

1 **Minutes of the regular monthly meeting of the Planning Commission of Henrico**  
2 **County held in the County Administration Building in the Government Center at**  
3 **Parham and Hungary Springs Roads beginning at 9:00 a.m. Wednesday,**  
4 **September 25, 2019.**  
5

Members Present: Mr. Gregory R. Baka, Chairperson (Tuckahoe)  
Mr. C. W. Archer, C.P.C., Vice-Chairperson (Fairfield)  
Mr. William M. Mackey, Jr. (Varina)  
Mrs. Melissa L. Thornton (Three Chopt)  
Mr. Robert H. Witte, Jr. (Brookland)  
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning,  
Secretary  
Mr. Frank J. Thornton, Board of Supervisors' Representative

Others Present: Ms. Jean Moore, Assistant Director of Planning  
Ms. Leslie A. News, PLA, Senior Principal Planner  
Mr. Michael F. Kennedy, County Planner  
Mr. Tony Greulich, C.P.C., County Planner  
Mr. Doug Cole, PLA, County Planner  
Ms. Christina L. Goggin, AICP, County Planner  
Ms. Aimee B. Crady, AICP, County Planner  
Ms. Kate B. McMillion, County Planner  
Mr. Salim Chishti, ASLA, County Planner  
Mr. Spencer Norman, County Planner  
Mr. Phillip Bariteau, County Planner  
Ms. Cherie Wyatt, County Planner  
Ms. Melissa Ferrante, Office Assistant / Recording Secretary

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7 **Mr. Frank J. Thornton, the Board of Supervisors' representative, abstains on all**  
8 **cases unless otherwise noted.**  
9

10 Mr. Baka - I call this meeting of the Henrico County Planning Commission  
11 to order. This is our Plans of Development meeting for September 25, 2019. At this time  
12 I'd like to ask you to take a moment to silence your cellphones and please stand with the  
13 Commission for the Pledge of Allegiance.  
14

15 Do we have anyone in the audience this morning with the news media? Okay. We do  
16 have Mr. Frank Thornton, our representative from the Board of Supervisors, who is sitting  
17 with the Planning Commission for this year, for 2019. Welcome.  
18

19 Mr. Thornton - Thank you, Mr. Chairman.  
20

21 Mr. Baka - Thank you for being here. And Mr. Thornton abstains on all  
22 cases unless otherwise noted. The majority of the Commissioners are present so we



58 At the request of the applicant, the Planning Commission deferred POD2019-00207,  
59 Stylecraft Homes Office Expansion, to its October 23, 2019 meeting.

60

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

62

63 Mr. Emerson - Mr. Chairman, unless the Commission has any deferrals they  
64 would like to enter at this time that completes the deferrals and withdrawals. The next  
65 item will be the expedited agenda, and that will also be presented by Ms. Leslie News.

66

67 Ms. News - We have 10 items on our expedited agenda this morning. The  
68 first is found on page 3 of your agenda, and is located in the Fairfield District. This is a  
69 transfer of approval for POD-82-81, Dominion Youth Services, formerly the Both Office  
70 Building, and staff recommends approval.

71

## 72 TRANSFER OF APPROVAL

73

POD-82-81 POD2018-00436 Dominion Youth Services (Formerly Both Office Building) – 5408 Chamberlayne Road	<b>Joshua Lutz for Dominion Youth Services:</b> Request for transfer of approval as required by Chapter 24, Section 24- 106 of the Henrico County Code from Fred A. Taylor, Jr. and Donald Both to DYS Holding Company, LLC. The 0.61-acre site is located on the western line of Chamberlayne Road (U.S. Route 301), approximately 540 feet north of Wilmer Avenue, on parcel 787-746-2041. The zoning is B-1C, Business District (Conditional). County water and sewer. <b>(Fairfield)</b>
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75 Mr. Baka - Is there anyone present this morning in opposition to the  
76 transfer of approval for POD-82-81, Dominion Youth Services, formerly Both Office  
77 Building?

78

79 Mr. Mackey - Mr. Chairman, I moved that the TOA be accepted.

80

81 Mr. Witte - Second.

82

83 Mr. Baka - We have a motion by Mr. Mackey and a second by Mr. Witte.  
84 All in favor say aye.

85

86 The Commission - Aye.

87

88 Mr. Baka - Opposed say no. The motion passes.

89

90 The Planning Commission approved the transfer of approval request for POD-82-81  
91 (POD2018-00436) Dominion Youth Services (Formerly Both Office Building) from Fred  
92 A. Taylor, Jr. and Donald Both to DYS Holding Company, LLC, subject to the standard  
93 and added conditions previously approved.

94

95 Ms. News - The next item is on page 4 of your agenda and is located in  
96 the Tuckahoe District. This is a transfer of approval for POD-23-05, Wal-Mart  
97 Supercenter at Parham Plaza Shopping Center, and staff recommends approval.  
98

99 **TRANSFER OF APPROVAL**  
100

POD-23-05 **PR II/RP Parham Plaza, LLC:** Request for transfer of  
POD2019-00065 approval as required by Chapter 24, Section 24-106 of the  
Wal-Mart Supercenter at Henrico County Code from Parham Development Company  
Parham Plaza Shopping and Parham Plaza SC, LLC to PR II RP Parham Plaza, LLC.  
Center – 1504 North The 8.21-acre site is located on the western line of North  
Parham Road Parham Road (State Route 73), approximately 450 feet  
north of Quioccasin Road (State Route 157) and on the  
northern line of Quioccasin Road, approximately 700 feet  
west of North Parham Road, on parcel 753-744-5576. The  
zoning is B-2, Business District. County water and sewer.  
**(Tuckahoe)**

101  
102 Mr. Baka - Is there anyone in opposition to the transfer of approval for  
103 POD-23-05, Wal-Mart Supercenter at Parham Plaza Shopping Center?  
104

105 I see no opposition, so at this time I would move approval of the transfer of approval for  
106 POD-23-05, Wal-Mart Supercenter at Parham Plaza Shopping Center on the expedited  
107 agenda, subject to the previously approved conditions.  
108

109 Mrs. Thornton - Second.  
110

111 Mr. Baka - We have a motion by Mr. Baka and a second by Mrs.  
112 Thornton. All in favor say aye.  
113

114 The Commission - Aye.  
115

116 Mr. Baka - Opposed say no. Motion carries.  
117

118 The Planning Commission approved the transfer of approval request for POD-23-05  
119 (POD2019-00065) Wal-Mart Supercenter at Parham Plaza Shopping Center from  
120 Parham Development Company and Parham Plaza SC, LLC to PR II RP Parham Plaza,  
121 LLC, subject to the standard and added conditions previously approved.  
122

123 Ms. News - The next item is on page 5 of your agenda and located in the  
124 Brookland District. This is a transfer of approval for POD2015-00180, Public Storage at  
125 8701 Staples Mill Road, which was former Happy Boxes at 8701 Staples Mill Road, and  
126 staff recommends approval.  
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130 **TRANSFER OF APPROVAL**

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POD2015-00180                      **Hallock Svensk for PS Southeast One, Inc.:** Request for  
POD2019-00127                      transfer of approval as required by Chapter 24, Section 24-  
Public Storage at 8701                      106 of the Henrico County Code from Richmond Venture I,  
Staples Mill Road                      LLC and Happy Boxes Staples Mill, LLC to PS Southeast  
(Formerly Happy Boxes at                      One, Inc. The 1.305-acre site is located at the northeastern  
8701 Staples Mill Road)                      corner of the intersection of Staples Mill Road (U.S. Route  
33) and Janway Road, on parcel 770-754-6374. The zoning  
is M-1, Light Industrial District. County water and sewer.  
**(Brookland)**

132  
133     Mr. Baka -                                      Is there anyone present this morning in opposition to the  
134 transfer of approval for POD2015-00180, Public Storage at 8701 Staples Mill Road?

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136     Mr. Witte -                                      Mr. Chairman, I move for approval of the transfer of approval  
137 for POD2015-00180 and POD2019-00127, Public Storage, subject to the previously  
138 approved conditions.

139  
140     Mrs. Thornton -                                      Second.

141  
142     Mr. Baka -                                      We have a motion by Mr. Witte and a second by Mrs.  
143 Thornton. All in favor say aye.

144  
145     The Commission -                                      Aye.

146  
147     Mr. Baka -                                      Opposed say no. The motion carries.

148  
149     The Planning Commission approved the transfer of approval request for POD2015-00180  
150 (POD2019-00127) Public Storage at 8701 Staples Mill Road (Formerly Happy Boxes at  
151 8701 Staples Mill Road) from Richmond Venture I, LLC and Happy Boxes Staples Mill,  
152 LLC to PS Southeast One, Inc., subject to the standard and added conditions previously  
153 approved.

154  
155     Ms. News -                                      The next item is on page 6 of your agenda and located in the  
156 Fairfield District. This is a transfer of approval for a portion of POD-02-98, Park Central  
157 II, and staff recommends approval.

167 **TRANSFER OF APPROVAL**

168

POD-02-98 (pt) **Kathryn Bungo for Baker-Properties Limited**  
POD2016-00252 **Partnership dba Baker Properties-Richmond Limited**  
Park Central II – 8751 Park **Partnership: Request for transfer of approval of a portion**  
Central Drive **of a Plan of Development as required by Chapter 24,**  
**Section 24-106 of the Henrico County Code from Park**  
**Central Associates, L.C. and Robinson Development**  
**Group, Inc. to Baker Properties Limited Partnership. The**  
**8.19-acre site is located on the eastern line of Park Central**  
**Drive, approximately 930 feet north of its intersection with**  
**East Parham Road, on parcel 789-760-5532. The zoning is**  
**M-1C, Light Industrial District (Conditional). County water**  
**and sewer. (Fairfield)**

169

170 Mr. Baka - Is there anyone present in opposition to the transfer of  
171 approval for a portion of POD-02-98, Park Central II?

172

173 Mr. Mackey - Mr. Chairman, I move that a portion of POD-02-98, Park  
174 Central II be approved on the expedited agenda, subject to the annotations on the plan  
175 and the standard conditions for this type of development.

176

177 Mr. Baka - Second. We have a motion by Mr. Mackey and a second by  
178 Mr. Baka. All in favor say aye.

179

180 The Commission - Aye.

181

182 Mr. Baka - Opposed say no. Motion carries.

183

184 The Planning Commission approved the transfer of approval request for POD-02-98 (pt)  
185 POD2016-00252 Park Central II from Park Central Associates, L.C. and Robinson  
186 Development Group, Inc. to Baker Properties Limited Partnership, subject to the standard  
187 and added conditions previously approved.

188

189 Ms. News - The next item is on page 7 of your agenda, located in the  
190 Fairfield District. This is transfer of approval for a portion of POD-02-00, Park Central V,  
191 and staff recommends approval.

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201 **TRANSFER OF APPROVAL**

02

POD-02-00 (pt)  
POD2016-00253  
Park Central V – 8801  
Park Central Drive

**Kathryn M. Bungo for Baker-Properties Limited Partnership dba Baker Properties-Richmond Limited Partnership:** Request for transfer of approval of a portion of a Plan of Development as required by Chapter 24, Section 24-106 of the Henrico County Code from Park Central Associates, L.C. and Robinson Development Group, Inc. to Baker Properties Limited Partnership. The 4.19-acre site is located approximately 475 feet east of Park Central Drive and approximately 1,100 feet north of East Parham Road, on parcel 789-760-9939. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Fairfield)**

203

204 Mr. Baka - Is there anyone present this morning in opposition of the  
205 transfer of approval for a portion of POD-02-00, Park Central V?  
206

207

207 Mr. Mackey - Mr. Chairman, I move that the transfer of approval for a portion  
208 of POD-02-00 Park Central V in the Fairfield District be approved on the expedited  
209 agenda, subject to the annotations on the plans and the standard conditions for this type  
210 of development.  
211

212

12 Mrs. Thornton - Second.

213

214 Mr. Baka - We have a motion by Mr. Mackey and a second by Mrs.  
215 Thornton. All in favor say aye.  
216

217

The Commission - Aye.

218

219 Mr. Baka - Opposed say no. The motion carries.  
220

221

221 The Planning Commission approved the transfer of approval request for POD-02-00 (pt)  
222 POD2016-00253 Park Central V from Park Central Associates, L.C. and Robinson  
223 Development Group, Inc. to Baker Properties Limited Partnership, subject to the standard  
224 and added conditions previously approved.  
225

226

226 Ms. News - The next item is on page 8 of your agenda, and located in the  
227 Brookland District. This is a transfer of approval for POD-79-82, Performance Collision  
228 Center, which was formerly the Baugh Body Shop, and staff recommends approval.  
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235 **TRANSFER OF APPROVAL**

236

POD-79-82 **SilverCore for Michael D. Sifen, Inc.:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Gerry L. and Karen C. Baugh to Michael D. Sifen, Inc. The 2.05-acre site is located on the northern line of West Broad Street, approximately 700 feet east of its intersection with Horsepen Road, on parcel 770-741-3862. The zoning is B-3, Business District. County water and sewer. **(Brookland)**

237

238 Mr. Baka - Is there anyone present in opposition to the transfer of  
239 approval for POD-79-82, Performance Collision Center, formerly Baugh Body Shop?

240

241 Mr. Witte - Mr. Chairman, I move approval of the TOA for POD-79-82,  
242 Performance Collision Center, subject to previously approved conditions on the expedited  
243 agenda.

244

245 Mr. Baka - Second. We have a motion by Mr. Witte and a second by Mr.  
246 Baka. All in favor say aye.

247

248 The Commission - Aye.

249

250 Mr. Baka - Opposed say no. The motion carries.

251

252 The Planning Commission approved the transfer of approval request for POD-79-82  
253 POD2019-00276 Performance Collision Center (Formerly Baugh Body Shop) from Gerry  
254 L. and Karen C. Baugh to Michael D. Sifen, Inc., subject to the standard and added  
255 conditions previously approved.

256

257 Ms. News - The next item is on page 9 of your agenda and located in the  
258 Fairfield District. This is a transfer of approval for POD-12-82 and POD-48-95,  
259 Mechanicsville Industrial Center, formerly Allegheny Pepsi-Cola Distribution Center, and  
260 staff recommends approval.

261

262 **TRANSFER OF APPROVAL**

263

POD-12-82 and **Silver Cap Partners, LLC for Bottling Group, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Bottling Group, LLC to SCP-G Mechanicsville, LLC. The 15.93-acre site is located on the western line of Mechanicsville Turnpike, approximately 600 feet south of its intersection with Harvie Road, on parcel 800-732-5605. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Fairfield)**

POD-48-95  
POD2019-00263 and  
POD2019-00266  
Mechanicsville Industrial  
Center (Formerly  
Allegheny Pepsi-Cola  
Distribution Center) –  
3008 Mechanicsville  
Turnpike

264  
65 Mr. Baka - Is there anyone present in opposition to the transfer of  
266 approval for POD-12-82 and POD-48-95, Mechanicsville Industrial Center?  
267

268 Mr. Archer - Mr. Chairman, I move approval of this transfer of approval,  
269 subject to the indications of staff.  
270

271 Mr. Witte - Second.  
272

273 Mr. Baka - We have a motion by Mr. Archer and a second by Mr. Witte.  
274 All in favor say aye.  
275

276 The Commission - Aye.  
277

278 Mr. Baka - Opposed say no. Motion carries.  
279

280 The Planning Commission approved the transfer of approval request for POD-12-82 and  
281 POD-48-95 (POD2019-00263 and POD2019-00266) Mechanicsville Industrial Center  
282 (Formerly Allegheny Pepsi-Cola Distribution Center) from Bottling Group, LLC to SCP-G  
283 Mechanicsville, LLC, subject to the standard and added conditions previously approved.  
284

285 Ms. News - The next item is on page 18 of your agenda, and is located in  
286 the Brookland District. This is POD2019-00350, and it includes a lighting plan for a  
37 Restaurant Outparcel at Tuckernuck Square, and staff recommends approval.  
288

289 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**  
290

POD2019-00350 Restaurant Outparcel at Tuckernuck Square – 9004 West Broad Street	<b>Langan Engineering for HK New Plan Tuckernuck Square, LLC and Brixmor GA Tuckernuck Square, 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 build a one-story, 2,192-square foot restaurant with drive-through facilities in an existing shopping center. The 1-acre site is located on the northern line of West Broad Street (U.S. Route 250), approximately 275 feet west of West End Drive, on part of parcel 758-756- 6786. The zoning is B-2, Business District. County water and sewer. <b>(Brookland)</b>
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291  
292 Mr. Baka - Is there anyone present in opposition to POD2019-00350 and  
293 lighting plan, Restaurant Outparcel at Tuckernuck Square?  
294

295 Mr. Witte - Mr. Chairman, I move approval of the POD2019-00350,  
296 Restaurant Outparcel at Tuckernuck, and the lighting plan, subject to the annotations on  
297 the plans, and standard conditions for developments of this type and additional conditions  
298 11B and 29 through 37.

299  
300 Mr. Mackey - Second.  
301  
302 Mr. Baka - We have a motion by Mr. Witte and a second by Mr. Mackey.  
303 All in favor say aye.  
304  
305 The Commission - Aye.  
306  
307 Mr. Baka - Opposed say no. Motion carries.  
308  
309 The Planning Commission approved the plan of development and lighting plan for  
310 POD2019-00350, Restaurant Outparcel at Tuckernuck Square, subject to the annotations  
311 on the plans, the standard conditions attached to these minutes for developments of this  
312 type, and the following additional conditions:  
313  
314 11B. Prior to the approval of an electrical permit application and installation of the site  
315 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
316 specifications and mounting heights details shall be revised as annotated on the  
317 staff plan and included with the construction plans for final signature.  
318 29. Only retail business establishments permitted in a B-2 zone may be located in this  
319 center.  
320 30. The ground area covered by all the buildings shall not exceed in the aggregate 25  
321 percent of the total site area.  
322 31. No merchandise shall be displayed or stored outside of the building(s) or on  
323 sidewalk(s).  
324 32. The entrances and drainage facilities on West Broad Street (U.S. Route 250) shall  
325 be approved by the Virginia Department of Transportation and the County.  
326 33. A notice of completion form, certifying that the requirements of the Virginia  
327 Department of Transportation entrances permit have been completed, shall be  
328 submitted to the Department of Planning prior to any occupancy permits being  
329 issued.  
330 34. A concrete sidewalk meeting VDOT standards shall be provided along the northern  
331 side of West Broad Street.  
332 35. Approval of the construction plans by the Department of Public Works does not  
333 establish the curb and gutter elevations along the Virginia Department of  
334 Transportation maintained right-of-way. The elevations will be set by the contractor  
335 and approved by the Virginia Department of Transportation.  
336 36. The location of all existing and proposed utility and mechanical equipment  
337 (including HVAC units, electric meters, junctions and accessory boxes,  
338 transformers, and generators) shall be identified on the landscape plan. All building  
339 mounted equipment shall be painted to match the building, and all equipment shall  
340 be screened by such measures as determined appropriate by the Director of  
341 Planning or the Planning Commission at the time of plan approval.  
342 37. Except for junction boxes, meters, and existing overhead utility lines, and for  
343 technical or environmental reasons, all utility lines shall be underground.  
344

345  
46 Ms. News - The next item is on page 22 of your agenda and is located in  
347 the Three Chopt District. This is POD2019-00351, Dunkin' at Lauderdale Square  
348 Shopping Center. There is an addendum item which includes a revision to the report  
349 clarifying that signage is not part of the approval, and staff recommends approval.

350  
351 **PLAN OF DEVELOPMENT**

352  
POD2019-00351 **Koontz Bryant Johnson Williams for The Wilton  
Dunkin' at Lauderdale Companies, LLC and The Heritage Group, LLC:** Request  
Square Shopping Center – for approval of a plan of development, as required by  
12101 Lauderdale Drive Chapter 24, Section 24-106 of the Henrico County Code, to  
build a one-story, 2,800-square foot restaurant with drive-  
through facilities in an existing shopping center. The 0.86-  
acre site is located on the eastern line of Lauderdale Drive,  
approximately 260 feet south of its intersection with Rutgers  
Drive, on parcel 734-757-4653. The zoning is B-2C,  
Business District (Conditional). County water and sewer.  
**(Three Chopt)**

353  
354 Mr. Baka - Is there anyone present in opposition to POD2019-00351,  
355 Dunkin' at Lauderdale Square Shopping Center?

356  
357 Mrs. Thornton - Mr. Chairman, I move that POD2019-00351, Dunkin' at  
358 Lauderdale Square Shopping Center be approved on the expedited agenda, subject to  
359 the annotations on the plan, the standard conditions for developments of this type, and  
360 additional conditions 29 through 36 in the agenda and the revised report in the addendum.

361  
362 Mr. Mackey - Second.

363  
364 Mr. Baka - We have a motion by Mrs. Thornton and a second by Mr.  
365 Mackey. All in favor say aye.

366  
367 The Commission - Aye.

368  
369 Mr. Baka - Opposed say no. Motion passes.

370  
371 The Planning Commission approved the plan of development for POD2019-00351,  
372 Dunkin' at Lauderdale Square Shopping Center, subject to the annotations on the plans,  
373 the standard conditions attached to these minutes for developments of this type, and the  
374 following additional conditions:

375  
376 29. Only retail business establishments permitted in a B-2 zone may be located in this  
377 center.

378 30. The ground area covered by all the buildings shall not exceed in the aggregate 25  
79 percent of the total site area.

- 380 31. No merchandise shall be displayed or stored outside of the building(s) or on  
 381 sidewalk(s).  
 382 32. The proffers approved as a part of zoning case C-55C-85 shall be incorporated in  
 383 this approval.  
 384 33. In the event of any traffic backup which blocks the public right-of-way as a result  
 385 of congestion caused by the drive-up teller facilities, the owner/occupant shall  
 386 close the drive-up teller facilities until a solution can be designed to prevent traffic  
 387 backup.  
 388 34. Approval of the construction plans by the Department of Public Works does not  
 389 establish the curb and gutter elevations along the Henrico County maintained right-  
 390 of-way. The elevations will be set by Henrico County.  
 391 35. The location of all existing and proposed utility and mechanical equipment  
 392 (including HVAC units, electric meters, junction and accessory boxes,  
 393 transformers, and generators) shall be identified on the landscape plans. All  
 394 equipment shall be screened by such measures as determined appropriate by the  
 395 Director of Planning or the Planning Commission at the time of plan approval.  
 396 36. Except for junction boxes, meters, and existing overhead utility lines, and for  
 397 technical or environmental reasons, all utility lines shall be underground.  
 398

399 Ms. News - The final item is found on page 24 of your agenda and is  
 400 located in the Brookland District. This is POD2019-00353, VFW Post 6364 Banquet Hall.  
 401 There is an addendum item that includes an added floor plan to your packet, and staff  
 402 recommends approval.  
 403

404 **PLAN OF DEVELOPMENT**  
 405

POD2019-00353 VFW Post 6364 Banquet Hall – 6504 Dickens Place	<b>Richard L. Baird, Jr. for Veterans of Foreign Wars, Inc.          Post 6364:</b> 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, 5,000-square foot banquet hall. The 1.24-acre site is located on the eastern line of Dickens Place, approximately 300 feet south of its intersection with Dickens Road, on parcel 769-743-6236 and part of parcel 769-743-5517. The zoning is B-3, Business District. County water and sewer. <b>(Brookland)</b>
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406  
 407 Mr. Baka - Is there anyone present in opposition to POD2019-00353,  
 408 VFW Post 6364 Banquet Hall?  
 409

410 Mr. Witte - Mr. Chairman, I move approval of POD2019-00353, VFW  
 411 Post 6364 Banquet Hall, subject to the annotations on the plan, the standard conditions  
 412 for developments of this type, and additional conditions 29 through 30.  
 413

414 Mr. Archer - Second.  
 415

416 Mr. Baka - We have a motion by Mr. Witte and a second by Mr. Archer.  
17 All in favor say aye.

418  
419 The Commission - Aye.

420  
421 Mr. Baka - Opposed say no. Motion carries.

422  
423 The Planning Commission approved the plan of development for POD2019-00353, VFW  
424 Post 6364 Banquet Hall, subject to the annotations on the plans, the standard conditions  
425 attached to these minutes for developments of this type, and the following additional  
426 conditions:

427  
428 29. The location of all existing and proposed utility and mechanical equipment  
429 (including HVAC units, electric meters, junction and accessory boxes,  
430 transformers, and generators) shall be identified on the landscape plans. All  
431 equipment shall be screened by such measures as determined appropriate by the  
432 Director of Planning or the Planning Commission at the time of plan approval.

433 30. Except for junction boxes, meters, and existing overhead utility lines, and for  
434 technical or environmental reasons, all utility lines shall be underground.

435  
436 Mr. Emerson - Mr. Chairman, that completes the expedited agenda for this  
437 morning. The next items on the agenda are the Subdivision Extensions of Conditional  
438 Approval. We have none of those this month. So we now move into the regular agenda,  
39 page 10, for POD2019-00285, Cross Development CC Henrico, LLC. The staff report will  
440 be presented by Mr. Mike Kennedy.

441  
442 **LANDSCAPE PLAN**

443  
POD2019-00285 **Cross Development CC Henrico, LLC:** Request for  
Caliber Collision at 12201 approval of a landscape plan, as required by Chapter 24,  
Ridgefield Parkway Sections 24-106 and 24-106.2 of the Henrico County Code.  
The 3.39-acre site is located at the southwestern corner of  
the intersection at Ridgefield Parkway and Gayton Centre  
Drive, on parcel 731-751-2972. The zoning is B-3, Business  
District. County water and sewer. **(Tuckahoe)**

444  
445 Mr. Baka - Before we begin, is there anyone present this morning in  
446 opposition to POD2019-00285, Cross Development CC Henrico, LLC, which is Caliber  
447 Collision at Ridgefield Parkway.

448  
449 Okay. We do have some folks. We will have the staff presentation first and we will get  
450 to you all soon.

451  
452 Mr. Kennedy - Good morning, Commissioners. This application is for  
453 approval of the landscape plan for Caliber Collision, which consists of a one-story,  
454 22,400-square foot auto body repair shop. The site is currently under construction. It is

455 located in this block here, at Ridgefield Parkway and Gayton Centre Drive, behind the  
456 Gayton Center shopping center. That's the Ollie's shopping center, if you're familiar with  
457 it.

458  
459 A site lighting plan has been submitted for administrative review in accordance with the  
460 conditions of the POD. The lighting plan proposes contemporary style concealed source  
461 LED lighting fixtures, mounted on 17.5-foot high poles set on 2.5-foot high concrete  
462 bases, as well as contemporary wall-mounted fixtures 12 feet high on the walls of the  
463 building. The plan does not exceed 0.1-foot candles along the Palmer Place property line  
464 and maintains at least one-foot candle within the parking area. All zoning code  
465 requirements have been met.

466  
467 As far as the landscape plan is concerned, this is the landscape plan. There is a 35-foot  
468 transitional buffer, which is required along Ridgefield Parkway, in this area here. It is  
469 provided by an existing buffer. In addition, a low retaining wall with a four-foot high  
470 decorative metal fence will be located at the back of the buffer. No vehicle service doors  
471 face Ridgefield Parkway. Customer parking is located in front of the building. No vehicle  
472 storage will be permitted in front of the building.

473  
474 There is a 35-foot transitional buffer required along the western property line. That buffer  
475 there is to be planted. It has existing trees, but it is supplemented by new landscaping  
476 along the entire length. That landscaping will meet the 35-foot transitional buffer  
477 requirement. The building is actually set further back from that property line than the 15-  
478 foot side yard required by code. It is set back 60 feet and there are no building openings  
479 on that side of the building, no windows or doors. The whole buildings faces the other  
480 direction.

481  
482 Toward the rear of the building is a vehicle storage area. That vehicle storage area will  
483 have a 10-foot high wooden fence along that property line, and 6-foot high wooden fence  
484 along the southern and eastern property lines of that property. There is additional  
485 landscaping along Gayton Centre Drive, which faces other industrial type uses. In fact,  
486 there are actually two other collision shops in that industrial center at this time.

487  
488 As far as the planning landscape requirements and transitional buffer requirements on  
489 both sides, staff recommends approval at this time. If you have any questions, I'd be  
490 happy to answer them.

491  
492 Mr. Baka - Any questions for the staff from members of the Planning  
493 Commission?

494  
495 I do have one, sir. You mentioned a 35-foot transitional buffer on the western side of the  
496 property. Can you just walk through that again, in terms of both distance, what's there in  
497 terms of existing trees, and what would be -- what might be added to that buffer?

498  
499 Mr. Kennedy - Okay. This is the buffer here, along that property line, so it's  
500 actually -- the buffer here is 35-foot width, 30 feet of lawn, grass. This section here is just

501 existing trees. Most of it is old pine trees, pretty much stately pine trees. Further on  
502 Ridgefield Parkway there are actually freestanding trees. In the right of way a sidewalk  
503 is not being constructed so they are not being removed at this time. So basically it's kind  
504 of hidden from the street.

505  
506 On the west side of the building there's actually a berm a couple feet high, on this side.  
507 It's actually -- property -- the (indiscernible) is actually lower, about five or six feet lower  
508 than the berm itself, with trees will be placed here. As far as the trees I believe it's five  
509 large trees, two more small trees, and plants and shrubs behind the tree. It will be a pretty  
510 full buffer as it develops.

511  
512 Mr. Baka - Any other questions of the staff? If not, thank you. Thank  
513 you, sir.

514  
515 At this time we'd like to open up for public hearing and ask those that would like to speak  
516 in opposition please come forward. And I'd also like to ask if Mr. Emerson could read our  
517 rules for public hearings.

518  
519 Mr. Emerson - Yes, sir, Mr. Chairman. The Commission does have  
520 guidelines that govern their public hearings and they are as follows: The applicant is  
521 allowed 10 minutes to present the request. Time may be reserved for responses to  
522 testimony. Opposition is allowed a cumulative 10 minutes to present its concerns,  
523 meaning everybody that has concerns needs to do it within that 10 minutes. Commission  
524 questions do not count into time limits, and the Commission may waive the limits for either  
525 party at its discretion, and all comments must be directly related to the case under  
526 consideration.

527  
528 Mr. Baka - Good morning and welcome. Please state your name for the  
529 record.

530  
531 Ms. George - Yes. My name is Marcia George. I am representing Palmer  
532 Place Condos. We are going to be looking at the back of the building. And where they  
533 are putting the shrubbery, from Ridgefield to the, I would say, 30 feet, they haven't even  
534 torn down those trees. They kept those up. So our question is, why didn't you keep the  
535 other trees up instead of tearing them completely down?

536  
537 And there's a couple of other issues. It's been brought to my attention, as a board  
538 member, that when you look at the back of the building, they have taken the dirt, ground,  
539 whatever you want to say, and it's very high, and it seems as they build the building it's  
540 encroaching onto our property. Slowly by slowly, it's encroaching onto our property, and  
541 we don't like that.

542  
543 They are coming in -- they said they were going to work regular hours, 8 to 5, Monday  
544 through Friday. They have been coming at 7:00, as early as 7:00, on Saturday and  
545 Sundays. I brought this to Pat O'Bannon's attention and she was very upset. She said

546 they're not staying in compliance to the hours they were supposed to work. It has upset  
547 a lot of people that have to sleep and go to work, bottom line, you know.

548  
549 And another issue that has -- it's affected not only our condos but the apartments and  
550 condos across Ridgefield, okay. We're at the -- we're going to be at the back. Our condos  
551 are at the corner of Ridgefield and Lauderdale, but there are some others on the other  
552 side. When they tore those trees, I guess some of them were 80 and 100 feet tall.  
553 They've been there for -- I bought my condo in 1996. They've been there. When they  
554 tore those trees down it was so fast and furious. It seems like some of the wildlife has  
555 invaded our condos, like rats. All kinds of insects are infesting through our vents. It has  
556 caused a lot of problems, and I think the people on Ridgefield -- I don't think any of them  
557 are here, but I have spoken with them and they are having the same problems.

558  
559 So we want to know what they're going to do about that. I mean, there was one time, the  
560 body shop that's across the street said that one day, when they were tearing down all  
561 these trees -- and they did it fast and furious -- there was -- there was a small pond in  
562 there, and they literally saw a mother duck with her ducklings, trying to get across the  
563 road, and they got ran over. There were deer in there that are -- I don't know where they  
564 have gone but we saw them running through our complex. We've seen rabbits. We've  
565 seen -- they just totally disrupted the wildlife, with no concern at all. And we are still  
566 having some rat and insect problems in Palmer Place Condos.

567  
568 But that's one of our concerns. We're very concerned, as they're building the building --  
569 they do have a very high -- you could come out there -- the dirt seems to get higher and  
570 higher, but it seems to be coming onto our property, as they build it, and that needs to be  
571 addressed, because that is not the way it was supposed to be. We're concerned about  
572 them working. They work way past into the night. They are there on weekends, as early  
573 as 6 and 7:00 on Saturday and Sundays. We don't appreciate that. That was not what  
574 they agreed to, and when I talked to Pat O'Bannon, we've had several conversations,  
575 they're just totally out of compliance with what they said they were going to do.

576  
577 So we would like that addressed and find out why they are not staying in compliance to  
578 what they agreed to. Because I was here at the original --

579  
580 Mr. Baka - Yes.

581  
582 Ms. George - -- and everybody seemed to be so nice. "Yes, we're going to  
583 do that." Well, they haven't done it.

584  
585 Mr. Baka - We can definitely ask the applicant to follow up on those  
586 questions.

587  
588 Ms. George - Yes. And Pat O'Bannon --

589  
590 Mr. Baka - Any other --

591

592 Ms. George - -- like I said, I've talked to Pat O'Bannon. She's got great  
03 details in an email from me.  
594  
595 Mr. Baka - Ms. George, any other questions that you have about these -  
596 -  
597  
598 Ms. George - No. I would like to say, because we did enjoy that -- our trees  
599 out there -- we do not want saplings. We want full-grown trees.  
600  
601 Mr. Baka - I understand.  
602  
603 Ms. George - And we want shrubbery in between those trees, because my  
604 understanding this is the first Caliber Collision that is going into a residential section, and  
605 I think I explained it the first time. We know it's going to happen, but make it -- let's make  
606 it a nice transition.  
607  
608 Mr. Baka - Okay.  
609  
610 Ms. George - But so far it's not been nice.  
611  
612 Mr. Baka - Ms. George, if I may, let me ask members of the Commission,  
613 do any members of the Commission have a question for Ms. George at this time?  
614  
615 Mrs. Thornton - I do, only because I live near there, so I'm trying to visualize.  
616 I know Ridgefield and I know Lauderdale. Are you -- like, let's say Ollie's --  
617  
618 Ms. George - Mm-hmm.  
619  
620 Mrs. Thornton - -- which side are you on?  
621  
622 Ms. George - Okay. Here's Ollie's. Here's Gayton -- okay, wait a minute.  
623  
624 Mr. Baka - Just west of the site.  
625  
626 Ms. George - See Sternbridge? That's one of our main streets in our  
627 condos. And you see those five buildings? That's our condos.  
628  
629 Mrs. Thornton - Okay. So you're saying -- where are they encroaching the dirt  
630 onto your -- just so I can visualize.  
631  
632 Ms. George - Right there. Right -- right there. That yellow space right there.  
633 I mean, you know, when I was coming out to come to the meeting, one of the owners was  
634 out there, and they said, why -- it seems like morning when I wake up that dirt just keeps  
635 coming onto our property. Well, see, they're really working at the back of the building  
636 now. Now, I understand the building is going up, but do what you say you're going to do,  
07 bottom line.

638  
639 Mr. Baka - Okay. Any other questions for Ms. George? Thank you very  
640 much.  
641  
642 Ms. George - Thank you.  
643  
644 Mr. Baka - Is there anyone else who would like to speak on this matter  
645 here? Please come forward to the mic.  
646  
647 Mr. Emerson - Mr. Chairman, you have about 4 minutes left.  
648  
649 Mr. Baka - Thank you. Good morning and welcome.  
650  
651 Ms. Burgess - Good morning. My name is Julie Burgess and I live at Palmer  
652 Place, and I live exactly -- my condo looks into the big wall that they've built. The smell  
653 from the dirt, it smells terrible, and I am about the only one who lives there all day. And  
654 to look at that building -- and we were supposed to get information on what kind of trees  
655 were supposed to be planted, and that, and we've not gotten anything like that. I've even  
656 done research. But the glare from that building just comes right in. I have to keep my  
657 blinds closed all the time. And we really do need sturdy, tall trees, because to look at  
658 this, to what we had, this is terrible. But by now, we were supposed to have a plan of  
659 what trees were going in there, and we've seen nothing. Even Pat O'Bannon had said  
660 we'd be getting information on the trees.  
661  
662 So I've even done research myself on different trees, and the height and the width, and  
663 we'd like some color in there, because it's a terrible place to look at. And we miss our  
664 trees. We really need to --  
665  
666 Mr. Baka - Okay.  
667  
668 Ms. Burgess - -- we were supposed to have that by now.  
669  
670 Mr. Baka - Any questions from the commission of Ms. Burgess? All right.  
671 Thank you. Is there anyone else here this morning, in addition to those who have spoken,  
672 who would also like to speak today, in opposition to this case? In opposition? You will  
673 need to come to the microphone in order to do so.  
674  
675 Is there anyone else in opposition, before Ms. George comes forward?  
676  
677 Ms. George - I want to reiterate what she said, that we were supposed to  
678 get the exact type of trees. Because when I talked to Pat she said, "We need to get like  
679 Christmas trees that grow tall and wide." But we were told we would get that before this  
680 meeting, of what type of trees, and we have not gotten it.  
681  
682 Mr. Baka - Okay. Thank you. Thank you, Ms. George.  
683

684 Ms. George - That's all I wanted to add.  
35

686 Mr. Baka - Appreciate it. All right. At this point, if there are no other  
687 speakers in opposition, and we do have several questions that have been outlined there  
688 from adjacent neighbors, I'd like to ask the applicant to come forward. If it's appropriate?  
689 Would the applicant please come forward?  
690

691 Mr. Emerson - Mr. Chair, while the applicant is approaching, the hours of  
692 operation question has come up numerous times on this project. It's unconditional B-3,  
693 they are compliant with County's noise ordinance, in terms of their hours of operation.  
694 Our inspectors have been by and spoken to the developer a time or two regarding hours  
695 that they were starting, but they were within the confines of the County Code regarding  
696 the noise ordinance. They haven't violated that. So they have been willing to try to work  
697 with us, and they have talked to their subs about starting a little later, but again, they were  
698 not in violation of any working hours. They were within the operational hours allowed by  
699 the noise ordinance of the County.  
700

701 Mr. Baka - So for clarity's sake there were no additional proffer  
702 requirements on limiting the hours of operation.  
703

704 Mr. Emerson - It's unconditional B-3, yes, sir.  
705

706 Mr. Baka - And, therefore, they're not out of compliance for the hours.  
707

708 Mr. Emerson - And Sundays have the same restrictions, seven days a week.  
709

710 Mr. Baka - Good morning, sir. Would you please state your name for the  
711 record?  
712

713 Mr. Williams - David Williams with Horizon Construction. We're the general  
714 contractor, also representing Cross Development, who we are working for.  
715

716 We submitted the plans. We have made several revisions, the screen walls that have  
717 been added, the 10-foot fence behind the building between us and the condos. We have  
718 added a 6-foot fence along the entire property line on the front side facing Gayton Road,  
719 for shielding on that side. We've added the rooftop screening, so that no one can see the  
720 HVAC equipment, the top side of it. The dumpster enclosure, even though we were using  
721 architectural blocks we still added a fence screening our dump screen closure.  
722

723 We have took a lot of due diligence in clearing the site. We actually were able to keep  
724 about 12 trees that we could have taken off on the demo plan. So I think we've met all  
725 the requirements that the County has asked us for.  
726

727 As far as rats, insects, and ducks being run over, this is the first I've heard of that. We  
728 encountered no animals of any sort on the property when we were doing the clearing.  
729

730 I guess that's all. Like I said, I think we've done over and beyond trying to meet the  
731 County's requirements.

732  
733 Mr. Baka - Okay. Mr. Williams, at this point the Commission will have a  
734 chance to ask you any questions, if that's okay. And I wanted to restate or paraphrase a  
735 couple of questions I heard from a couple of the speakers. One of the questions early on  
736 was were more trees able to be saved, or why weren't more trees able to be saved? And  
737 I heard you say about a dozen trees were retained, which is --

738  
739 Mr. Williams - Above and beyond what they had --

740  
741 Mr. Baka - -- better than -- so in your estimation, were you able to  
742 reasonably save those that could be retained without disrupting the site development  
743 process?

744  
745 Mr. Williams - Yes.

746  
747 Mr. Baka - Okay. I also heard a lot about the dirt that is sloped. I heard  
748 two things. One is that the dirt was actually sloped onto their property but actually maybe  
749 just near the property or taller. I'm not necessarily sure it's on the adjacent land.

750  
751 Mr. Williams - There's a 30-foot buffer between that property line and where  
752 our pile of dirt is.

753  
754 Mr. Baka - Okay.

755  
756 Mr. Williams - Our dirt is approximately 10 feet behind the building. If you  
757 could put up the landscaping plan again you can see that there's like a 10-foot strip  
758 between the building and the stockpile of topsoil, which, in the next two weeks, that topsoil  
759 will be distributed into the parking lot areas.

760  
761 Mr. Baka - So about how high would you guess that large pile of dirt is  
762 right now, just a round number?

763  
764 Mr. Williams - Between eight foot.

765  
766 Mr. Baka - I'm sorry?

767  
768 Mr. Williams - Around eight feet.

769  
770 Mr. Baka - Eight feet tall?

771  
772 Mr. Williams - Yes.

773

774 Mr. Baka - And you say in the next couple of weeks. So after two or three  
775 weeks from now, you said it would be distributed around the property. About how much  
776 would that pile of dirt be decreased for the neighbors' sake?  
777

778 Mr. Williams - The original berm from the property line to the back of the  
779 building is 9 foot. So right now it's like, it seems to 16 feet.  
780

781 Mr. Baka - Okay.  
782

783 Mr. Williams - So it will be back down to around that 9-foot berm height when  
784 we're completed.  
785

786 Mr. Baka - You expect that in the next couple of weeks, two to three  
787 weeks?  
788

789 Mr. Williams - Well, I mean, we need to get this resolved so that we can get  
790 our landscaping in place, we can put that soil in.  
791

792 Mr. Baka - Okay. All right. So the hours of construction, Mr. Emerson  
793 already addressed that the applicant is not in violation of that. We appreciate -- we  
794 sincerely appreciate every good faith measure you can do to --  
795

796 Mr. Williams -- From my understanding, we are allowed from 6 a.m. until 10  
797 p.m. Basically we're working from 7 until like 6 to 7.  
798

799 Mr. Baka - Okay. Does working a little bit earlier and a little bit later, does  
800 it allow you to complete the project a little bit quicker, so you're not there on site as long?  
801

802 Mr. Williams - Right.  
803

804 Mr. Baka - All right. So I guess that's a tradeoff of sorts there.  
805

806 And, if I could, let me continue asking Mr. Williams a couple of questions. And again, I'll  
807 let Mr. Emerson address if that was in full compliance with the rezoning or not.  
808

809 Question about wildlife and bugs and insects. Basically, when wooded areas are cleared,  
810 I guess it's just part of a natural process that animals are going to scatter to the area. Is  
811 there anything that can be done to minimize that effect?  
812

813 Mr. Emerson - Mr. Chairman, we have no regulation in our code that would  
814 govern something of that type of activity, when a piece of land is cleared. You have  
815 erosion and sediment control laws and you have other laws that govern the clearing of  
816 property. But when you have, in this case, a piece of B-3 unconditioned property, there  
817 are no proffers beyond the regular code. There's nothing that addresses displacement of  
818 animals, vermin, or bugs, and so forth and so on.  
9

820 Mr. Baka - Mr. Emerson, I appreciate that comment very much. So  
821 there's nothing that we, as a Commission, can really essentially, for the neighbors' sake,  
822 that we, essentially, the Commission, can really do for that.

823  
824 Unless others have a questions for Mr. Williams—

825  
826 Mr. Witte - Okay. I have questions for Mr. Kennedy after that.

827  
828 What kind of trees are you putting in? Do we have a list that we can accommodate these  
829 people with?

830  
831 Mr. Emerson - Mr. Chairman, I would clarify, too, I have been involved in  
832 these discussions with Ms. O'Bannon. The list that the ladies referred to and the trees,  
833 that's the list that's contained within your landscaping plan. There's a chart on the  
834 landscaping plan that details the types of plantings that occur. That's what was discussed  
835 and Ms. O'Bannon has referred these ladies to. Of course, the condo group received  
836 notification of the plans and of the hearing, and that the plans were here in the office, that  
837 they could come by and take a look at them. So that's been here. So just to, I guess,  
838 clear up any confusion on that part.

839  
840 Mr. Baka - Okay. Can you state some of the names of the trees that are  
841 on that list, to respond to Mr. Witte's comment?

842  
843 Mr. Kennedy - There are seven Linden trees, two Yoshino cherry trees, eight  
844 Willow Oak trees--

845  
846 Mr. Emerson - Mr. Kennedy, could you speak into the microphone, please?

847  
848 Mr. Kennedy - I'll start from the top. Seven Linden trees, two Yoshino cherry  
849 trees, eight Willow Oaks, nine Red Maples, five Arborvitaes, seven Zelkova, five White  
850 Fringe trees, and six Redbud trees. Those are the trees going on the site.

851  
852 Mr. Emerson - Well, and the arborvitaes would be the type of tree that Ms.  
853 George referred to, and Ms. Savannah talked about. It's a large evergreen tree that has  
854 a conical shape, like a Christmas tree. So those are in there.

855  
856 Mr. Kennedy - Yes, sir. I did contact Ms. George and send her a copy of the  
857 landscape plan. She sent a receipt saying thank you, but I guess she didn't say the list  
858 would include that landscape list as well.

859  
860 Mr. Baka - Mr. Kennedy, if I could, let me ask, when these trees are  
861 planted, at the top of the page, you talked about a minimum caliper for the Linden and  
862 Yoshino Cherry. Can you reference the approximate size of those trees, when planted?

863

864 Mr. Kennedy - Deciduous trees have a 2.5-inch caliper, so they are  
865 commercial-sized trees. That type of tree would be hard to plant yourself but it is easy to  
866 get from a nursery.

867

868 Mr. Baka - About how many inch caliper, you said?

869

870 Mr. Kennedy - Two and a half inch caliper, minimum. The minimum height  
871 of Evergreen trees is 8 feet high.

872

873 Mr. Baka - Okay.

874

875 Mr. Emerson - Maybe I'm not reading the plan correctly. It says a minimum  
876 of 12.

877

878 Mrs. Thornton - Minimum of 8.

879

880 Mr. Emerson - Minimum of 8, yes.

881

882 Mr. Kennedy - Right.

883

884 Mr. Baka - So I think it's clear that when trees are planted they are not  
885 the size of a small shrub or something that's just a couple, 2 or 3 feet off the ground. They  
886 are also not extremely large but they are a size that can be planted and can take root and  
37 can establish roots and grow from there.

38

889 Mr. Kennedy, it's a given, is it not, that these trees take a few years to grow to reach their  
890 full, mature size?

891

892 Mr. Kennedy - Yes, sir. Basically the plant takes a year and then they start  
893 to grow. It takes about a year, a couple of years to grow, from a tree.

894

895 Mr. Baka - So this plan in front of us, as we have this discussion here this  
896 morning, also available on the two screens here in the boardroom, circles showing the  
897 locations of those trees to be planted.

898

899 Mr. Kennedy - What's unfortunate is I think the property owners from Palmer  
900 Place are misinformed about where the property line is located. Their property line is  
901 actually located 15 feet behind the parking spaces there, and then you have 60-plus feet  
902 to building. So they felt that the dirt was encroaching on their property, but it's actually  
903 not encroaching on their property. It's actually on the property of the developer.

904

905 Mr. Emerson - I think the question, Mr. Kennedy, is how long it will take the  
906 landscaping to grow in, correct?

907

908 Mr. Kennedy - Probably three years would be a good guess.

19

910 Mr. Archer - Mr. Kennedy, would all these trees be planted at the same  
911 time or would you have to wait for a certain season of the year to plant some of them?  
912

913 Mr. Kennedy - We will not be planting in December or July. Typically, when  
914 winter comes by they stop growing trees from nurseries, and it's summer that they stop  
915 growing trees, because you will have frozen roots and dead trees.  
916

917 Mr. Baka - That's a good question. If I could, I'd like to follow up on Mr.  
918 Archer's question by asking Mr. Williams about the trees and the construction. So we're  
919 here at the end of September, and I recall you saying a couple weeks, 2, 3, 4 weeks we'd  
920 look at spreading that dirt on the large soil stockpile to other areas of the site.  
921 Approximately when would you be planning to plant these trees on the landscape plan?  
922

923 Mr. Williams - The end of November, first of December. I mean, right now  
924 we're on a schedule to try to turn the building over on December 15th for a January  
925 opening.  
926

927 Mr. Baka - Okay. So if you plant in November or early December, we're  
928 okay with that timing from a cultivation standpoint? I see nodding from my esteemed  
929 landscape architect colleague. And December 15th for a turnover with a reference to  
930 target date for completion of construction? I don't want to put words in your mouth but  
931 just to kind of paraphrase that for the general public, for possible January grand opening  
932 at some time?  
933

934 Mr. Williams - Correct.  
935

936 Mr. Baka - So that answers my questions regarding timing. Any other  
937 questions of Mr. Williams from members of the Commission? Okay. Thank you.  
938

939 Any other comments from members of the Commission?  
940

941 Mr. Archer - I realize Mr. Williams has indicated trying to preserve a time  
942 frame when the subs come to work. That's difficult to control sometimes. If somebody  
943 feels like you should come earlier than they should. It may be something that you can  
944 advise them that you do have a standard starting time? I don't think they always mean  
945 to not observe, but they have to be policed a little.  
946

947 Mr. Baka - And I would echo Mr. Archer's comments. I understand, from  
948 Mr. Emerson, there is no formal County requirement on starting time, but the good faith  
949 efforts that you're willing to make and to high expectations in your subcontractors to start  
950 at the hours which would be more reasonable are certainly appreciated. I appreciate the  
951 efforts the applicant made to preserve the trees on the property. I understand there is a  
952 large soil stockpile there and it does have an odorous smell to it, but it does appear that  
953 there is an end in sight, with the site development process moving forward. We  
954 addressed that this comments that this Commission does not get into the wildlife issues  
955 that you'd spoken of earlier.

956  
57 As far as the landscaping plan, we do have this plan available in the office, not just for  
958 those folks that came here this morning, but, Mr. Kennedy, if there are others in the  
959 community that request a copy of the plan let me just encourage the staff to be able to  
960 circulate those to additional landowners also.

961  
962 And finally, as far as construction time frame, we do have information related to late  
963 November planting, December construction finish date, and possibly January opening,  
964 depending on that.

965  
966 With that in mind, I think we have enough information on this landscape plan to move  
967 forward on the western side of the site. We do have existing berm. We have existing  
968 trees. We have trees to be supplemented, to be planted, a mix of Christmas trees, as  
969 you say, evergreen trees and deciduous, and then shrubs to cover the lower story. So  
970 with that in mind, I would move forward at this time to say that I move that the landscape  
971 plan for POD2019-00285, Caliber Collision at 12201 Ridgefield Parkway, that it be  
972 approved subject to the annotations on the plans and the standard conditions for  
973 landscape plans.

974  
975 Mr. Witte - Second.

976  
977 Mr. Baka - I have a motion by Mr. Baka and a second by Mr. Witte. All in  
978 favor say aye.

979  
980 The Commission - Aye.

981  
982 Mr. Baka - Opposed say no. The motion carries. And please, Mr.  
983 Kennedy, as others would request copies of the plan please forward it to those in the  
984 community. I appreciate your help and your time. Thank you.

985  
986 The Planning Commission approved the plan of development for POD2019-00285,  
987 Caliber Collision at 12201 Ridgefield Parkway, subject to the annotations on the plans  
988 and the standard conditions attached to these minutes for landscape plans.

989  
990 Mr. Emerson - Mr. Chairman, we now move on to page 13 of your agenda  
991 for POD2019-00324, Cite Design for Stanley Martin Companies, LLC.

992  
993 **LANDSCAPE PLAN**  
994

POD2019-00324 Wistar Glen and the Townes of Wistar Woods Section 3 – 4613 Wistar Road	<b>Cite Design for Stanley Martin Companies, LLC:</b> Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 15.17-acre site is located at the southeastern corner of the intersection at Wistar Road and Shrader Road, on parcel 767-751-2632 and part of parcel 768-750-1563. The zoning is R-6C, General Residential District (Conditional) and RTHC, Residential Townhouse District (Conditional). County water and sewer. <b>(Brookland)</b>
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995  
996 Mr. Baka - Good morning.  
997  
998 Mr. Kennedy - Good morning again. This application is for the approval of –  
999  
1000 Mr. Baka - If I may -- I'm sorry, Mr. Kennedy -- is there anyone here in  
1001 opposition this morning to POD2019-00324, Wistar Glen and the Townes of Wistar  
1002 Woods Section 3? Yes, thank you. We'll have the staff presentation from Mr. Kennedy  
1003 and hear from you all in just a few minutes. Thank you.  
1004  
1005 Mr. Kennedy - This application is for approval of the landscape plan for  
1006 Wistar Glen and the Townes of Wistar Woods Section 3. The condos are here and the  
1007 townhouses are here. It consists of 136 condominiums within 10 four-story buildings, and  
1008 the Townes of Wistar Woods consists of 24 two-story residential townhouses for sale.  
1009 The townhouses that are built will match two sections of the Townes of Wistar Woods.  
1010  
1011 A site lighting plan will be submitted for separate administrative review in accordance with  
1012 the conditions of the POD. The proffers require lighting for the townhouses and additional  
1013 parking areas to be provided by residential light posts a maximum height of 15 feet. The  
1014 proffers also require front and side yards to be sodded and irrigated.  
1015  
1016 A proffered 25-foot wide existing and planted buffer satisfying the 25-foot transitional  
1017 buffer requirements will be provided along Wistar Road, along with a proffered 10-foot  
1018 wide existing and planted buffer satisfying the 10-foot transitional buffer requirements that  
1019 will be provided along all other property lines.  
1020  
1021 Along Wistar Road, this is a 25-foot transitional buffer as required. This is actually a  
1022 wetland area. It's actually existing buffer which will be retained. This property here it  
1023 separates Wistar Woods Sections 2 and 3. A 10-foot transitional buffer is required. A  
1024 portion is retained here, which is -- this section here is being retained and this section  
1025 here is being planted.  
1026  
1027 A retaining wall with a maximum height of 13 feet will be constructed along the Merchant's  
1028 Walk Shopping Center, at this location. Shrubs will be planted along the top of the wall  
1029 and trees will be planted along the base. Safety fencing along the top of the retaining  
1030 wall does not appear to be necessary, as the property line in that area abuts natural  
1031 buffers on the adjoining commercial properties.  
1032  
1033 The landscape plan includes typical foundation landscaping plans and provides additional  
1034 landscaping required to satisfy proffered landscaping at the sides of each building, as well  
1035 as parking area landscaping requirements. All conditions of zoning case REZ2017-00019  
1036 have been addressed and satisfied.  
1037  
1038 The developer has mass-graded the site, and has preserved a significant amount of  
1039 existing trees to satisfy the proffered buffer requirements. However, additional grading

1040 may be needed during building construction for drainage and utilities that may impact the  
41 tree save areas.

1042  
1043 The landscape plan is being forwarded to the Planning Commission at this time because  
1044 the developer has already started some of the condominium buildings. Supplemental  
1045 landscaping may be required prior to approval of Certificates of Occupancy to ensure the  
1046 proffered planting requirements are met.

1047  
1048 In the portion of the 10-foot buffer where the developer is completing new landscaping to  
1049 satisfy the 10-foot transitional buffer requirements, staff is not counting the few remaining  
1050 trees to satisfy the buffer requirement, as staff does not think they will survive. If they do  
1051 not survive, the developer is not required to remove any dead trees. However, if any  
1052 existing trees outside of the wetlands areas do not survive construction, the developer  
1053 will be required to remove unsafe trees.

1054  
1055 In the portion of the 10- and 25-foot buffers where they are using existing trees to satisfy  
1056 corresponding transitional buffer requirements, the plan shows the calculations for the  
1057 buffer planting requirements, so that the developer is aware supplemental landscaping  
1058 will be required where the natural buffer is not sufficient to satisfy the proffered planting  
1059 requirement.

1060  
1061 Staff recommends approval of the landscape plan subject to the annotations on the plans  
1062 and the standard conditions for landscape plans.

63  
1064 The applicant's representative is here and is available to answer any questions.

1065  
1066 Mr. Baka - Any questions from the Commission for Mr. Kennedy?

1067  
1068 Mr. Witte - I have one, just to verify. The fencing around the property, as  
1069 approved with the original POD?

1070  
1071 Mr. Kennedy - Yes, sir. The proffers require a decorative four-foot high  
1072 railing on the other side of the fence, with stone columns at 50 feet extending along the  
1073 entire length of Wistar Road.

1074  
1075 Mr. Witte - Right. That's all I have.

1076  
1077 Mr. Baka - Thank you, Mr. Kennedy. Mr. Witte, how would you like to  
1078 proceed?

1079  
1080 Mr. Witte - With the opposition, please.

1081  
1082 Mr. Baka - Okay. Would one of you please come forward to the podium,  
1083 whoever would like to speak in opposition to the matter. And again, Mr. Emerson read  
1084 our guidelines earlier.

35

1086 Mr. Emerson - I will read them again, if you'd like.  
1087  
1088 Mr. Baka - Okay. Would you?  
1089  
1090 Mr. Emerson - Yes. Mr. Chairman, again, just so everybody is on the same  
1091 page, the Commission does have guidelines that govern their public hearings and they  
1092 are as follows: The applicant is allowed 10 minutes to present the request. Time may be  
1093 reserved for responses to testimony. Opposition is allowed a cumulative 10 minutes to  
1094 present its concerns. Again, that's everyone that wants to speak with concerns regarding  
1095 the project needs to fit within the 10 minutes. Commission questions do not count into  
1096 time limits, and the Commission may waive the limits for either party at its discretion, and  
1097 all comments must be directly related to the case under consideration.  
1098  
1099 Mr. Baka - Good morning and welcome. Thank you for being here.  
1100  
1101 Ms. Vantuyle - Good morning. My name is Linda Vantuyle. I live at 7904  
1102 Wistar Woods Court, which backs up to the new construction. When I moved in we had  
1103 woods. Now we have dirt.  
1104  
1105 And I have a couple of requests. I reviewed the landscaping plan yesterday with Mr.  
1106 Kennedy, which was very helpful. It's my understanding that there will be two large trees,  
1107 one small tree, and 25 shrubs every 100 feet on the other side of the white fence behind  
1108 my property. My concern is that those shrubs will not be visible to me. It will make it look  
1109 nice on the other side but it won't look nice on my side. Those trees are the only things  
1110 that will replace the woods that we did look at.  
1111  
1112 I am requesting that you consider replacing having three large trees, two small trees, and  
1113 10 shrubs in that 10-foot buffer zone, to create a more attractive and ecologically friendly  
1114 environment.  
1115  
1116 My other concern is with the construction going on I can't open my windows and I can't  
1117 sit on my patio. I know we haven't had any rain; it is nothing but dust. If there's any way  
1118 they could wet that down before they start pushing it around and creating a dust storm in  
1119 my back yard would be very beneficial and very much appreciated.  
1120  
1121 My third and final concern is a traffic study. We are looking at adding about 160 other  
1122 families that would be going either through my neighborhood or out onto Wistar Road,  
1123 and through my neighborhood will go out onto Wistar Woods. I have a lot of trouble  
1124 getting out onto Wistar now, and with the additional traffic that is going to be put onto that  
1125 road I think it could be a serious issue and another problem for us to deal with.  
1126  
1127 I thank you for your time, and I do understand that there will be sidewalks put along Wistar,  
1128 which I'm very happy about. Thank you.  
1129  
1130 Mr. Baka - Any questions from the commission of Mrs. Vantuyle?  
1131

1132 Mrs. Thornton - Could you just state those plants again?  
33

1134 Mr. Witte - Three large trees, two small ones, and 10 shrubs. Is that  
1135 correct?  
1136

1137 Ms. Vantuyle - That's what I would like to see happen, yes.  
1138

1139 Mrs. Thornton - The tall trees meaning like deciduous?  
1140

1141 Ms. Vantuyle - Yes.  
1142

1143 Mrs. Thornton - Okay.  
1144

1145 Ms. Vantuyle - Something that would appear above the fence, that we would  
1146 be looking at, and that would screen us from some of the view of the four-story  
1147 condominiums that are going to be in there. Thank you.  
1148

1149 Mr. Baka - Thank you very much. Would you also like to come forward  
1150 please? Thank you. Good morning. Welcome.  
1151

1152 Ms. North - Good morning. My name is Sharon North, and I live at 7968  
1153 Wistar Woods Court.  
1154

1155 Mr. Baka - And please address the Commission with your questions or  
1156 concerns.  
1157

1158 Ms. North - Some of them are the same as you just heard, and others --  
1159 it's a mess out there, and a lot of us are very unhappy. I brought some pictures, if I could  
1160 give them to you, I didn't bring enough so if you could kind of share them.  
1161

1162 That very first picture is after a rain that happened. Our street was flooded by the new  
1163 construction that's taking place next door. And it wasn't the first time it happened. I mean,  
1164 I couldn't bring the video but we have a video of cars trying to get through it.  
1165

1166 There have been a lot of things that have not taken place that were supposed to take  
1167 place. We were told that next to some of the units that we're in they were going to cut out  
1168 so that emergency vehicles could come through there and install a driveway so they could  
1169 turn around. They dug them out and they've never come back and paved them or  
1170 anything, so now right next to my house I have about a 7- or 8-inch deep rut that fills with  
1171 water with it rains. And I go out and dump bleach in it so that I don't get mosquitos.  
1172

1173 Our irrigation systems were broken and they said something about something dealing  
1174 with the County. So while my yard was beautiful last summer, you see the other picture  
1175 of what it looked like this summer. You know, it's just a horrendous mess. There are  
1176 people's yards that are flooding because they were not graded properly. You see the  
1177 water coming down off of the spouting. Several of us at different companies, we didn't

1178 even know it was happening to other people, and we've all been told the same thing, that  
1179 because of the steep slope of the roof, the gutters are insufficient for the water, so the  
1180 water pours out over them. And mix into that a few trees behind us, and you have some  
1181 pine needles in there. And people who come to visit me have to come through my garage  
1182 when it's raining because to come through the front they get soaked unless they're holding  
1183 an umbrella. It's an absolute, horrendous mess that I spent \$323,000 for.

1184  
1185 And there are so many of us who are unhappy. They left us with no parking, so people  
1186 are parking on sidewalks. I mean, it's just terrible. I'm hoping -- and I know it wasn't part  
1187 of the original plan, but where they're building that street in that connects the new  
1188 construction to ours is along the side of there, and I put a picture in there, if maybe they  
1189 can, you know, put some parking spaces in there. It would help.

1190  
1191 I saw somebody up the street from me was having a baby shower the other day and the  
1192 people parked way around -- I guess they found some spaces in the little area that they  
1193 did leave for us, but they're carrying all these boxes and stuff all the way up the street to  
1194 go to the baby show. There are people who go door to door asking, you know, "I'm having  
1195 a party this weekend. Are you going to be using your driveway?" I mean, that's what  
1196 we're reduced to. And sometimes we say, "Well, yeah, you can park in my driveway."

1197  
1198 People park up in the Plaza up at Wistar and Broad and shuttle their people down to their  
1199 houses. We have no parking, and none of us realized that it was going to be this way.  
1200 They keep telling us, "Well, there's parking spaces there for everybody." We're not  
1201 counting them. We don't see them. They're not there.

1202  
1203 You know, and we have units for sale out there that people haven't even lived in for a  
1204 year yet. We live on the same street and there are some that are for sale. People are  
1205 just tired of it. And we know they're taking a loss on it because they haven't been there  
1206 for very long.

1207  
1208 But we just really need some help. We need some help out there.

1209  
1210 Mr. Baka - Okay. Any questions for Ms. North?

1211  
1212 Mrs. Thornton - Would you point to where, so we can see -- you see this map  
1213 right here? Where are you?

1214  
1215 Ms. North - Okay. Wistar Woods Court.

1216  
1217 Mr. Baka - Right there.

1218  
1219 Ms. North - Okay. So I'm on Wistar Woods Court. Okay. So I'd be right  
1220 here. When you turn onto Wistar Woods Court, on the right-hand side are two sections  
1221 of two stories, and I'm in the first unit in the second set, so I'd be right about there.

1222  
1223 Mrs. Thornton - And with the drainage beside you?

1224  
25 Ms. North - Where that flooding is, it's the last house. I'm the first house.  
1226 It's five of us. I'm the first one, so I'm next to where they dug out and didn't pave, and my  
1227 neighbor, Veronica, in the last house, is where the street is being built to connect us and  
1228 where all that flooding took place, and her yard was flooded. She had a foot of water in  
1229 her yard, and all up on her brand-new patio that she had just built in, mud and everything.  
1230 It was horrible.  
1231  
1232 Mr. Baka - Okay. Other questions for Mrs. North? Thank you.  
1233  
1234 Ms. North - Thank you.  
1235  
1236 Mr. Witte - Let's hear from the applicant, please.  
1237  
1238 Mr. Baka - Okay. Would the applicant please come forward?  
1239  
1240 Mr. Henry - Good morning. I'm Ken Henry, Stanley Martin Homes.  
1241  
1242 Mr. Witte - First, can you address the water issues? Is the stormwater in  
1243 place? Has it been resolved?  
1244  
1245 Mr. Henry - Yes. So we are in the process of putting in our storm, which  
1246 is leaving us in a vulnerable position. We are about 70% in. We have come up with a  
47 resolution to the flooding issue that happened a couple of weeks ago. We met with staff  
1248 on 9/12, out on site, along with our review engineer, Zuzanna, and came up with a  
1249 resolution that is now being included in our next set of our plans, that are being revised  
1250 currently by our engineer and we should have today. But we will be adding a drop inlet  
1251 on this connector road right here, to catch this water that was running in, and take water  
1252 to a manhole. We are also increasing a little bit of a swale to catch more water and direct  
1253 into that manhole so yards will not be flooded.  
1254  
1255 As per the other drainage issues, we were not the developer in the Phase 2. We're the  
1256 Phase 3 developer in the proposed plans, so I can't speak too much about the roof slopes  
1257 and backyard flooding, other than the water that came off of our site, and we're actively  
1258 working with staff to address those and have a plan in place.  
1259  
1260 Mr. Witte - Okay. So, in essence, the stormwater system is not finished.  
1261  
1262 Mr. Henry - The stormwater system is not finished.  
1263  
1264 Mr. Witte - Okay.  
1265  
1266 Mr. Henry - This is the --  
1267  
1268 Mrs. Thornton - In this section.

59

1270 Mr. Emerson - I'm sorry. I didn't mean to interrupt, but you had Hank Wilton  
1271 in the other section, and some of the concerns raised are probably more Mr. Wilton than  
1272 they would be the group you're speaking to today.  
1273  
1274 Mr. Witte - All right. He hasn't put in a landscape plan?  
1275  
1276 Mr. Emerson - On his section? I believe that's been approved, has it not, Mr.  
1277 Kennedy? We've been working with Mr. Wilton on the concerns on that side. I thought  
1278 they had been rectified.  
1279  
1280 Mr. Kennedy - The drainage in the rear yards in the back were addressed.  
1281 What happened was as they started doing construction, the basin on Section 2 is actually  
1282 a sediment basin for Section 3. So as a sediment basin they use small orifices to make  
1283 sure the dirt settles, so you back up more water into that site. What they should have  
1284 done, what the developer should have done, was actually pump out the water through a  
1285 bag, a filter bag, so that you could load the water – but you can't do that during the rain.  
1286 And so what happened was since the orifice was too small to release water in a timely  
1287 way, water backed up into that and backed up on to the streets as well. So it was a  
1288 problem with E&S requirements.  
1289  
1290 Mr. Emerson - But that's been addressed by Public Works, correct?  
1291  
1292 Mr. Kennedy - It's been addressed by Public Works. There were still some  
1293 issues that came up during construction of this phase where they had drainage problems,  
1294 and they worked with Public Works to address that.  
1295  
1296 Mr. Emerson - And, Mr. Kennedy, just while you're there, and then the  
1297 applicant can get back to his presentation, I apologize. There was a question raised about  
1298 parking in the existing section. Does it not meet the parking requirements of the County  
1299 Code?  
1300  
1301 Mr. Kennedy - It does meet the parking requirements of the County Code. In  
1302 fact, the units also have a garages that count as parking, so there is actually no parking,  
1303 technically, required. Parking -- private parking backup is at -- the circle's parking for the  
1304 community for the first phase. The second phase is actually by the pond, and that area  
1305 was being used as a staging area for the contractor. So the contractors are parking there  
1306 and there weren't a lot of spaces left. Once the contractor moves out from that site --  
1307  
1308 Mr. Emerson - Then those spaces will become available?  
1309  
1310 Mr. Kennedy - -- there will be more available.  
1311  
1312 Mr. Emerson - Thank you.  
1313

1314 Mr. Kennedy - And then they will finish the pond itself and actually do  
15 landscaping for the pond, once it's converted from a stormwater retention pond for erosion  
1316 control, to a typical storm water management pond.  
1317  
1318 Mr. Emerson - Right. But this is an active construction site, so that's to be  
1319 kept in mind?  
1320  
1321 Mr. Witte - Okay. That seems to handle the issue with storm sewer not  
1322 being completed. Do you have an estimate on when that would be completed?  
1323  
1324 Mr. Henry - Two to three weeks.  
1325  
1326 Mr. Witte - And then we should have no issues with stormwater?  
1327  
1328 Mr. Henry - No issues.  
1329  
1330 Mr. Witte - All right. Now let's talk about the trees.  
1331  
1332 Mr. Henry - Yes. We will gladly bump up our -- I guess the proposal to  
1333 three larger trees per 100 linear feet, at their request.  
1334  
1335 Mr. Witte - Okay. So you're going to put three larger trees, two smaller  
1336 trees, and 10 shrubs in there.  
37  
1338 Mr. Henry - Yes.  
1339  
1340 Mr. Witte - Okay. I have no further questions.  
1341  
1342 Mr. Henry - And I have my landscape architect here as well, and we will  
1343 get on that. And then regarding the dust, I will rent a water truck to water daily before we  
1344 start moving, to make sure we control the dust issue.  
1345  
1346 Mr. Witte - Excellent. If you can make some rain that would help too.  
1347  
1348 Mr. Henry - I wish I could.  
1349  
1350 Mr. Baka - All right. Very good. Any other questions of the applicant?  
1351  
1352 Mr. Witte - No, I have no further.  
1353  
1354 Mr. Baka - Very good. Thank you.  
1355  
1356 Mr. Witte - All right, Mr. Chairman. I move approval of the landscape plan  
1357 for POD2019-00324, Wistar Glen and the Townes of Wistar Woods Section 3, subject to  
1358 the annotations on the plan, standard conditions applicable to landscape plans, and I  
39 think that's about it.

1360  
1361 Mr. Archer - Second.  
1362  
1363 Mr. Baka - We have a motion by Mr. Witte and a second by Mr. Archer.  
1364 All in favor say aye.  
1365  
1366 The Commission - Aye.  
1367  
1368 Mr. Baka - Opposed, say no. Motion carries. Thank you.  
1369

1370 The Planning Commission approved the plan of development for POD2019-00324, Wistar  
1371 Glen and the Townes of Wistar Woods Section 3, subject to the annotations on the plans  
1372 and the standard conditions attached to these minutes for landscape plans.  
1373

1374 Mr. Emerson - Mr. Chairman, we now move on to page 14 of your agenda  
1375 for POD2019-00345, Timmons Group for Central Virginia Investments/Rocketts Landing,  
1376 LLC and WVS/Rocketts Landing. The staff report will be presented by Ms. Aimee Crady.  
1377

#### 1378 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

1379  
POD2019-00345                      **Timmons Group for Central Virginia**  
Rocketts Landing – Block        **Investments/Rocketts Landing, LLC and WVS/Rocketts**  
20 – Old Main Street            **Landing:** 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 32 three-story  
townhouse units for sale in an existing Urban Mixed Use  
District. The 1.32-acre site is located on the western line of  
Old Osborne Turnpike (State Route 5) and the eastern line  
of Old Main Street (private), approximately 200 feet south  
of Old Charles Street (private), on parcel 797-711-5987 and  
part of parcel 797-712-5703. The zoning is UMUC, Urban  
Mixed Use District (Conditional). City water and sewer.  
**(Varina)**

1380  
1381 Mr. Baka - Good morning. Is there anyone here in opposition to  
1382 POD2019-00345, Rocketts Landing – Block 20 – Old Main Street? Yes. We will get to  
1383 you in just a minute. We will have a presentation first by Ms. Crady. Good morning.  
1384

1385 Ms. Crady - Good morning. The latest section of townhouse development  
1386 in the Rocketts Landing urban mixed use district is under consideration today, proposed  
1387 on a pad site adjacent to the west line of Old Osborne Turnpike, located between two  
1388 previously approved residential developments, as you can see here and here. To the  
1389 north, the Block 18 mixed use building was approved and completed construction in 2018,  
1390 to include some multifamily and commercial components, and to the south a block of  
1391 residential condominiums and townhomes are currently under construction here, and they  
1392 were approved with a plan of development in 2017.

1393  
94 The units under this plan are a continuation of the units constructed by H.H. Hunt on  
1395 Blocks 16 and 19, and that is what you see here. That would be the front elevation. They  
1396 are three-story units with the same rooftop patio element with a finished staircase access  
1397 and a mechanical room. The exterior of the units are a combination of brick veneer and  
1398 various styles of cementitious siding. Each unit contains a rear-loaded two-car garage  
1399 with alleyway access, as shown on the site plan.

1400  
1401 Site lighting and landscape plans demonstrate continuity of streetscape elements  
1402 throughout the site, in accordance with UMU standards.

1403  
1404 With that, staff recommends approval subject to the annotations on the plans, the  
1405 standard conditions for developments of this type, Conditions 1, 2, 17, 24, and 25, which  
1406 are modified to address the provision of public water and sewer through the City of  
1407 Richmond, and then also conditions 11B and 29 through 35, as listed in your agenda.

1408  
1409 Greg Nelson of Timmons is here, and Richard Souter, the developer, is here to answer  
1410 any questions you may have of them, and I'm happy to answer any questions you may  
1411 have of staff.

1412  
1413 Mr. Baka - Any questions of the planning staff?

1414  
1415 Mr. Mackey - Oh, no, Mr. Chairman.

16  
1417 Mr. Baka - Okay. Thank you. How would you like to proceed?

1418  
1419 Mr. Mackey - I would like to hear from the opposition, please.

1420  
1421 Mr. Baka - Okay. Would you please come forward, whoever would like  
1422 to speak. Good morning, welcome.

1423  
1424 Ms. Sullivan - Good morning. I'm Lynn Sullivan. I live in the 5100 block of  
1425 Rocketts Landing. "Opposition" is a strong word. I'm not sure that I'm here on opposition  
1426 but I did want to bring, by request of neighbors, that we have an ongoing parking issue in  
1427 Rocketts Landing, that everybody likes to talk about, especially on the weekends.  
1428 Weekdays, no problem. People are at work. On the weekends it's another story.

1429  
1430 This has kind of been kicked down the road over and over. I've spoken with Mr. Kennedy,  
1431 as have other neighbors. I've spoken with our developer, Richard. A parking committee  
1432 was put in place to address the issue. I know that we meet the numbers and criteria that  
1433 are put in place by you all, but something is not working. The parking committee met  
1434 several times, put time and effort in, and at our last, well two HOA meetings ago -- I was  
1435 away for the last one -- Richard informed us that anything that included monitoring or  
1436 permitting or anything like that would not be considered by him, by Richard or the  
1437 development group.

1439 So I'm just not sure where we're supposed to turn, and while I'm not opposed to  
1440 development and I want to see our blocks finished out, I don't know if there's some way  
1441 to address some of the parking issues during this phase. Obviously, none of us were  
1442 there when the issues came up originally with the apartment buildings that were being  
1443 built and that are now being built. Everybody recognizes that it's going to become a  
1444 greater issue, and I'm just here to share that concern and the concern of the neighbors  
1445 that there doesn't seem to be anywhere to turn to address the issue.

1446  
1447 Mr. Baka - Okay. All right. Any questions of Ms. Sullivan from the  
1448 Commission?

1449  
1450 Mr. Mackey - Yes, Mr. Chairman, I have a question. Ms. Sullivan, thank you  
1451 for bringing your concerns. You said you were aware that they meet the criteria for the  
1452 parking spaces?

1453  
1454 Ms. Sullivan - Yeah, as far as residential and all, and if you look at the  
1455 numbers, and we have two garages, and the apartments have, you know, the correct  
1456 numbers, the numbers that are crunched. However, I guess they call it the flex parking  
1457 that's supposed to be there, for businesses during the day and for people during the  
1458 weekend. And I'm sure part of it is people coming in and using the bike path, which is  
1459 great, and the restaurants and all. If you come in for the apartments you can get a parking  
1460 pass for your visitors, but when our visitors come we're struggling. There's people  
1461 jockeying all the time, trying to save parking spaces. There's a lot, you know, four or five  
1462 blocks up, by Boathouse, but that's not really addressing the issue. You know, we're  
1463 going to add more people, which is great on one end, and more rooftops, and I get that.  
1464 But we're also going to add to our parking issue that's already there.

1465  
1466 Mr. Mackey - And you say it's mainly the flex parking. The residential really  
1467 isn't an issue? But it's the flex parking?

1468  
1469 Ms. Sullivan - Right. You know, we all have our assigned parking, our  
1470 garages, and the apartments have their parking, part of which is on the main roadway,  
1471 which takes away some of the flex parking, and so that's where that issue is. And while,  
1472 you know, it meets numbers, if you actually live down there, it's not working.

1473  
1474 Mr. Mackey - Thank you. I don't have anything else.

1475  
1476 Mr. Baka - Thank you. Please come forward. Good morning. Welcome.

1477  
1478 Ms. Michalowski - Good morning. My name is Roberta Michalowski and I live in  
1479 the 5200 block in Rocketts Landing. So I live, actually, in the section of the townhomes  
1480 that were most recently completed in 2018. And I want to reiterate what Ms. Sullivan said  
1481 regarding the parking, and also, her term, are we opposed, again, I agree. I'm more  
1482 concerned, and what I'm concerned about, in addition to the lack of, as we call it, flex  
1483 parking, we, with neighbors that I've spoken to, yes, we do work. I actually work out of

1484 my home, so I'm there off and on during the day, and I will agree that there are times  
1485 when there's plenty of parking.

1486  
1487 However, what we have witnessed, from those of us who are home, there are staff from  
1488 VCU and VCU Hospital that will come down there and park in those open flex spots, and  
1489 then they will walk to the Pulse to take the Pulse bus to work, to avoid having to park in  
1490 the parking lots that have been dedicated to those employees, because once they fill up  
1491 those employees have to take a shuttle bus further out, which then causes them to risk  
1492 being late to work. And when you're in a medical profession you can't be late for your  
1493 patients. The Pulse is free to all VCU students, and I'm not asking that that be taken  
1494 away because I have a daughter there and I'm glad about that. So anyone that's at MCV  
1495 and VCU, they're allowed to ride it, as you probably are aware.

1496  
1497 So I think that there are things that we don't see that are going on during the day, that  
1498 people are using that as an opportunity to get free parking, because those flex spaces  
1499 are free. It then hurts those of us that live there. And my concern is now we're going to  
1500 add 32 more homes, which are exactly like what I live in. And I agree, we have a two-car  
1501 garage, so it's zoned correctly according to all of the rules and regulations. However,  
1502 these are 2- and 3-bedroom townhomes. If you have a child that is of driving age and  
1503 you all work, as I do, you have three cars. That means you have always one person who  
1504 is looking for parking when they get home at the end of the day, or in the evening, or what  
1505 have you.

1506  
1507 I am also concerned about leaving the area at rush hour. When you come out on Old  
1508 Charles Street -- and I'm not very good at where this might be, but if you look at the corner  
1509 of Old Charles and Old Main, which is where I live, these townhomes are going to  
1510 completely go down to the end to where the Stanley Martin condos -- my assumption is,  
1511 based on this picture; is that correct? There we go. Old Charles opens up onto Old  
1512 Osborne Turnpike. Currently, the only other way to get out onto Old Osborne Turnpike  
1513 is to go down to Ohio Street. So I'm wondering if they've considered anything about the  
1514 traffic, and looking at that traffic as a concern?

1515  
1516 Because if you see where the plan development is, directly above that there are 11  
1517 townhomes, and I'm one of those 11. So if I'm having a hard time making a left turn to go  
1518 into the City, with all those other people that live in there, because if you're going out on  
1519 the Ohio Street side, that end is all the condos. So I'm worried about an additional 32  
1520 homes and getting in and out of there. There's no stoplights at that location. And the  
1521 people coming into the City, to into the City of Richmond, from an eastern location, are  
1522 coming in fairly quickly and it's difficult. The other thing, going the other way in the  
1523 afternoon, you have the opposite problems.

1524  
1525 So those are my two concerns that I'd like to bring forward, and I just wanted to ask your  
1526 consideration.

1527  
1528 Mr. Baka - Any questions of Ms. Michalowski?

1529

1530 Mr. Mackey - Yes. It's Michalowski?  
1531  
1532 Ms. Michalowski - Yeah.  
1533  
1534 Mr. Mackey - All right. I had a question. So we had the two-car garage. Do  
1535 you also have on-street parking?  
1536  
1537 Ms. Michalowski - Flex parking is what it's called. We have nothing in front of  
1538 us, not belong to us. It's all open to anybody, whoever drives into that neighborhood.  
1539  
1540 Mr. Mackey - I come through there every morning, so I know exactly where  
1541 you're talking about. You have a little driveway right behind you.  
1542  
1543 Ms. Michalowski - Actually, depending on your elevation, it's a pad, and we don't.  
1544 We can't fit anything on our pad. If you look at how the alleys are, because I have five  
1545 behind me, and according to this drawing, that was up there before this, it looks to me  
1546 like they'll have an alley behind them as well. Thank you. Yeah, so that looks like that  
1547 road that goes behind my house is going to be extended, so that will be a continual alley  
1548 behind that front row, and then each of those others will have the small alley behind there.  
1549  
1550 Mr. Mackey - Yeah, I can see the condos and apartments that are adjacent  
1551 to Route 5 when I go by. So those are the ones where I see the low driveways. Okay, I  
1552 see what you're saying.  
1553  
1554 Ms. Michalowski - Yeah. The condos actually do have a pad larger enough for  
1555 somebody to park in. The townhomes do not. And there are some certain locations, I  
1556 think, where it was wide enough that if your car was small enough you could fit it in and  
1557 not be on the road, but you're not allowed to be on the road. It's a fire hazard.  
1558  
1559 Mr. Mackey - All right. Thank you.  
1560  
1561 Mr. Baka - Any other questions? Thank you very much. Is there anyone  
1562 else who would like to speak in opposition to this case?  
1563  
1564 Mr. Mackey, how would you like to proceed?  
1565  
1566 Mr. Mackey - I would like to hear from the applicant to address some of the  
1567 parking issues.  
1568  
1569 Mr. Baka - Thank you. Good morning. Welcome.  
1570  
1571 Mr. Souter - Good morning, members of the committee. My name is  
1572 Richard Souter, the developer at Rocketts Landing. I am certainly not unsympathetic to  
1573 the parking at Rocketts Landing, and it's a topic of constant conversation. I mean, if you  
1574 just look at the zoning aspects of it entirely, we meet and exceed it by 25 percent, the  
1575 number of parking spaces, based on -- and this is based on residential and -- it's the

1576 whole mix. You have to come up with a certain number of parking spaces per 1,000  
77 square feet of commercial, a certain number of parking spaces per one-bedroom unit or  
1578 two-bedroom unit. So we meet and exceed that by close to 25 percent.

1579  
1580 We have had a lot of emails that have gone out over time to implore people to use their -  
1581 - because if you look at parking, it's basically split into reserved parking -- so if you're a  
1582 condominium owner, you own the parking space under your building. If you're a  
1583 townhome, obviously you have the two spaces in your parking garage, and no one else  
1584 can park there. So if you don't use those spaces and you use the on-street spaces, which  
1585 are referred to as flex, but really we just call them basically public parking -- if you elect  
1586 to park your cars on the street and not use your reserved parking it's essentially being  
1587 selfish to the overall neighborhood. We've implored people over and over again to not  
1588 do that. And I'm not saying that is widely practiced, but on a daily basis I know people  
1589 have turned their double car garages into gyms. The people in the condos drive honking-  
1590 great trucks. They can't drive their truck in the building. So there are a lot of reserved  
1591 spaces that go unused and that puts additional strain on the -- essentially on the on-street  
1592 parking.

1593  
1594 We have certainly looked at and considered metered parking or permanent parking, but  
1595 this is one of the fundamental philosophical concepts of mixed used neighborhoods, and  
1596 one of the reasons why jurisdictions are supposed to own public streets in these  
1597 neighborhoods. Because you have this clash between residential, office, and, say,  
1598 restaurant that use the parking spaces at different times of the day, and it works kind of  
99 efficiently.

1600  
1601 But if the residential people had their own way, we would gate the whole community off  
1602 and there would be no parking for restaurants or office. And obviously I'm pushing that  
1603 to the extreme of that example. But, I mean, that's obviously not what we're trying to do  
1604 here. We're trying to create an open mixed-use community where we think the shared  
1605 parking works, and maybe from a zoning standpoint the parking calculations on the  
1606 margin need to be moved a little bit.

1607  
1608 But, I mean, I would suggest the fact that HHHunt is about to build another 32 townhomes  
1609 here, and every resale that's happening at Rocketts Landing, the prices are increasing,  
1610 that the market is not necessarily, at least from a price increase on homes, is not saying  
1611 that there is an issue with this project, in terms of parking.

1612  
1613 If I -- sorry, I just blanked on a point I wanted to make. In terms of -- so from a kind of  
1614 master association standpoint, I'm not standing here like a feudal overlord, basically  
1615 saying I'm not prepared to look at any kind of solution. I just don't necessarily see that  
1616 solution right now.

1617  
1618 I think we need to be, as a community, proactive about managing -- I mean, Rocketts  
1619 Landing is not building parking for a Park-and-Ride for the Pulse service. If our residents  
1620 live there -- and I notice some of them walking -- I guess you do sit at home, and I  
21 understand that you see people parking there and walking down. I wonder why they kind

1622 of park at the far end of the project and walk all the way to the bus instead of parking at  
1623 the bus. But we are looking at and trying to take a proactive course to -- we cannot afford  
1624 to turn Rocketts into a Park-and-Ride for people who are not basically paying to be there,  
1625 whether they are office, residential people, or they're restaurant. So, I mean, we have to  
1626 keep -- we have to keep an eye on that. It's great that people are riding the bus, and  
1627 there are certainly other places along the Pulse where you could park without having to  
1628 park at Rocketts Landing, and that's something that we may have to monitor.

1629  
1630 But, I mean, in terms of having a parking policy where we need to -- I mean, before you  
1631 know it we're going to have a private police force monitoring on-street parking on a daily  
1632 basis. I'm not sure the issue is -- I do not think the issue is daytime parking. I think it's  
1633 evening parking, and if everyone parked in their own parking spaces -- I understand that  
1634 people, there are three-bedroom units and generally people only have two-car garages,  
1635 but we have been very proactive, at least from the apartment standpoint, in offering  
1636 additional parking spaces that we think may be serviced within the apartment building.  
1637 We've offered people the ability to lease another parking space within essentially a  
1638 restricted parking area that's not theirs, but the apartments at the moment have a service.  
1639 And we've offered that. And I think seven, eight people have taken us up on that.

1640  
1641 So that is an option. We do have some additional parking spaces left in the parking  
1642 garage that are for sale. I don't think we're sitting here saying, well, we only meet the  
1643 zoning by one parking space. We meet it by 25 percent. Oh, and by the way, like 1,400  
1644 parking spaces. So this is -- 25 percent is not an insignificant amount of additional parking  
1645 above and beyond zoning. We have offered additional parking, at least through the  
1646 apartment facility, to offer people the ability to lease another parking space or two, if that's  
1647 -- of course, they have to pay for it, but it would guarantee them a parking space, just by  
1648 owning your own parking space in your parking garage.

1649  
1650 I don't really want to go on and on about this, but I think we've been proactive about it.  
1651 I'm not saying that there's not a problem. I'm just saying it's a very tricky problem. It's a  
1652 tricky problem to solve.

1653  
1654 Mr. Mackey - I had a question. Do you currently have anybody that  
1655 monitors? Like do you have security or anything like that?

1656  
1657 Mr. Souter - No, no. See, they are public roads. I mean, would you guys  
1658 be monitoring it?

1659  
1660 Mr. Mackey - No.

1661  
1662 Mr. Souter - I mean, maybe, maybe not.

1663  
1664 Mr. Mackey - No, public roads, I can imagine --. Yeah, I was just curious if  
1665 they did have --

1666

1667 Mr. Souter - No, no. I mean, that's an expense that the community -- I  
58 mean, we already have to bear the expense of having private streets.

1669

1670 Mr. Mackey - Yeah, I was just curious if you did have that, maybe you could  
1671 look at maybe doing some kind of permit parking. But since you don't have somebody  
1672 already around --

1673

1674 Mr. Souter - No, but you can't do permit parking because someone going  
1675 to visit the restaurant for lunch is not going to have a permit.

1676

1677 Mr. Mackey - True.

1678

1679 Mr. Souter - And they're going to park in a space. It becomes a nightmare.  
1680 It's a situation that you really almost can't solve. I mean, so that's why we continue to ask  
1681 people to be respectful of the neighborhood and use their restricted spaces as much as  
1682 humanly possible.

1683

1684 Mr. Mackey - I do have to say that -- like I said, I do come through there  
1685 every morning and I know there are a few garages the doors are up sometimes, and I can  
1686 see that it's full of boxes and stuff like that and the cars are --

1687

1688 Mr. Souter - It's the American way, right? I mean, I'm sorry.

1689

90 Mr. Mackey - But I understand the plight with the parking. I don't know if  
1691 anybody else had any questions about the parking. Go ahead.

1692

1693 Mr. Archer - I do have one. Sir, is there a way that you can have some  
1694 sort of mass meeting, right in the neighborhood there, and try and explain to everybody  
1695 down there that would come what they -- you've got a situation that sounds almost  
1696 unstoppable. If they were to follow everything, at least close to the letters of law, then  
1697 perhaps some of that could be alleviated. But I think it would take a meeting of the two  
1698 ladies that spoke and other people in the neighborhood to let people know what their  
1699 options are, and what they should be doing, and what could work to make this at least a  
1700 little more than it is now.

1701

1702 Mr. Souter - I've done that every quarter for the last four years. So, yes,  
1703 we have those meetings routinely and we have the same conversation. It's like  
1704 Groundhog Day.

1705

1706 Mr. Mackey - Probably with the same people.

1707

1708 Mr. Souter - I mean, I'm not pointing out which people are or aren't -- not  
1709 respecting using their reserved space. I mean, I'm not doing that. We've sent out -- this  
1710 is a conversation that's been ongoing for a number of years. We have quarterly master  
1711 association meetings where anyone from the community is obligated to come. So I'm just  
:2 not sure a mass meeting is even remotely productive, at this point.

1713  
1714 Mr. Archer - Just an idea.  
1715  
1716 Mr. Souter - No, I appreciate it. No, I mean, that -- I would say that's  
1717 another thing. I mean, we sit there and we try and have these conversations, and we try  
1718 and craft emails to ask people to be more respectful of the use of their own reserved  
1719 spaces. We have not been sitting there pretending that we're not hearing what people  
1720 are saying. This has been a constant source of discussion. But I need to be honest. If I  
1721 speak with the planning people in the City of Richmond, they have the same  
1722 conversations with everyone who lives in The Fan, and they've had it for 25 years.  
1723  
1724 Mr. Witte - Longer than that.  
1725  
1726 Mr. Souter - So -- and house prices in The Fan, if you haven't noticed, are  
1727 through the roof. So it's not like this is an issue that is somehow affecting the desirability  
1728 of a neighborhood, or the livability of it. It's just -- it ultimately probably ends up in the  
1729 changes of behavior. Or if you have a garage and it's full of boxes and you get so irritated  
1730 you can't find a parking space, maybe you take the boxes out of your garage and park in  
1731 it. Or you get a smaller car. I mean, I'm not standing here trying to be righteous. It's --  
1732 because people in The Fan, if you drive through that neighborhood, you know, have small  
1733 cars and they jam them into the on-street parking spaces. And if you have a garage in  
1734 The Fan and you're not using it, I mean, you've lost your mind.  
1735  
1736 Mr. Baka - Very good. Mr. Witte?  
1737  
1738 Mr. Witte - Is it possible to put signage on the road saying parking for  
1739 residents only?  
1740  
1741 Mr. Souter - But the point is it's not for residents only. It's not for Park-and-  
1742 Ride. So it's not for bus riders, but it's not for residents only. I mean, it's for their guests.  
1743 It's for office -- it's for people visiting the offices. It's for people going to the restaurants.  
1744 But it's not a Park-and-Ride for people using the trail or the bus. But if those people come  
1745 during the day and kind of slots in, that's good. I mean, I don't think people are generally  
1746 riding the bus at 2:00 in the morning, or getting on the trail. But it's not for residents only.  
1747  
1748 Mr. Witte - Parking for residents only after 6 p.m.  
1749  
1750 Mr. Souter - No, because the restaurants are open until 10 or 11, and what  
1751 about their visitors? And then how do you police that? No. All these points you bring up  
1752 are very valid points, but, I mean, we've gone through this over and over.  
1753  
1754 Mr. Witte - Sounds like you have created a monster.  
1755  
1756 Mr. Souter - I mean, not really. The neighborhood is selling exceptionally  
1757 well and prices continue to go up. So, no, I think we've created an incredible real estate  
1758 value for the County of Henrico.

1759  
 50 Mr. Witte - So your thought is that it would be similar to say, where people  
 1761 would come to accept it for what it is.  
 1762  
 1763 Mr. Souter - That's probably the evolution of the story.  
 1764  
 1765 Mr. Witte - Okay.  
 1766  
 1767 Mr. Mackey - I had a couple of additional questions. You said you are the  
 1768 developer?  
 1769  
 1770 Mr. Souter - Yes.  
 1771  
 1772 Mr. Mackey - Okay.  
 1773  
 1774 Mr. Souter - Oh, we haven't met... You took over from --  
 1775  
 1776 Mr. Mackey - Yes, Mr. Leabough. Yes, good man. I was riding through there  
 1777 the other day on the Old Main. The level of the asphalt, that's not the final grade right  
 1778 there?  
 1779  
 1780 Mr. Souter - No, no. I mean, during construction they just put down the  
 1781 base course and then when construction is finished doing what they need to do we go  
 32 back and finish it.  
 1783  
 1784 Mr. Mackey - And as far as the landscape plan, this abuts the one that is  
 1785 just, probably just like --  
 1786  
 1787 Mr. Souter - Right. Just slots into the rest of the overall landscape.  
 1788  
 1789 Mr. Mackey - The reason why I asked is because, you know, most of the  
 1790 time we don't get an opportunity to go and see what's actually out there, you know, as  
 1791 opposed to what you can see in paper. So I just wanted to make sure that, you know,  
 1792 there wasn't too much deviation from it and anything  
 1793  
 1794 Mr. Souter - Oh, no. I mean, I think if you drive through Rocketts Landing  
 1795 now, what you see --  
 1796  
 1797 Mr. Mackey - Oh yeah.  
 1798  
 1799 Mr. Souter - -- in the phases that are established, that's how it will pretty  
 1800 much all end up.  
 1801  
 1802 Mr. Mackey - All right. Yeah, it looks nice.  
 1803  
 14 Mr. Souter - I hope it looks great, yeah.

1805  
1806 Mr. Mackey - Yeah. I thought it looked nice.  
1807  
1808 Mr. Souter - Thank you.  
1809  
1810 Mr. Mackey - That's all I had, Mr. Chairman.  
1811  
1812 Mr. Baka - Okay. Any other questions for Ms. Souter? Thank you, sir.  
1813 Any other comments or questions from the Commission? The staff?  
1814  
1815 Mr. Mackey - Mr. Chairman, I just have a comment before I start on my -- I  
1816 understand, empathize with you on the parking lot. I know that's a premium. But with it  
1817 being the urban mixed use, you know, that's exactly what it is, it's going to be a mixed  
1818 use of residential, commercial, so that is definitely going to put a strain on the parking.  
1819 And with the applicant having met the required measurements for the parking, you know,  
1820 there's really nothing more, you know, we can ask for him or the County to do, I mean, if  
1821 they're abiding by everything that was set forth in the plans.  
1822  
1823 Having said that, Mr. Chairman, I move that POD2019-00345, Rocketts Landing -- Block  
1824 20 -- including the lighting plan, be approved, subject to the annotations on the plans, the  
1825 standard conditions for developments of this type, and additional Conditions 1 modified;  
1826 2 modified; 11B; 17 modified; 24 modified; 25 modified; and 29 through 35 in the agenda.  
1827  
1828 Mrs. Thornton - I second.  
1829  
1830 Mr. Baka - A motion by Mr. Mackey, and a second by Mrs. Thornton. All  
1831 in favor say aye.  
1832  
1833 The Commission - Aye.  
1834  
1835 Mr. Baka - Opposed say no. Motion carries. Thank you.  
1836  
1837 The Planning Commission approved the plan of development and lighting plan for  
1838 POD2019-00345, Rocketts Landing – Block 20, subject to the annotations on the plans,  
1839 the standard conditions attached to these minutes for developments of this type, and the  
1840 following additional conditions:  
1841  
1842 1. **MODIFIED** – The owner shall enter into the necessary contracts with the City of  
1843 Richmond Department of Public Utilities for connections to public water and sewer.  
1844 2. **MODIFIED** – The City of Richmond Department of Public Utilities shall approve  
1845 the plan of development for construction of public water and sewer, prior to  
1846 beginning any construction of these utilities. The City of Richmond Department of  
1847 Public Utilities shall be notified at least 48 hours prior to the start of any water or  
1848 sewer construction.  
1849 11B. Prior to the approval of an electrical permit application and installation of the site  
1850 lighting equipment, a plan including light spread and intensity diagrams, and fixture

- 1851 specifications and mounting heights details shall be revised as annotated on the  
 1852 staff plan and included with the construction plans for final signature.
- 1853 17. **MODIFIED** – The owner shall have a set of plans approved by the Director of  
 1854 Public Works, City of Richmond Public Utilities and Secretary of the Planning  
 1855 Commission available at the site at all times when work is being performed. A  
 1856 designated responsible employee shall be available for contact by County  
 1857 Inspectors.
- 1858 24. **MODIFIED** – The developer shall provide fire hydrants as required by the City of  
 1859 Richmond Department of Public Utilities and the Henrico Division of Fire.
- 1860 25. **MODIFIED** – Insurance Services Office (ISO) calculations shall be included on the  
 1861 final construction plans for approval by the City of Richmond Department of Public  
 1862 Utilities and the Henrico Division of Fire prior to issuance of a building permit.
- 1863 29. The unit house numbers shall be visible from the parking areas and drives.
- 1864 30. The names of streets, drives, courts and parking areas shall be approved by the  
 1865 Richmond Regional Planning District Commission and such names shall be  
 1866 included on the construction plans prior to their approval. The standard street  
 1867 name signs shall be installed prior to any occupancy permit approval.
- 1868 31. The subdivision plat for The Village of Rocketts Landing Section 10 shall be  
 1869 recorded before any building permits are issued.
- 1870 32. Prior to issuance of a certificate of occupancy for any building in this development,  
 1871 the engineer of record shall certify that the site has been graded in accordance  
 1872 with the approved grading plans.
- 1873 33. The proffers approved as a part of zoning cases C-55C-04, P-14-04, and P-12-12  
 1874 shall be incorporated in this approval.
- 1875 34. The pavement shall be of an SM-2A type and shall be constructed in accordance  
 1876 with County standard and specifications. The developer shall post a defect bond  
 1877 for all pavement with the Department of Planning - the exact type, amount and  
 1878 implementation shall be determined by the Director of Planning, to protect the  
 1879 interest of the members of the Homeowners Association. The defect bond shall  
 1880 remain in effect for a period of three years from the date of the issuance of the final  
 1881 occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a  
 1882 professional engineer must certify that the roads have been designed and  
 1883 constructed in accordance with County standards.
- 1884 35. The location of all existing and proposed utility and mechanical equipment  
 1885 (including HVAC units, electric meters, junctions and accessory boxes,  
 1886 transformers, and generators) shall be identified on the landscape plan. All building  
 1887 mounted equipment shall be painted to match the building, and all equipment shall  
 1888 be screened by such measures as determined appropriate by the Director of  
 1889 Planning or the Planning Commission at the time of plan approval.

1891 Mr. Emerson - Mr. Chairman, we now move on to page 16 of your agenda,  
 1892 POD2019-00215, Balzer and Associates, Inc. and Surber Development and Consulting,  
 1893 LLC for Dennis Harrup, III and Bickerstaff Crossing VA, LLC. The staff report will be  
 1894 presented by Mr. Mike Kennedy.

1895  
 06

1897 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

1898

POD2019-00215  
Bickerstaff Crossing  
Apartments – 1401  
Bickerstaff Road

**Balzer and Associates, Inc. and Surber Development and Consulting, LLC for Dennis Harrup, III and Bickerstaff Crossing VA, 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 three-story, 79,947-square foot, multi-family apartment building with 60 dwelling units. The 5.07-acre site is located at the southwestern corner of the intersection at Bickerstaff Road and Okano Drive, on parcel 804-708-1236. The zoning is R-5, General Residential District. County water and sewer. **(Varina)**

1899

1900 Mr. Baka - Is there anyone present in opposition this morning to  
1901 POD2019-00215, Bickerstaff Crossing Apartments at 1401 Bickerstaff Road? Anyone at  
1902 all? Thank you.

1903  
1904 Mr. Kennedy - Good morning, members of the Commission. The subject  
1905 property and the adjoining properties to the west, south, and east were rezoned R-5 in  
1906 1971. Since that time we have seen four PODs be approved and never completed on the  
1907 site.

1908  
1909 Under the R-5 zoning, the property is permitted to have a maximum of 73 units. There  
1910 are 60 proposed at this site, with one three-story building having 22 two-bedroom  
1911 apartments and 38 three-bedroom apartments.

1912  
1913 The building will be fully sprinklered, and the building finish will be 80 percent brick with  
1914 cement fiber accent features.

1915  
1916 The Bickerstaff Crossing development received an allocation of Low-Income Housing Tax  
1917 Credits from VHDA in 2018. The developers requested Board of Supervisors to adopt a  
1918 resolution of support for their tax credit application. Although it was not adopted by the  
1919 Board, they were awarded the tax credits anyway by VHDA, and that was because the  
1920 property is already zoned for multi-family development.

1921  
1922 The site is steeply graded and falls across the site approximately 54 feet from north to  
1923 south. There will be a 28-foot high retaining wall on the back of the property here and a  
1924 24-foot high retaining wall on this side of the property.

1925  
1926 This property is largely undisturbed since the Civil War and is the location of clearly  
1927 identifiable intermediate defense line. So you can see these lines here, kind of strange,  
1928 like a dark line. That is actually an intermediate defense line. And up in this quadrant  
1929 here was a gun emplacement area. And the defense lines will not be preserved during  
1930 site development, but the gun emplacement area will be preserved in accordance with  
1931 the terms of a proposed agreement with the Department of Historic Resources and HUD.

1932 As part of their agreement with Army Corps of Engineers and Department of Historic  
1933 Resources, they will secure the area, they will provide a historic marker along Okano  
1934 Drive, and an interpretive sign on the site. The developer will be required to provide notes  
1935 on the plan regarding the disturbance of remains, artifacts, and ordinance during  
1936 construction activities, ordinance being old cannonballs. That placement is still there  
1937 since the Civil War and hasn't been disturbed. They are aware of that.

1938  
1939 As part of the proposed site development, Bickerstaff Road will be widened by 14 feet. It  
1940 will be improved with curb and gutter and sidewalk where it abuts the property.

1941  
1942 The lighting plan proposes contemporary style LED fixtures, mounted on 20-foot high  
1943 poles on 2.5-foot concrete bases, and 18-foot high wall-mounted fixtures. The plan does  
1944 not exceed 0.5-foot candles at the property line and maintains at least one-foot candle  
1945 within the parking lot. Obviously due to grading, the poles would be setback from the  
1946 property lines to keep the lighting from affecting anybody else.

1947  
1948 A schematic landscape plan has been provided for your information. The proposed  
1949 landscaping satisfies the multi-family design guidelines. The trees would be placed  
1950 outside of the retaining wall, tie-back areas. They have to provide a specialized retaining  
1951 wall design to accommodate the gun placement, so they don't encroach into that  
1952 preservation area.

1953  
1954 County review agencies have completed a thorough review of the plan and find the plan  
1955 complies with all State and County Code requirements, and therefore recommends  
1956 approval. If the Planning Commission finds the proposed development is in compliance,  
1957 it is compelled to approve the plan of development as proposed.

1958  
1959 The staff recommends approval subject to the annotations on the plans, the standard  
1960 conditions for developments of this type, and the additional conditions on the agenda,  
1961 including condition 11B which is for lighting plan to be approved, and conditions 29 to 34.

1962  
1963 The developer's representative is here and is present to answer any questions.

1964  
1965 Mr. Baka - Okay. Any questions from the Commission of Mr. Kennedy?  
1966 Thank you, sir. Mr. Mackey, I did not see any opposition for this case this morning.

1967  
1968 Mr. Mackey - No. Mr. Chairman, I'm ready to move on this case and I don't  
1969 have opposition.

1970  
1971 Mrs. Thornton - There isn't any.

1972  
1973 Mr. Baka - I did not see any.

1974  
1975 Mr. Mackey - I'm ready to move on this case. I have just a brief statement.  
1976 This property was rezoned in 1971 to allow this type of development to be a by right  
1977 property. Since then, I think Mr. Kennedy said this is the fourth or fifth POD to come

1978 before the Commission. So obviously it has many challenges -- I think the steepness of  
1979 it, the Civil War elements. So we will see what happens going forward.

1980  
1981 With that, Mr. Chairman, I move that POD2019-00215, Bickerstaff Crossing Apartments,  
1982 including the lighting plan, be approved subject to the annotations on the plans, the  
1983 standard conditions for developments of this type, and additional conditions 11B and 29  
1984 through 34 in the agenda.

1985  
1986 Mr. Witte - Second.

1987  
1988 Mr. Baka - We have a motion by Mr. Mackey and a second by Mr. Witte.  
1989 All in favor say aye.

1990  
1991 The Commission - Aye.

1992  
1993 Mr. Baka - All opposed say no. The motion carries.

1994  
1995 The Planning Commission approved the plan of development and lighting plan for  
1996 POD2019-00215, Bickerstaff Crossing Apartments, subject to the annotations on the  
1997 plans, the standard conditions attached to these minutes for developments of this type,  
1998 and the following additional conditions:

- 1999  
2000 11B. Prior to the approval of an electrical permit application and installation of the site  
2001 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
2002 specifications and mounting heights details shall be revised as annotated on the  
2003 staff plan and included with the construction plans for final signature.
- 2004 29. The right-of-way for widening of Bickerstaff Road as shown on approved plans  
2005 shall be dedicated to the County prior to any occupancy permits being issued. The  
2006 right-of-way dedication plat and any other required information shall be submitted  
2007 to the County Real Property Agent at least sixty (60) days prior to requesting  
2008 occupancy permits.
- 2009 30. Prior to issuance of a certificate of occupancy for any building in this development,  
2010 the engineer of record shall certify that the site has been graded in accordance  
2011 with the approved grading plans.
- 2012 31. A concrete sidewalk meeting County standards shall be provided along the  
2013 southern side of Bickerstaff Road.
- 2014 32. A construction staging plan which includes details for traffic control, fire protection,  
2015 stockpile locations, construction fencing and hours of construction shall be  
2016 submitted for County review and prior to the approval of any final construction  
2017 plans.
- 2018 33. Approval of the construction plans by the Department of Public Works does not  
2019 establish the curb and gutter elevations along the Henrico County maintained right-  
2020 of-way. The elevations will be set by Henrico County.
- 2021 34. The location of all existing and proposed utility and mechanical equipment  
2022 (including HVAC units, electric meters, junctions and accessory boxes,  
2023 transformers, and generators) shall be identified on the landscape plan. All building

2024 mounted equipment shall be painted to match the building, and all equipment shall  
2025 be screened by such measures as determined appropriate by the Director of  
2026 Planning or the Planning Commission at the time of plan approval.

2027  
2028 Mr. Emerson - Mr. Chairman, we now move on to page 20 of your agenda,  
2029 for POD2019-00349, CESO, Inc. for Thalhimer Regency LC ET AL and Valvoline Instant  
2030 Oil Change. And the staff report will be presented by Ms. Aimee Crady.

2031  
2032 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

2033  
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POD2019-00349 Valvoline Instant Oil Change at Regency – Quioccasin Road	<b>CESO, Inc. for Thalhimer Regency LC ET AL and Valvoline Instant Oil Change:</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 construct a 3,328-square foot one-story instant oil change facility with a basement level. The 0.38-acre portion of the 35.525-acre urban mixed use development is located on the southern line of Quioccasin Road, approximately 350 feet east of Starling Drive, on part of parcel 752-744-6336. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. <b>(Tuckahoe)</b>
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2034  
2035 Mr. Baka - Is there anyone present in opposition to CESO, Inc. for  
2036 Thalhimer Regency LC ET AL and Valvoline Instant Oil Change? Anyone in opposition?  
2037 Thank you.

2038  
2039 Ms. Crady - Under consideration today is the proposed Instant Oil Change  
2040 facility at Regency, and this is the first plan of development to be considered under the  
2041 newly established Regency Urban Mixed Use District, which you see here in pink. Note  
2042 that while the zoning has changed in recent months, the proposed facility that is subject  
2043 of this plan of development has been continuously a permitted use, and staff finds that it  
2044 is in compliance with all applicable code and the newly adopted Regency Urban Mixed  
2045 Use District pattern book.

2046  
2047 The new building will add to the outparcel pad sites along Quioccasin Road that was  
2048 contemplated by the previous Regency Master Plan update of 2016, while also  
2049 incorporating the standards of the urban mixed use district, to include streetscape  
2050 plantings and lighting.

2051  
2052 This plan development has site lighting for just wall pack fixtures, as the existing lighting  
2053 on Regency's site provides lighting levels in excess of UMU standards. So the additional  
2054 lighting was not needed, other than the wall packs at the points of ingress and egress on  
2055 the building.

2056  
2057 The building elevation here shows face brick in a red tone compatible with the previous  
2058 phases of outparcel development, and it also has longboard wood cladding accent

2059 finishes in the sign areas, that are also seen in some other new buildings at Regency.  
2060 The overall building height is just over 25 feet, and as the pad is established at a grade  
2061 lower than the elevation of Quioccasin Road, it sits about 5 feet below the curb elevation,  
2062 as you're walking along Quioccasin Road.

2063  
2064 The staff recommends approval subject to the annotations on the plans, the standard  
2065 conditions for developments of this type, and conditions 11B and 29 through 33, listed in  
2066 the agenda.

2067  
2068 Jason Hunt is here representing the developer, Valvoline Instant Oil Change, if you have  
2069 any questions of the applicant, and I'm happy to answer any questions you have of staff.

2070  
2071 Mr. Baka - Any questions of the staff? I have just one. I appreciate  
2072 seeing the details on architectural elevations and also it's good to know that the site will  
2073 sit about 5 feet below grade to help partially screen some of it from the road.

2074  
2075 The only question I have is, in your estimation, since this is the first UMU, and we just  
2076 heard about parking, in your estimation is there adequate parking on site for the  
2077 customers, employees -- in all seriousness, in all seriousness --

2078  
2079 Ms. Crady - Yes.

2080  
2081 Mr. Baka - -- for customers, employees, and visitors?

2082  
2083 Ms. Crady - I can give you some details on that.

2084  
2085 Mr. Baka - Okay. And I may ask you that on the next POD that comes  
2086 up for Regency also.

2087  
2088 Ms. Crady - Right. Currently, with the vacancy rates out at Regency, they  
2089 have over 2,000 extra spaces.

2090  
2091 Mr. Baka - Sure.

2092  
2093 Ms. Crady - Future residential spaces we are anticipating to be heard in  
2094 the coming months --

2095  
2096 Mr. Baka - Right.

2097  
2098 Ms. Crady - -- are providing parking decks, where they took the other one  
2099 down north of the core mall area.

2100  
2101 Mr. Baka - Right.

2102  
2103 Ms. Crady - And up until rezoning, they were still well in excess of the  
2104 parking requirements under the standard ordinance, which are a little higher than a UMU.

2105  
2106 Mr. Baka - And one of the reasons I asked, one of the upcoming phases  
2107 of apartments may take up several hundred parking spaces for a few hundred  
2108 apartments.  
2109  
2110 Ms. Crady - About 270, yes.  
2111  
2112 Mr. Baka - So, anyway, we'll cross that bridge when we get there. Are  
2113 there any other questions of staff at this time? If not, I would move for approval. Oh, my  
2114 apologies. Would you please come forward to the microphone? Good morning.  
2115 Welcome.  
2116  
2117 Ms. Nichols - Thank you. I'm Brenda Dabney Nichols (ph). I own property  
2118 on East Ridge Road, Priors Court, Dabney family, and I'm also the creator and  
2119 chairperson of the Quioccasin Westwood Prior Memorial Cemetery. So I'm here, I guess,  
2120 in a dual role. I certainly would like to know if this will be -- when they approach and leave  
2121 -- will this create more traffic on Quioccasin Road, or will there be exiting and entering  
2122 from Starling?  
2123  
2124 Mr. Baka - Okay. If that's your question we can ask Ms. Crady to respond  
2125 to that. Any questions of Ms. Nichols?  
2126  
2127 Ms. Crady - So, currently there is an entrance that has a median division  
2128 along Quioccasin here. So if they were to enter from Quioccasin they'd be doing a right-  
2129 in, right-out. Otherwise, they'd have to come back out to where they put the new light in  
2130 here, across from the Walmart. That's not showing on this aerial right now but you might  
2131 be able to see it on this overall layout. So this is where they put in the new stoplight.  
2132  
2133 So with the new development, traffic engineer evaluated the UMU proposal, they found it  
2134 to be consistent with the level of traffic that was demonstrated in the '70s at the mall, so  
2135 it really wasn't an increase in the redevelopment, which would be a comparable amount  
2136 of traffic.  
2137  
2138 Mr. Witte - But there is a way to get to it from Starling Drive, also.  
2139  
2140 Ms. Crady - Yes. Down here by Farmington. This isn't shown here, but  
2141 this would be Farmington down here. You can get in that way and go all the way up, or  
2142 you can come in through Parham and go all the way through. There are several different  
2143 ways.  
2144  
2145 Mr. Baka - The Sears entrance from Starling.  
2146  
2147 Ms. Crady - Right. Oh, also, yes. Currently there's no median on Starling.  
2148  
2149 Ms. Nichols - Thank you.  
0

2151 Mr. Baka - Thank you very much. We appreciate your comments. If  
2152 there's no one else to speak this morning on the matter, I would move that POD2019-  
2153 00349, Valvoline Instant Oil Change at Regency, including the lighting plan, be approved,  
2154 subject to annotations on the plan, standard conditions for development of this type, and  
2155 additional conditions 11B and 29 through 33 on the agenda.

2156  
2157 Mr. Mackey - Second.

2158  
2159 Mr. Baka - A motion by Mr. Baka and a second by Mr. Mackey. All in  
2160 favor say aye.

2161  
2162 The Commission - Aye.

2163  
2164 Mr. Baka - Opposed say no. Motion carries. And please stay in touch  
2165 with Ms. Crady in the future. Thank you. Good.

2166  
2167 The Planning Commission approved the plan of development and lighting plan for  
2168 POD2019-00349, Valvoline Instant Oil Change at Regency, subject to the annotations on  
2169 the plans, the standard conditions attached to these minutes for developments of this  
2170 type, and the following additional conditions:

2171  
2172 11B. Prior to the approval of an electrical permit application and installation of the site  
2173 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
2174 specifications and mounting heights details shall be revised as annotated on the  
2175 staff plan and included with the construction plans for final signature.

2176 29. Outside storage shall not be permitted.

2177 30. The proffers approved as a part of zoning cases REZ2019-00021 and PUP2019-  
2178 00009 shall be incorporated in this approval.

2179 31. In the event of any traffic backup which blocks the public right-of-way as a result  
2180 of congestion caused by the drive-up drive up facilities, the owner/occupant shall  
2181 close the drive-up drive up facilities until a solution can be designed to prevent  
2182 traffic backup.

2183 32. The conceptual master plan, as submitted with this application, is for planning and  
2184 information purposes only.

2185 33. The location of all existing and proposed utility and mechanical equipment  
2186 (including HVAC units, electric meters, junctions and accessory boxes,  
2187 transformers, and generators) shall be identified on the landscape plan. All building  
2188 mounted equipment shall be painted to match the building, and all equipment shall  
2189 be screened by such measures as determined appropriate by the Director of  
2190 Planning or the Planning Commission at the time of plan approval.

2191  
2192 Mr. Emerson - Mr. Chairman, the next item on your agenda is the  
2193 consideration of approval of your minutes from the July 24th meeting. There is no errata  
2194 sheet but, of course, we will entertain and make any corrections the Commission may  
2195 have.

2196

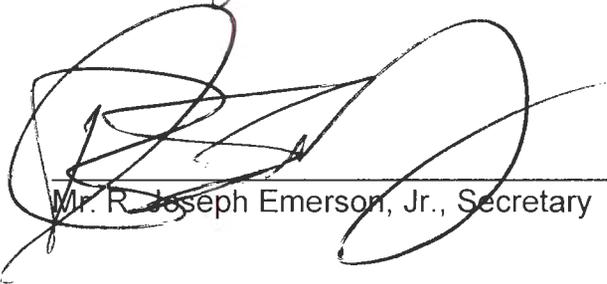
2197 Mr. Witte - Mr. Chairman, I move approval of the minutes.  
 2198  
 2199 Mrs. Thornton - Second.  
 2200  
 2201 Mr. Baka - Motion by Mr. Witte and a second by Mrs. Thornton to approve  
 2202 the minutes as submitted. All in favor say aye.  
 2203  
 2204 The Commission - Aye.  
 2205  
 2206 Mr. Baka - Opposed say no. Motion carries.  
 2207  
 2208 Mr. Emerson - Mr. Chairman, I do have one other additional item for the  
 2209 Commission this morning. I would like to introduce a new member of our planning staff.  
 2210 So, Ms. Wyatt, if you would stand up, this is your moment in the sun. Cherie Wyatt has  
 2211 joined our staff. She is a County Planner I in the Design Review Division. She has a  
 2212 bachelor's degree in urban and regional planning from VCU and a master's degree in  
 2213 business administration with a concentration in project management from Strayer  
 2214 University. We stole her from Chesterfield County. We're very happy to have her here.  
 2215 And if you would just join me in welcoming her to our staff.  
 2216  
 2217 (Applause.)  
 2218  
 2219 Mr. Baka - All right. Welcome.  
 2220  
 2221 Mr. Witte - Mr. Secretary?  
 2222  
 2223 Mr. Emerson - Yes, sir.  
 2224  
 2225 Mr. Witte - Am I correct in saying that she's going to sing and dance?  
 2226  
 2227 Mr. Emerson - Well, I didn't inform her or suggest that extraordinary  
 2228 requirement.  
 2229  
 2230 (Laughter.)  
 2231  
 2232 Mr. Baka - Good morning and welcome. We're glad you're here.  
 2233  
 2234 Mr. Witte - Yeah. Very glad.  
 2235  
 2236 Mr. Archer - Ms. Wyatt, I always have to say this. That's the last applause  
 2237 you'll ever hear.  
 2238  
 2239 (Laughter.)  
 2240  
 2241 Mr. Witte - All right. Thank you, staff. Excellent job.  
 2242

2243 Mr. Emerson - Mr. Chairman, I have nothing further for the Commission this  
2244 morning.  
2245  
2246 Mr. Baka - Unless there's anything further we're going to have a motion  
2247 to adjourn.  
2248  
2249 Mr. Witte - So moved.  
2250  
2251 Mr. Archer - Second.  
2252  
2253 Mr. Baka - All in favor of adjourning say aye.  
2254  
2255 The Commission - Aye.  
2256  
2257 Mr. Baka - The meeting is adjourned.  
2258  
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Mr. Gregory R. Baka, Chairman



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Mr. R. Joseph Emerson, Jr., Secretary

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

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **September 25, 2019**, which shall be as much a part of this approval as if details were fully described herein. Nine (9) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised October 2015)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.

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

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

## STANDARD CONDITIONS FOR LANDSCAPE/LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **September 25, 2019**, which shall be as much a part of this approval as if all details were fully described herein. Four (4) sets of prints of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

**G. STANDARD CONDITIONS FOR CONVENIENCE STORES WITH FUEL PUMPS IN A B-2 ZONE**

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

**H. STANDARD CONDITIONS FOR CONVENIENCE STORES WITH FUEL PUMPS  
IN A B-3 ZONE**

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

## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of sixteen (16) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on-site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **September 25, 2019**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **September 24, 2020**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and

must be filed a minimum of two weeks prior to the expiration date.

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

## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of eleven (11) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **September 25, 2019**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **September 24, 2020**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

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

## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

### Residential Townhouse for Sale (RTH) Subdivisions

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **September 25, 2019**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **September 24, 2020**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

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

## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

### Zero Lot Line Subdivisions

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **September 25, 2019**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **September 24, 2020**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.

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

## CONDITIONAL SUBDIVISION STANDARD CONDITIONS

### Road Dedication with No Lots

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of sixteen (16) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **September 25, 2019**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **September 24, 2020**, 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.