mr. Shust - The east elevation is facing the back of the existing shopping  
1767 center building. And so we are providing a simple and plain elevation. That was actually  
1768 partly supported by the police department for their security concerns. We are providing  
1769 landscaping along the perimeter of the site. That's going to help. And we're obviously  
1770 providing our internal parking lot landscaping. I think that the combination of the changes  
1771 and improvements to the architecture with the landscaping are going to provide a very  
1772 nice well-functioning building.  
1773  
1774 Mrs. Jones - Well, thank you for the comments. I know you've worked hard  
1775 on this. I just feel if we're going to set a standard, let's see an exemplary one. I would like  
1776 to see a little more, but if this is where we are, this is where we are. Thank you.  
1777  
1778 Mr. Shust - Thank you, Mrs. Jones.  
1779  
1780 Mr. Archer - I don't have any more questions right now, sir, but I would like  
1781 to hear from Traffic, if I may.  
1782  
1783 Mr. Leabough - Could I just echo Mrs. Jones's concerns related to the  
1784 architectural? I actually leaned over to Mr. Emerson and said is this the highest  
1785 standard for this type of project. I mean if this is the first one in our area, it seems like  
1786 we're setting the bar fairly low. I'll just throw that out there. And the pilasters and the  
1787 standing seam metal roof, it just doesn't look like it's integrated into the building. It just

1788 looks like it's stuck there. That's just my two cents' worth. I was hoping that we would  
1789 have something a little higher in terms of architectural quality.  
1790  
1791 Mr. Archer - We may have a way to deal with that some before we're  
1792 done.  
1793  
1794 Mr. Leabough - Thank you.  
1795  
1796 Mr. Archer - Good morning, Ms. Smidler.  
1797  
1798 Ms. Smidler - My name is Sharon Smidler, Public Works, Traffic  
1799 Engineering.  
1800  
1801 Mr. Archer - Ms. Smidler, you've heard the concerns that we've all had  
1802 about the traffic, the loading dock traffic, and maneuverability and so forth. Can you tell  
1803 us how you feel about what you've seen so far or heard?  
1804  
1805 Ms. Smidler - In regards to the truck maneuvering?  
1806  
1807 Mr. Archer - Truck maneuvering and just the traffic in general.  
1808  
1809 Ms. Smidler - Traffic in general. I saw the truck movements for the first time  
1810 this morning. It looks acceptable because the truck is not backing into or pulling into  
1811 Brook Road for their maneuvering. So that is acceptable to Public Works, Traffic  
1812 Engineering.  
1813  
1814 As far as—you had mentioned earlier about whether Public Works, Traffic, could  
1815 recommend approval to the Planning Commission. Public Works, Traffic, can  
1816 recommend approval to the Planning Commission because we received the VDOT  
1817 spacing waiver this morning.  
1818  
1819 Mr. Archer - Okay.  
1820  
1821 Ms. Smidler - And they adjusted the right-of-way along West Seminary. So  
1822 they are now showing 25 feet from center line, which is the necessary right-of-way for  
1823 West Seminary. So based on those two things, Traffic can now recommend approval.  
1824  
1825 Mr. Leabough - Does the spacing approval, Ms. Smidler, meet your policy?  
1826  
1827 Ms. Smidler - Brook Road, Route 1, is VDOT, so their spacing—they  
1828 granted a waiver for the spacing. If Route 1, Brook Road, was a Henrico County roadway  
1829 it should be 250 feet of spacing, and the northern and middle entrances do not meet that.  
1830  
1831 Mr. Leabough - So it doesn't.  
1832  
3 Ms. Smidler - It does not, sir.

1834  
1835 Mr. Archer - That's what I was waiting to hear.  
1836  
1837 Mr. Emerson - Mr. Chairman, the spacing and the approvals of these  
1838 ingress/egress do fall within the purview of the Planning Commission—any major  
1839 thoroughfare road—under the code.  
1840  
1841 Ms. Smidler - My understanding for VDOT approving the request was there  
1842 were four existing entrances and they're minimizing it to three entrances. VDOT felt it  
1843 was consistent upon what's along the rest of the corridor. One of their conditions of  
1844 approval from VDOT was the access easement along the southern property line.  
1845  
1846 Mr. Leabough - Are there other questions for Ms. Smidler?  
1847  
1848 Mr. Archer - I have a question for Mr. Secretary. Mr. Secretary, what are  
1849 our options regarding our ability to change the traffic pattern diagram?  
1850  
1851 Mr. Emerson - Well, we'd have to sit down with the traffic engineer and look  
1852 at that. Certainly you could approve or disapprove the plan or approve the plan with one  
1853 entrance or three entrances; however you wish to adjust it. I think before you did that  
1854 you'd have to understand the impacts on the site itself, which any option that you  
1855 reviewed you'd have to have input from the Traffic Engineering section of Works to  
1856 understand how that impacts the overall flow within the parking area and within the road.  
1857 So it's difficult to do it today, I guess is what I would say.  
1858  
1859 Mr. Archer - It is. Very difficult.  
1860  
1861 Mr. Leabough - Any other questions for Ms. Smidler? Thank you ma'am.  
1862  
1863 Ms. Smidler - Thank you.  
1864  
1865 Mr. Archer - Mr. Chairman, before the meeting the secretary and I and  
1866 Ms. Crady and Ms. News met to discuss some ways in which we might be able to move  
1867 forward or more in some direction with this today. I sort of had in mind one thing that I  
1868 had thought about doing, but I'm really concerned about this traffic issue. As of 8:25 this  
1869 morning, I believe, we heard from the applicant indicating that there was a pressing need  
1870 to move forward with this as soon as possible, which I don't think should play a major  
1871 part in the decision that we make today. I'm trying to figure out a way that we can work  
1872 with this.  
1873  
1874 Mr. Secretary, we talked about passing part of the plan with annotations. Can you sort of  
1875 explain how that would work?  
1876  
1877 Mr. Emerson - Well, I think if you move forward as we discussed, you would  
1878 defer the architectural and approve the site plan with the annotations and any other  
1879 corrections that you feel appropriate based upon comments from Planning staff and

1880 Public Works staff, which Ms. Crady went over that. Ms. Smidler and Ms. Crady have  
1881 indicated that the right-of-way has been settled along Seminary, which was a major  
1882 concern on my part after speaking with Mr. Yob yesterday afternoon and then again last  
1883 night. So those items have been addressed. There are some issues with the expansion  
1884 of Seminary; however, as noted by the consulting engineer, that will be the access route  
1885 for the tractor-trailers coming in to deliver the goods to the grocery store, as it's been  
1886 noted. I believe the widening of that road probably is going to be paramount. If that  
1887 means moving utility poles then that means moving utility poles—  
1888

1889 Mr. Archer - Okay.

1890  
1891 Mr. Emerson - —in order to adequately address that. But if the right-of-way  
1892 has been shown, that can be worked out during the construction plan phase. So you  
1893 could move that forward.  
1894

1895 Now it's also worth noting that there is an erosion sediment control plan that is under  
1896 review now, and a demolition permit could be issued. So if you chose to defer the entire  
1897 document for a week or whatever, it doesn't necessarily slow the progress of the site. It  
1898 can be cleared; the erosion sediment control plans could be approved. But I believe we  
1899 could comfortably recommend moving the site plan forward. In order to give the  
1900 Commission more time to review the architectural, which they just saw this morning, as  
1901 you're aware, along with you, certainly you could break up the approval, defer one and  
1902 send the other on.

1903  
1904 3  
1905 Mr. Archer - Mr. Shust, I hope you understand what we're talking about  
1906 here. I know time is of the essence to you, but safety and a lot of other things are of the  
1907 essence to us. So my proposal at this point in time would be to approve the site plan, as  
1908 the secretary said, and defer the elevation portion of it, not for a month but for two weeks  
1909 to the zoning meeting. I think people really do need the opportunity to look at this and  
1910 study it without just passing it and hoping that it comes to fruition. Or we could defer it all  
1911 for ninety days and give everybody plenty of time.

1912 Mr. Shust - Mr. Archer, I can't express to you enough your understanding  
1913 of the predicament that we're in, and to the entire Commission for that matter. I  
1914 appreciate your time in hearing us through on this.  
1915

1916 I feel that we're bringing forward a good product, particularly a good site plan. And I  
1917 believe we've addressed those issues in terms of safety that are necessary. While it  
1918 pains me greatly to accept that, I have spoken with the developer. We are able to accept  
1919 that, if we can have that two-week commitment to come back for approval of the  
1920 elevations.  
1921

1922 Mr. Archer - I have to also say a lot of this could have been avoided if the  
1923 information that we needed could have been gotten to us in a more timely fashion. I  
1924 mean we were receiving stuff after I arrived here this morning. It's just not the way to do  
1925 it.

1926  
1927 Mr. Shust - Mr. Archer, I certainly understand and recognize your  
1928 position. I appreciate your willingness to help us advance this forward on the site plan  
1929 level so that we can proceed with getting our site plan. There's a significant amount of  
1930 time needed to perform asbestos abatement and building demolition. I think we're doing  
1931 a great service to the County in cleaning up this site.  
1932  
1933 Mr. Archer - That's not lost on us; we do appreciate that.  
1934  
1935 Mr. Shust - Thank you. So to make it firm and clear, I can accept  
1936 approval—a recommendation for approval of the site plan.  
1937  
1938 Mr. Archer - And I might also note, just for the record, that this is in the  
1939 Brook Road—what is that?  
1940  
1941 Mr. Emerson - Enterprise Zone.  
1942  
1943 Mr. Archer - Enterprise Zone. Which does mean that you all get the  
1944 benefit of the waiver of quite a number of fees that would be not extraordinary, but not  
1945 cheap either.  
1946  
1947 Mr. Shust - Understood. I recognize that.  
1948  
1949 Mr. Archer - We're trying to compromise and bend a little bit and go both  
1950 ways. And that portion of it, of course, is mandatory. We have to do that. So, anybody  
1951 else have questions?  
1952  
1953 Mr. Branin - Mr. Archer, I know the curiosity of all of us on of course who  
1954 the tenant is, number one. And number two, to reiterate what you just said: It's not fair to  
1955 staff. And whether you're doing a great justice for this County or not, really is irrelevant to  
1956 us right now because we have to make a sound decision on the safety and wellbeing of  
1957 all of our citizens. To slam a Commissioner the morning of, and the other four of us who  
1958 also have to vote don't even have an opportunity until it's presented in front of us, is not  
1959 right and not fair. So hopefully whoever the mystical applicant is will be able to get their  
1960 act together and get us information prior to—if this goes two weeks—Thursday?—that  
1961 we're not at 4:45, 5:30, 6:00 getting the information to make a decision then. I can tell  
1962 you on behalf of myself the decision would be to deny it or defer it for ninety days  
1963 because it's just not right to have such a big case thrown at us at the last moment.  
1964  
1965 Mr. Shust - I hear you loud and clear. And I can assure you that that will  
1966 not happen.  
1967  
1968 Mr. Leabough - Other questions for Mr. Shust? If not, I'll entertain a motion,  
1969 Mr. Archer.  
1970

1971 Mr. Archer - All right, Mr. Chairman. I think we have time limits to waive,  
1972 do we not, on the plan that was submitted today?  
1973  
1974 Mr. Emerson - Yes, sir, you do. Well with those just on the elevations  
1975 because you're going to defer the—  
1976  
1977 Mr. Archer - Yes.  
1978  
1979 Mr. Emerson - Do we need to waive time limits if you're—  
1980  
1981 Ms. Crady - I would think you would need both because of the  
1982 adjustments to the West Seminary Avenue right-of-way.  
1983  
1984 Mr. Emerson - That's true.  
1985  
1986 Mr. Archer - Okay. Then I move to waive the time limits on the new plan  
1987 that we received this morning.  
1988  
1989 Mrs. Jones - Second.  
1990  
1991 Mr. Leabough - We have a motion by Mr. Archer, a second by Mrs. Jones. All  
1992 in favor say aye. All opposed say no. The ayes have it; the motion passes.  
1993  
1994 4 Mr. Archer - I move to approve the site plan with annotations and to defer  
1995 the elevation portion for two weeks until the next zoning meeting.  
1996  
1997 Mr. Emerson - That's July the 10th.  
1998  
1999 Mr. Archer - July 10, 2014.  
2000  
2001 Mr. Leabough - Second. We have a motion by Mr. Archer, a second by  
2002 Mr. Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion  
2003 passes.  
2004  
2005 The Planning Commission granted approval of the site plan for a plan of development  
2006 and lighting plan for POD2014-00182, Grocery Store at 5221 Brook Road, and deferred  
2007 the architectural plans to July 10, 2014, subject to the annotations on the plans, the  
2008 standard conditions attached to these minutes for developments of this type, and the  
2009 following additional conditions:  
2010  
2011 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of  
2012 Planning for review and Planning Commission approval prior to the issuance of any  
2013 occupancy permits.  
2014 11B. Prior to the approval of an electrical permit application and installation of the site  
2015 lighting equipment, a plan including light spread and intensity diagrams, and

- 2016 fixture specifications and mounting heights details shall be revised as annotated  
2017 on the staff plan and included with the construction plans for final signature.
- 2018 29. Bulk storage of fuel shall be underground.
- 2019 30. The right-of-way for widening of Brook Road (U.S. Route 1), Wilmer Avenue, and  
2020 W. Seminary Avenue as shown on approved plans shall be dedicated to the  
2021 County prior to any occupancy permits being issued. The right-of-way dedication  
2022 plat and any other required information shall be submitted to the County Real  
2023 Property Agent at least sixty (60) days prior to requesting occupancy permits.
- 2024 31. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be  
2025 approved by the Virginia Department of Transportation and the County.
- 2026 32. A notice of completion form, certifying that the requirements of the Virginia  
2027 Department of Transportation entrances permit have been completed, shall be  
2028 submitted to the Department of Planning prior to any occupancy permits being  
2029 issued.
- 2030 33. A concrete sidewalk meeting VDOT standards shall be provided along the east  
2031 side of Brook Road (U.S. Route 1).
- 2032 34. Outside storage shall not be permitted.
- 2033 35. In the event of any traffic backup which blocks the public right-of-way as a result  
2034 of congestion caused by the drive-up pharmacy facilities, the owner/occupant  
2035 shall close the drive-up pharmacy facilities until a solution can be designed to  
2036 prevent traffic backup.
- 2037 36. Approval of the construction plans by the Department of Public Works does not  
2038 establish the curb and gutter elevations along the Henrico County maintained  
2039 right-of-way. The elevations will be set by Henrico County.
- 2040 37. Approval of the construction plans by the Department of Public Works does not  
2041 establish the curb and gutter elevations along the Virginia Department of  
2042 Transportation maintained right-of-way. The elevations will be set by the  
2043 contractor and approved by the Virginia Department of Transportation.
- 2044 38. Evidence of a joint ingress/egress and maintenance agreement must be  
2045 submitted to the Department of Planning and approved prior to issuance of a  
2046 certificate of occupancy for this development.
- 2047 39. The location of all existing and proposed utility and mechanical equipment  
2048 (including HVAC units, electric meters, junctions and accessory boxes,  
2049 transformers, and generators) shall be identified on the landscape plan. All  
2050 building mounted equipment shall be painted to match the building, and all  
2051 equipment shall be screened by such measures as determined appropriate by the  
2052 Director of Planning or the Planning Commission at the time of plan approval.  
2053  
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2062  
2063

## PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2014-00180  
Bedford Falls at Hickory  
Grove – 11123 Nuckols  
Road

**Bay Companies, Inc. for George Urban and Atack Properties, Inc.:** 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 37 townhouse units for sale. The 5.66-acre site is located on the west line of Nuckols Road, approximately 465 feet south of its intersection with Hickory Park Drive, on parcel 747-770-3395. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer.  
**(Three Chopt)**

2064  
2065  
2066  
2067

Mr. Leabough - Is there anyone here in opposition to POD2014-00180, Bedford Falls at Hickory Grove? There's no opposition. Mr. Garrison, good morning.

2068  
2069  
2070  
2071  
2072  
2073  
2074

Mr. Garrison - Good morning. The applicant is requesting approval to construct thirty-seven residential townhomes for sale and a lighting plan. Conditional approval for this subdivision was granted at the May 2014 Planning Commission meeting. Staff has not received any opposition to this request. The site plan and elevations submitted are consistent with the exhibits provided with rezoning case REZ2014-00010.

2075  
2076  
2077  
2078

The lighting plan submitted meets all technical requirements. Staff can recommend approval subject to the annotations on the plan, standard conditions for developments of this type, and added conditions #11B through #37 in your agenda.

2079  
2080  
2081  
2082

Rick Melchor and Dan Caskie with Atack Properties are available to answer any questions you may have. And staff is available for any questions that you may have as well.

2083  
2084  
2085  
2086

Mr. Leabough - Any questions for Mr. Garrison?

Mr. Branin - I have none for Mr. Garrison.

2087  
2088  
2089

Mr. Leabough - Okay. Would you like to hear from the applicant?

Mr. Branin - I would just quickly.

2090  
2091  
2092  
2093

Mr. Leabough - Would the applicant please come forward?

2094  
2095  
2096  
2097

Mr. Melchor - Members of the Commission, Rick Melchor of Atack Properties.

Mr. Branin - Mr. Melchor, how are you again?

2098 Mr. Melchor - Good.

2099

2100 Mr. Branin - This elevation is HHHunt's? This is HHHunt that is going to—

2101

2102 Mr. Melchor - They have not signed a contract with us, but that is their

2103 Rocketts Landing elevation. The change from the Rocketts Landing product is that they

2104 have a—they're adding a front-entry garage as opposed to the rear-entry due to the

2105 nature of the site.

2106

2107 Mr. Branin - But are you feeling good about—

2108

2109 Mr. Melchor - Yes. We're in constant discussion with—

2110

2111 Mr. Branin - Okay. The reason I'm asking is because Hunt is the

2112 developer of Twin Hickory. This is a very small townhome. I'm hoping that it will be

2113 enveloped into the Twin Hickory Homeowners Association.

2114

2115 Mr. Melchor - That has been one major part of the discussion, an

2116 annexation into that association.

2117

2118 Mr. Branin - Good. That was the only question I had.

2119

2120 Mr. Leabough - Are there questions for Mr. Melchor? No. Thank you, sir.

2121

2122 Mr. Branin - Mr. Chairman, I'd like to move that POD2014-00180, Bedford

2123 Falls at Hickory Grove, be approved subject to the annotation on the plan, standard

2124 conditions for developments of this type, and the following additional conditions #11B,

2125 and conditions #29 through #37.

2126

2127 Mr. Witte - Second.

2128

2129 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in

2130 favor say aye. All opposed say no. The ayes have it; the motion passes.

2131

2132 The Planning Commission approved POD2014-00180, Bedford Falls at Hickory Grove,

2133 subject to the annotations on the plans, the standard conditions attached to these

2134 minutes for developments of this type, and the following additional conditions:

2135

2136 11B. Prior to the approval of an electrical permit application and installation of the site

2137 lighting equipment, a plan including light spread and intensity diagrams, and

2138 fixture specifications and mounting heights details shall be revised as annotated

2139 on the staff plan and included with the construction plans for final signature.

2140 29. Prior to issuance of a certificate of occupancy for any building in this development,

2141 the engineer of record shall certify that the site has been graded in accordance

2142 with the approved grading plans.

- 2143 30. A concrete sidewalk meeting County standards shall be provided along the west  
2144 side of Nuckols Road.
- 2145 31. The proffers approved as a part of zoning case REZ2014-00010 shall be  
2146 incorporated in this approval.
- 2147 32. The owners shall not begin clearing of the site until the following conditions have  
2148 been met:
- 2149 (a) The site engineer shall conspicuously illustrate on the plan of development  
2150 or subdivision construction plan and the Erosion and Sediment Control  
2151 Plan, the limits of the areas to be cleared and the methods of protecting the  
2152 required buffer areas. The location of utility lines, drainage structures and  
2153 easements shall be shown.
- 2154 (b) After the Erosion and Sediment Control Plan has been approved but prior  
2155 to any clearing or grading operations of the site, the owner shall have the  
2156 limits of clearing delineated with approved methods such as flagging, silt  
2157 fencing or temporary fencing.
- 2158 (c) The site engineer shall certify in writing to the owner that the limits of  
2159 clearing have been staked in accordance with the approved plans. A copy  
2160 of this letter shall be sent to the Department of Planning and the  
2161 Department of Public Works.
- 2162 (d) The owner shall be responsible for the protection of the buffer areas and  
2163 for replanting and/or supplemental planting and other necessary  
2164 improvements to the buffer as may be appropriate or required to correct  
2165 problems. The details shall be included on the landscape plans for  
2166 approval.
- 2167 33. Evidence of a joint ingress/egress and maintenance agreement must be  
2168 submitted to the Department of Planning and approved prior to issuance of a  
2169 certificate of occupancy for this development.
- 2170 34. The location of all existing and proposed utility and mechanical equipment  
2171 (including HVAC units, electric meters, junction and accessory boxes,  
2172 transformers, and generators) shall be identified on the landscape plans. All  
2173 equipment shall be screened by such measures as determined appropriate by the  
2174 Director of Planning or the Planning Commission at the time of plan approval.
- 2175 35. The unit house numbers shall be visible from the parking areas and drives.
- 2176 36. The names of streets, drives, courts and parking areas shall be approved by the  
2177 Richmond Regional Planning District Commission and such names shall be  
2178 included on the construction plans prior to their approval. The standard street  
2179 name signs shall be installed prior to any occupancy permit approval.
- 2180 37. The pavement shall be of an SM-2A type and shall be constructed in accordance  
2181 with County standard and specifications. The developer shall post a defect bond  
2182 for all pavement with the Department of Planning - the exact type, amount and  
2183 implementation shall be determined by the Director of Planning, to protect the  
2184 interest of the members of the Homeowners Association. The defect bond shall  
2185 remain in effect for a period of three years from the date of the issuance of the  
2186 final occupancy permit. Prior to the issuance of the last Certificate of Occupancy,  
2187 a professional engineer must certify that the roads have been designed and  
2188 constructed in accordance with County standards.

2189  
2190 Mr. Emerson - Mr. Chairman, the next item on your agenda will be the  
2191 consideration of the approval of your minutes.  
2192  
2193 Mr. Archer - Mr. Emerson, may I interrupt here. Before we move to that,  
2194 could I just make an observation for the rest of the members of the commission?  
2195  
2196 Mr. Leabough - Yes.  
2197  
2198 Mr. Archer - Okay. If you look at the agenda for this morning, about 70,  
2199 80, maybe 90 percent of the cases have the wording "staff recommendation will be made  
2200 at the meeting." It's not the fault of the staff, but I think it's almost directly related to the  
2201 tardiness of information that we're receiving from the development community. And I  
2202 think we need to make a loud statement someway concerning our inability to make  
2203 proper decisions because we don't have information until the meeting starts.  
2204  
2205 Mrs. Jones - Hear, hear.  
2206  
2207 Mr. Leabough - I echo that. And I think Mr. Branin has brought that up before,  
2208 but he's addressed directly with applicants. But I happened to be caught up in traffic  
2209 today. And when I got here, I had a stack of addendums and plans. And I had no time to  
2210 absorb and digest what I had presented before me. So I agree with what you're saying,  
2211 and I think that something does need to be done in terms of sending a message to the  
2212 applicants, the development community that if you don't submit your materials on time,  
2213 then we'll just defer.  
2214  
2215 Mr. Branin - Mr. Emerson and I had this discussion yesterday evening.  
2216 And I said, you know, I started smacking developers and saying well, you know, you're  
2217 late so I'm going to defer it out. There is always that one time with some last-minute  
2218 single—  
2219  
2220 Mr. Archer - That can happen, yes.  
2221  
2222 Mr. Branin - But with the economic atmosphere out there, really, no one  
2223 can get their work done on time? We used to be able to process, and the engineering  
2224 community and the development community were processing projects twice as fast in six  
2225 and seven with twice as much coming down the line. We can make a decision amongst  
2226 ourselves that if we don't have ample time to just simply say I really haven't had enough  
2227 time to review this because of it being late. There is no need to waive time limits. We'll  
2228 see this next month. I just hope that—the end result to that may be now we're  
2229 overwhelming our staff because we have next month's. But until they scream uncle, I  
2230 don't see why we shouldn't. And I think the development community may pick up on it  
2231 pretty darn quick.  
2232  
2233 Mr. Archer - Well, Mr. Branin, what I was thinking about, I'm wondering—  
2234 and I'm open to a suggestion. But if there's some sort of way we can send a mass

2235 communication to the people that we deal with on this basis normally so that they all will  
2236 have heard what it is we're trying to say. I started to mention it this morning before the  
2237 meeting, but I said no, everybody's not here. But I just think it needs to be  
2238 communicated. It puts folks through an exceptional amount of extra work. I was talking to  
2239 Ms. Crady last night at 8:00 while she was trying to feed her baby.

2240

2241 Mrs. Jones - That's not right.

2242

2243 Mr. Leabough - It's not fair to any of us.

2244

2245 Mrs. Jones - No, it's not.

2246

2247 Mr. Leabough - And I know for me, as well as the rest of you all, this is my  
2248 part-time job not my full-time job. So I'm having to stay up later and, you know. The other  
2249 thing is that it's a pattern with some of the applicants. It's not that it's all of them. It's just  
2250 some of the applicants that you notice consistent patterns that they're not getting the  
2251 information on time.

2252

2253 The other thing that I'm noticing and that I'm getting frustrated with is babysitting cases.  
2254 Finding out where they are in their process and having to call staff so staff can call the  
2255 applicant to find out where they are with things. In particular the one case that I deferred,  
2256 I don't think we heard from the applicant in about a month. So we had to call the  
2257 applicant to say hey, this is on the agenda, where is the information. And I don't feel it's  
2258 the staff's responsibly or mine to babysit them to make sure that they know when to get  
2259 their information to us.

2260

2261 So I'm glad you brought that up. And I hope that we can send some communication to  
2262 them, but as well defer cases that are not ready to be approved by this Commission.

2263

2264 Mr. Archer - I just want to make sure that they understood before they  
2265 even get anything from us in terms of a deferment that this is what's going to happen if it  
2266 continues. We have more stuff to do, as Mr. Emerson will tell you, with some of the same  
2267 characters. And hopefully this message will bleed over to that.

2268

2269 Thanks for the interruption; I appreciate it.

2270

2271 Mr. Emerson - Mr. Chairman, with that said the next item on your agenda is  
2272 consideration of the approval of your minutes from the May 28, 2014 meeting. You do  
2273 have an errata sheet containing corrections the staff received prior to the meeting. And  
2274 of course we'll make any other corrections that you may have found subsequently.

2275

2276 APPROVAL OF MINUTES: May 28, 2014

2277

2278 Mr. Leabough - All right. Are there additional corrections to the minutes? If  
2279 not, I'll entertain a motion.

2280

2281 Mr. Branin - Move to approve the minutes including the errata sheet.  
2282  
2283 Mrs. Jones - Second.  
2284  
2285 Mr. Leabough - We have a motion by Mr. Branin, a second by Mrs. Jones. All  
2286 in favor say aye. All opposed say no. The ayes have it; the motion passes.  
2287  
2288 The Planning Commission approved the May 28, 2014 minutes as correct.  
2289  
2290 Mr. Leabough - Are there any other items for our agenda today?  
2291  
2292 Mr. Witte - I have a question for Mr. Emerson. Would it be possible to  
2293 have the minutes of the Grocery Store case included in the packet for—  
2294  
2295 Mr. Emerson - For the tenth?  
2296  
2297 Mr. Witte - —the tenth.  
2298  
2299 Mr. Emerson - We can try. We'll make every effort to do that for you.  
2300 Certainly they'd be in draft form, and they would be part of your approval of the minutes  
2301 for this meeting at the later July meeting. But we'll make every effort to see if we can't  
2302 get that section done for you, transcribed and in the package.  
2303  
2304 Mr. Witte - Thank you. Me personally, I would like to review all of that  
2305 prior to the meeting. There was a lot of information.  
2306  
2307 Mr. Emerson - We'll do our best. We can probably pull that section, and  
2308 transcribe it, and get it to you. But then we would just include it your regular approval of  
2309 minutes. That'll be just for information purposes.  
2310  
2311 Mr. Witte - Thank you.  
2312  
2313 Mr. Emerson - We'll do our best. I think we can do that.  
2314  
2315 Mr. Leabough - Just having to—trying to avoid having to type every single  
2316 word. Just hitting the highlights, that's all.  
2317  
2318 Mr. Emerson - Appreciate that.  
2319  
2320 Mr. Leabough - If there's nothing else, I'll entertain a motion for adjournment.  
2321  
2322 Mr. Archer - So moved.  
2323  
2324 Mr. Witte - Second.  
2325  
2326 Mr. Leabough - All right. This meeting's adjourned. Thank you.

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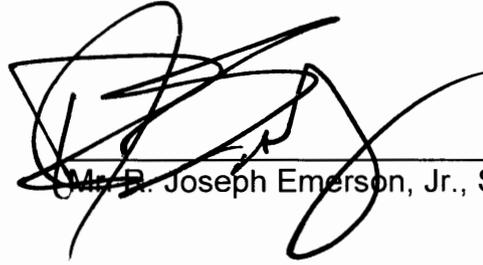
Mr. Witte -

Thank you, staff.



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Mr. Eric Leabough, Chairman.



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Mr. B. Joseph Emerson, Jr., Secretary

## PLANS OF DEVELOPMENT

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

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least **48** hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **July 23, 2014**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

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

19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the POD.
20. The approved Plan of Development is granted by the Planning Commission only to the owners(s)/applicant(s) listed on the Plan of Development application on file for this project. Upon written notification to the Director of Planning, the Plan of Development approval may be transferred to subsequent owner(s) subject to approval by this Commission **(Revised July 2007)**.
21. Vehicles shall be parked only in approved and constructed parking spaces.
22. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
23. The site, including paving, pavement markings, signage, curb and gutter, dumpster screens, walls, fences, lighting and other site improvements shall be properly maintained in good condition at all times. Any necessary repairs shall be made in a timely manner.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. Insurance Services Office (ISO) calculations shall be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
27. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
28. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
29. **(Start of miscellaneous conditions)**

## STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **July 23, 2014**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

**B-2 ZONE**

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

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

**B-3 ZONE**

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

## SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 23, 2014**, 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 22, 2015**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **July 23, 2014**, 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 22, 2015**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 23, 2014**, 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 22, 2015**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

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

**Standard Conditions for Zero Lot Line Subdivisions**  
**(January 2008)**

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 23, 2014**, 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 22, 2015**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

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

## SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 23, 2014**, 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 22, 2015**, 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.