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

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

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

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

Mr. Vanarsdall - Good morning, everybody. The Planning Commission will now come to order. I'll ask you to stand, face the flag, and **Pledge Allegiance to the Flag.**

Thank you. Good morning, fellow Commissioners, staff members, and Mr. Secretary. A special good morning to Mr. Kaechele on the end to my left, who represents the Board of Supervisors. He's the immediate past chairman of the Board of Supervisors, and he's here with us this year to see that we do things like we're supposed to. With that, I'll turn the meeting over to our secretary and director, Mr. Emerson.

Mr. Emerson - Thank you, Mr. Chairman. The first item on your agenda today is the requests for deferrals and withdrawals. Those will be presented by Ms. Leslie News.

Ms. News - Good morning, Mr. Chairman, members of the Commission. Staff has received 1 request for a withdrawal this morning. It is found on page 8 of your agenda and is located in the Varina District. This is POD-30-09, East Williamsburg Road Office and Retail Building. The applicant has requested withdrawal of this application.

PLAN OF DEVELOPMENT

POD-30-09 POD2009-00343 East Williamsburg Road Office and Retail Building – 345 and 347 E. Williamsburg Road	**Hulcher and Associates, Inc. for Pollo Enterprises, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story 9,200 square foot restaurant, office, and retail building with 9 units. The 0.77-acre site is located on the south line of E. Williamsburg Road (U. S. Route 60), approximately 600 feet west of Beulah Road, on parcels 829-715-4931 and 5929. The zoning is B-1, Business District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Mr. Jernigan - Mr. Chairman, with that, I will move for withdrawal of POD-30-09, East Williamsburg Road Office and Retail Building.

Mr. Archer - Second.

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

At the request of the applicant, the Planning Commission approved the withdrawal of POD-30-09, East Williamsburg Road Office and Retail Building, from further consideration.

Ms. News - Staff has not received any further requests.

Mr. Branin - Mr. Chairman, I'd like to defer a case myself, please, if I may.

Mr. Vanarsdall - Okay, go ahead. What page is it on?

Mr. Branin - It is on page 14. Ms. News, what is the date of the Zoning hearing?

Ms. News - The Zoning hearing is May 13, 2010.

Mr. Branin - Mr. Chairman, I would like to defer POD-41-07 to the May 13, 2010 meeting, if I may.

PLAN OF DEVELOPMENT AND MASTER PLAN

(Deferred from the March 24, 2010 meeting)

POD-41-07 POD2007-00101 Pouncey Place, Phase I – Pouncey Tract Rd. and Twin Hickory Lake Dr. (POD-57-86 Rev.)	**Bay Design Group, P.C. for Pouncey Place, LLC:** Request for approval of a plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a shopping center with Phase 1, consisting of 2 one-story retail buildings totaling 27,555 square feet and a one-story bank building totaling 3,750 square feet, and a future phase consisting of 2 one-story retail buildings totaling 52,943 square feet. The 9.89-acre site is located on the southeast corner of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive on parcel 740-765-2150 and part of parcel 740-765-7333. The zoning is B-2C, Business District (Conditional), A-1, Agricultural District, and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to the deferment of POD-41-07, Pouncey Place, Phase 1?

Mr. Branin - No one? Then, formally, I'd like to request deferral of POD-41-07, Pouncey Place, Phase 1, to the May 13, 2010 meeting, per Commissioner request.

Mrs. Jones - Second.

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

At the request of the Commission, the Planning Commission deferred POD-41-07, Pouncey Place, Phase 1, to its May 13, 2010 meeting.

Mr. Emerson - Mr. Chairman, that does complete our deferrals and withdrawals. The next items on your agenda are the expedited items. Those will also be presented by Ms. Leslie News.

Ms. News - There are 4 items on our expedited agenda this morning. The first item is found on page 3 of your agenda and is located in the Varina District. This is a transfer of approval of POD-91-94, Capital GMC. Staff recommends approval.

TRANSFER OF APPROVAL

POD-91-94 POD2010-00017 Capital GMC – 5500 S. Laburnum Avenue	**Williams Mullen for Sara & Steve Bayard, LLC and Laburnum Investments, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Sarah & Steve Bayard, LLC to Laburnum Investments, LLC. The 8.824-acre site is located on the west line of S. Laburnum Avenue, approximately 700 feet south of Eubank Road, on parcel 816-710-2785. The zoning is M-1, Light Industrial District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Mr. Vanarsdall - Is anyone in the audience in opposition to POD-91-94, Capital GMC, in the Varina District? No opposition, Mr. Jernigan.

Mr. Jernigan - Mr. Chairman, with that I will move for approval of transfer of approval POD-91-94, Capital GMC, on the expedited agenda.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-91-94, Capital GMC, from Sarah & Steve Bayard, LLC to Laburnum Investments, LLC, subject to the standard and added conditions previously approved.

Ms. News - The next item is found on page 5 of your agenda and is located in the Fairfield District. This is LP/POD-62-08, Kingdom Hall, for a lighting plan. Staff recommends approval.

LIGHTING PLAN

LP/POD-62-08 POD2010-00008 Kingdom Hall – 2801 Mechanicsville Turnpike (U.S. Route 360)	**Carter Design for Ginter Park Congregation of Jehovah's Witnesses of Richmond, Virginia:** Request for approval of a lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 3.48-acre site is located on the northeast corner of the intersection of Mechanicsville Turnpike (U.S. Route 360) and St. Claire Lane and the west line of 20th Street, on parcel 800-729-2497. The zoning is B-1C, Business District (Conditional). County water and sewer. **(Fairfield)**

Mr. Vanarsdall - Is anyone in the audience in opposition to LP/POD-62-08, Kingdom Hall? No opposition, Mr. Archer.

Mr. Archer - Mr. Chairman, I move for approval of LP/POD-62-08, Kingdom Hall, and note that this is for site lighting only.

Mr. Jernigan - Second.

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

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

Ms. News - The next item is found on page 6 of your agenda is located in the Brookland District. This is LP/POD-62-06, Hindu Center of Virginia, for a landscape and lighting plan. Staff recommends approval.

LANDSCAPE AND LIGHTING PLAN

LP/POD-62-06 POD2010-00057 POD2010-00102 Hindu Center of Virginia – 6061 Springfield Road (State Route 157)	**Balzer and Associates, Inc. for Hindu Center of Virginia:** Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 15.0-acre site is located on the south line of Springfield Road (State Route 157), approximately 500 feet west of the intersection of Springfield Road and Staples Mill Road, at 6061 Springfield Road, on parcel 760-769-9631. The zoning is A-1 Agricultural District. **(Brookland)**

Mr. Vanarsdall - Is anyone in the audience in opposition to LP/POD-62-06, Hindu Center of Virginia, in the Brookland District? No opposition. I move that LP/POD-62-06, Hindu Center of Virginia, be approved on the expedited agenda with the standard conditions for landscaping and lighting.

Mr. Jernigan - Second.

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

The Planning Commission approved the landscape and lighting plan for LP/POD-62-06, Hindu Center of Virginia, subject to the standard conditions attached to these minutes for landscape and lighting plans.

Ms. News - The final item is found on page 11 of your agenda and is located in the Brookland District. This is POD-012-10, Virginia Credit Union at West

Broad Street. There is an addendum item on page 1 of your addendum to add condition #11B, indicating that the lighting plan is included with this POD and the details shall be included with the construction plans. Staff can recommend approval.

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD-012-10 POD2010-0008 Virginia Credit Union at W. Broad Street (U.S. Route 250) (POD- 48-94 and POD-41-99 Rev.)	**R K and K Engineers for Virginia Credit Union:** 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 renovate a one-story 6,166 square foot existing restaurant building in an existing shopping center into a bank building. The 1.37-acre site is located at the northeast corner of Old Springfield Road and W. Broad Street (U.S. Route 250), on parcel 755-758-7804. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

Mr. Vanarsdall - Is there any opposition to POD-012-10, Virginia Credit Union at West Broad Street? No opposition. I move that POD-012-10, Virginia Credit Union at West Broad Street, be approved on the expedited agenda subject to the annotations on the plans, standard conditions for developments of this type, conditions #29 and #30, and condition #11B on the addendum.

Mr. Branin - Second.

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

The Planning Commission approved POD-012-10, Virginia Credit Union at West Broad Street, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

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.

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

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

Ms. News - That completes our expedited agenda.

Mr. Emerson - Mr. Chairman, that takes us to the next item on your agenda, which is Subdivision Extensions of Conditional Approval. Those will be presented by Mr. Lee Pambid.

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL

FOR INFORMATIONAL PURPOSES ONLY – SUBDIVISION EXTENSIONS

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2008-00180 (SUB-09-05) Bentley (April 2005 Plan)	**67**	**17**	**2**	**Three Chopt**	**7/1/2014**
SUB2008-00142 (SUB-06-04) Majestic Meadows (September 2004 Plan)	**123**	**123**	**4**	**Varina**	**7/1/2014**
SUB2008-00047 (SUB-28-07) Parkwood Chase (March 2007 Plan)	**38**	**38**	**2**	**Fairfield**	**7/1/2014**
SUB2009-00041 (SUB-05-09) Riverview Green Phase 1 (April 2009 Plan)	**47**	**47**	**0**	**Brookland**	**4/27/2011**
SUB2008-00042 (SUB-22-07) Tredinnock Farm (March 2007 Plan)	**20**	**20**	**2**	**Varina**	**7/1/2014**

Mr. Pambid - Good morning. This map indicates the location of the 5 subdivisions that presented requests for extensions of conditional approval. Four subdivisions are eligible for extensions of conditional approval, and they're entitled to be extended to July 1, 2014, per the new legislation. One subdivision, Riverview Green Phase 1 (April 2009 Plan), is eligible for a one-year extension.

These are for informational purposes only and do not require Commission action at this time. This concludes my presentation. I can field any questions you might have.

Mr. Vanarsdall - Any questions for Mr. Pambid? Thank you.

Mr. Pambid - Thank you.

Mr. Emerson - Mr. Chairman, that now takes us to page 4 of your regular agenda.

TRANSFER OF APPROVAL

POD-19-89 POD2009-00052 BP Convenience Store (Formerly Amoco Service Station & Car Wash) - N. Laburnum Ave. and Creighton Rd.	**Tony Singh for IAS, Inc.:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Amoco Oil Company and Southside Investments, LLC to IAS, Inc. The 6.13-acre site is located at the northeast intersection of N. Laburnum Avenue and Creighton Road, on parcel 809-730-0626. The zoning is B-3C, Business District (Conditional), O-2C, Office District (Conditional), and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

Mr. Vanarsdall - Good morning, Ms. Berndt.

Ms. Berndt - Good morning.

Mr. Vanarsdall - Excuse me just a minute. Is anyone from the press here this morning?

Ms. Berndt - This transfer request is for the BP station at the corner of Laburnum and Creighton by Dominion Village. The owner has complied with the conditions of the original POD approval. This required replacement of light poles, stop signs, several trees, a dumpster enclosure gate, and pavement improvements. All of these items have been completed at this time, and staff recommends approval of this transfer request. I'm happy to answer any questions the Commission may have of me.

Mr. Vanarsdall - Any questions for Ms. Berndt?

Mrs. Jones - Mr. Chairman, at some point I need to tell you I will not be voting on or discussing this case. I do have a representational conflict.

Mr. Vanarsdall - Thank you, Mrs. Jones. All right. No questions? Thank you, Ms. Berndt. Mr. Archer.

Mr. Archer - All right, Mr. Chairman. Ms. Berndt, you and I know how hard you had to work on this one.

Ms. Berndt - It took a year.

Mr. Archer - And I thank you. With that, Mr. Chairman, I'll move for approval of this transfer of approval POD-18-89, BP Convenience Store.

Mr. Branin - Second.

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

The vote was as follows:

Mr. Vanarsdall - Yes
Mr. Archer - Yes
Mrs. Jones - Abstain
Mr. Jernigan - Yes
Mr. Branin - Yes

The Planning Commission approved the transfer of approval request for POD-18-89, BP Convenience Store (Formerly Amoco Service Station & Car Wash), from Amoco Oil Company and Southside Investments, LLC to IAS, Inc., subject to the standard and added conditions previously approved.

Mr. Emerson - Mr. Chairman, that now takes us to page 9 of your regular agenda. This item also appears on your amended agenda.

PLAN OF DEVELOPMENT
(Deferred from the February 24, 2010 Meeting)

POD-06-10 POD2010-00012 St. Joseph's Villa – Site Infrastructure Improvements – 8000 Brook Road (U.S. Route 1)	**Vanasse Hangen Brustlin, Inc. for St. Joseph's Villa and St. Joseph's Academy and Orphanage:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to upgrade site infrastructure, including a new entrance and turn lane on E. Parham Road and revisions to interior roadways, parking areas, utility infrastructure, walkways, lighting, and landscaping for an existing facility. The 66.4-acre site is located at the southwestern corner of Brook Road (U.S. Route 1) and E. Parham Road, on parcels 783-755-9039, 783-756-7324, and 784-754-2439. The zoning is R-5, General Residential District, O-1, Office District, and O-2C, Office District (Conditional). County water and sewer. **(Fairfield)**

Mr. Vanarsdall - Is there any opposition to POD-06-10, St. Joseph's Villa – Site Infrastructure Improvements? No opposition. Good morning, Ms. Goggin.

Ms. Goggin - Good morning. In 1931, the Daughters of Charity opened a cottage-planned orphanage funded by James and Sarah Dooley. Through the years, the orphanage has developed into a comprehensive educational facility for children with

developmental disabilities. St. Joseph's Villa provides academic-skills-based and behavioral education for children ages 6 months through high school in a unique residential style setting in Henrico County. The Villa works with more than 600 children and families each day. Although it is not part of the project, the Hollybrook apartment complex adjacent to the campus—and that is over here—is comprised of 60 units of adults living with physical and mental disabilities. It is the first special housing system in Virginia exclusively designed for adults with physical disabilities.

The project proposes to develop utilities, infrastructure, and hardscape features to separate pedestrian and vehicular traffic on site and create a safer environment while maintaining the original character of the campus. As you can tell by looking at this overhead, there are original roads that are going to be removed that currently facilitate the vehicular traffic. They will be replaced with an overall ring road. The utilities will also be relocated into this ring road area. As previously stated, the internal roads will be removed and replaced with formal brick walkways and landscaping that will create a central commons on the campus as the facilities grow. Only emergency vehicles will be allowed in this central area unless you're parking in a parking lot.

The campus drainage will be improved with the installation of stormwater quality and quantity measures. The new ring road and utility relocation prepares the campus for future expansion of its existing residential and educational services when the time comes.

The Villa proposes an entrance with a turn lane from Parham Road to improve traffic flow to and from the site, although there will be no traffic increase as a result of this project. Here is the new entrance. A sidewalk is also going to be installed on Parham Road along the length of the property. The County and VDOT have designed and funded a project on Brook Road to add a through-lane and sidewalk from Parham Road to Hollybrook Apartments. Right-of-way dedication along both roads by the Villa is required for the installation of improvements along Brook and Parham Road, so there will be sidewalks all along Parham and all the way down Brook.

Henrico County Circuit Court has executed an order that enables St. Joseph's Villa to dedicate right-of-way and permanent and temporary easements necessary to accommodate the road improvements and sidewalk on Brook and East Parham Roads and not be in violation of the original trust. The standard right-of-way dedication condition had to be amended, as right-of-way dedications are normally required, prior to issuance of a Certificate of Occupancy, but no buildings are proposed with this plan. The revised condition is on the first page of the handout addendum.

Staff can recommend approval subject to the annotations on the plan, the standard conditions for developments of this type, additional conditions #29 through #35 in the agenda, and condition #36 in the addendum.

John Carty from VHB, Keith Van Inwegen from Higgins & Gerstenmaier, and Dave Redmond, representing St. Joseph's Villa, are here to answer any questions the

Commission may have of them. I would be happy to answer any questions the Commission may have of me.

Mr. Vanarsdall - Any questions for Ms. Goggin by Commission members? I know one thing; they have waited a long time for that sidewalk over there.

Ms. Goggin - Yes, sir.

Mr. Vanarsdall - I'm really glad they worked that out. Any questions?

Mr. Archer - I have none, Mr. Chairman.

Mr. Vanarsdall - Do you want to hear from the applicant? Is Mr. Redmond here this morning? No, I don't need—no, I knew you were. You don't need to come down unless you want to talk. I know your meter is running whether you come to the microphone or not. I'll entertain a motion, then, Mr. Archer.

Mr. Archer - All right, Mr. Chairman. Mr. Redmond, I missed your call yesterday, and I apologize, sir. This procedure is a little bit complicated from a legal standpoint, but this project represents an avenue of significant improvement to this very worthwhile facility and will improve the area in general.

Years ago, my daughters learned to swim at St. Joseph's Villa, and I took swimming lessons at St. Joseph's Villa. I never go near the water without my 2 daughters near.

With that, I will move for approval of POD-06-10, St. Joseph's Villa – Site Infrastructure Improvements, subject to the annotations on the plan, standard conditions for developments of this type, the additional conditions #20 through #35, and condition #36 on the addendum.

Mr. Jernigan - Second.

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

The Planning Commission approved POD-06-10, St. Joseph's Villa – Site Infrastructure Improvements, subject to the standard and added conditions previously approved and the following additional conditions:

29. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be approved by the Virginia Department of Transportation and the County.
30. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.

31. The proffers approved as a part of zoning case C-87C-86 shall be incorporated in this approval.
32. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
33. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
34. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
35. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
36. The right-of-way for widening of E. Parham Road and Brook Road (U.S. Route 1) as shown on the approved plans shall be dedicated to the County and/or the Commonwealth of Virginia as required. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent within 60 days of construction plan approval but no later than September 1, 2010.

SUBDIVISION

SUB-03-10 SUB2010-00025 Maybeury (April 2010 Plan) - Patterson Avenue and Maybeury Drive	**E.D. Lewis and Associates, P.C. for Patterson Investments, Inc.:** The 6.06-acre site proposed for a subdivision of 30 detached dwelling for sale with zero lot lines is located at the southeast corner of Patterson Avenue (State Route 6) and Maybeury Drive, on parcel 748-741-8046. The zoning is R-5AC, General Residential District (Conditional). County water and sewer. **(Tuckahoe) 30 Lots**

Mr. Vanarsdall - Anyone in the audience in opposition to this case, SUB-03-10, Maybeury (April 2010 Plan)? No opposition. Mr. Wilhite, good morning.

Mr. Wilhite - Good morning, Mr. Chairman. The proposal before you today is for conditional approval of Maybeury subdivision. This request just concerns the general subdivision layout. It does not allow for any land disturbance to the site, nor does it approve any of the construction details. These items will be handled with a plan of development that is also required to come before you at a later date. Approval of this request will place a cap on the total number of lots that can be developed on the site. Thirty are proposed.

The proposed layout is in general conformance with the conceptual plan submitted with the recently-approved zoning case for this development, C-30C-09. The conceptual

layout showed 30 proposed lots and this development shown is the same. The road layout is the same as shown on the conceptual plan.

Staff would point out that we had questioned the buildable area on Lot 1 since the 25-foot-lot width of the buildable area is about 5 feet narrower than those for the other lots. We have had confirmation from the applicant that the area is sufficient to accommodate a 1,300-square-foot dwelling, and that is required by proffered conditions.

The applicant is requesting specific approval for the—

Mrs. Jones - We're seeing the St. Joseph plan on the screen.

Mr. Wilhite - I apologize.

Mrs. Jones - I've worked with this long enough that I knew that wasn't right.

Mr. Archer - It didn't look right.

Mr. Wilhite - The aerial of the site...I think we're where we should be now.

Mrs. Jones - Okay. Thank you.

Mr. Wilhite - The applicant is requesting specific approval for the encroachment of the required easements to accommodate homeowners' access for maintenance purposes on Lots 4 and 13. We have one circled down at the bottom. This easement would encroach into the proffered ten-foot landscape easement along the southern property line adjacent to Maybeury Elementary School. This request is permitted by language in the proffered condition that requires this easement. The encroachment for Lot 4 is approximately halfway into the easement, but it is staff's belief that the applicant will still be able to provide required plantings to meet the Transitional Buffer 25 requirements.

Staff has modified condition #15 as it appears on page 2 of your agenda. We have removed the language that refers to the reserved area being transferred to the YMCA, although that may ultimately be what happens with this portion of the property. The purpose is ensuring that the homeowners' association for this subdivision is not responsible for the access road. It's still accomplished with the revised wording.

Staff has made additional comments for consideration with the plan of development to follow. This includes the location of tree protection sections to maximize the saving of existing trees on the site.

Staff recommends conditional approval subject to the annotations on the plans, the standard conditions for zero lot line subdivisions served by public utilities, and additional conditions #13 and #14 as they appear on your agenda, as well as modified condition

#15 as it appears on the addendum. I'll be happy to answer any questions that you may have.

Mr. Vanarsdall - Any questions for Mr. Wilhite? Do you have any questions, Mrs. Jones?

Mrs. Jones - I do not.

Mr. Vanarsdall - All right. Thank you, Mr. Wilhite. I'll entertain a motion.

Mrs. Jones - I didn't know whether there was anyone who would like to speak to the case today. I know we have folks in the audience who followed this very closely. I didn't know whether you wanted to be heard at the podium. No? Okay.

This is a fairly straightforward review. Are you coming forward to speak? Okay. I just wanted to know what the shuffling of seats was about. Would you like to speak to the case? Sure. I want to give you an opportunity to say what you'd like to. I know this case, as we all know, has engendered a lot of difficult feelings, and it has resulted in an incredibly close review at the rezoning level, which is why many of the issues that come before the Commission normally at this time have already been discussed and agreed. So, this becomes quite a straightforward review. You all understand, as does the applicant, and as do we, that this is a subdivision approval, which is a step towards what will be a much closer scrutiny at the time of plan of development.

If you'll identify yourself.

Mr. Blackmore. - I'm John Blackmore. I live at 710 Maybeury Drive. My remarks are not prepared, so please bear with me.

Good morning, Commissioners. I would like to make a simple point. I do realize that this point does not have any bearing on the decision made today. It was discussed in the Planning Commission hearing, all of the public meetings at Maybeury Elementary School, and at the Board of Supervisors' meeting that this development with 30 lots would be 4.95 units per acre. I realize that the zoning of R-5 allows for 3 to 6 units per acre. I would just like to make the simple point that it was repeated over and over again that this was going to be 4.95 units per acre, and it says on the front page of the plan that by removing that reserved area, it's 5.3 lots per acre. I realize it's still within the zoning. I just wanted to make the simple point that some might call that a misrepresentation of the facts; I would call it a lie. That's all I have to say.

Mrs. Jones - Thank you, Mr. Blackmore.

Mr. Vanarsdall - Thank you.

Mrs. Jones - So noted. I want to make sure that those folks from the neighborhood understand this. I've already spoken to the applicant about the need to

have an information session for the neighbors prior to any POD hearing. There are a lot of details that need to be solidified and tweaks to the plan. A lot of things happen at the plan of development stage as a result of further engineering, design review, and all of this. The footprints and all of that will be evident at POD. That is just starting now. So, there will be another get-together with the neighbors to discuss the plan as it comes to plan of development. I realize Wednesday morning meetings are not terribly convenient for a lot of the neighbors, so we will make every attempt to have an evening meeting that suits people better so they will be able to come and review the plan. I will insist on that as a courtesy to the neighborhood and certainly as a vital part of the process just so you know that. We'll find a date as this case moves along, and, hopefully, we'll have a chance to all get our thoughts together as it moves to the plan of development.

Is there anyone else who would like to speak? All right, thank you. With that, I would like to move for approval of SUB-03-10, Maybeury (April 2010 Plan). I would like to move for conditional approval subject to the annotations on the plan, standard conditions for zero lot line subdivisions served by public utilities, the following additional conditions #13 and #14 as listed on the agenda, and #15 as revised on the addendum.

Mr. Jernigan - Second.

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

The Planning Commission granted conditional approval to SUB-03-10, Maybeury (April 2010 Plan), subject to the standard conditions attached to these minutes for zero lot line subdivisions served by public utilities, the annotations on the plans, and the following additional conditions:

13. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
14. The proffers approved as part of zoning case C-30C-09 shall be incorporated in this approval.
15. The reserved area containing the existing YMCA access drive shall not be included in the common area of this subdivision.

Mr. Emerson - Mr. Chairman, that takes us to the final item on your agenda, which is the consideration of approval of your March 24, 2010 minutes.

APPROVAL OF MINUTES: March 24, 2010.

Mr. Vanarsdall - Do we have any changes to the minutes? If we don't, we'll accept them like they are. No changes, I need a motion.

Mr. Jernigan - So moved, Mr. Chairman.

Mr. Branin - Second.

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

The Planning Commission approved the March 24, 2010 minutes as presented.

Mr. Vanarsdall - Mr. Secretary, do you have anything?

Mr. Emerson - No, sir, I do not. I don't have any more business.

Mr. Vanarsdall - Mr. Kaechele, do you have anything for us?

Mr. Kaechele - Good morning.

Mr. Emerson - Oh, Mr. Chairman, I will remind you, and I'm sure all of you recall, we do have an open house on the Innsbrook Study on May 4, 2010, at 10900 Nuckols Road, if I remember the address correctly. I may be incorrect on that. Highwoods. That is Tuesday from 5 to 7 p.m.

Mr. Vanarsdall - It's the big Highwoods buildings, isn't it.

Mr. Emerson - Yes, sir, I believe it is.

Mr. Branin - The one next to the gas station.

Mr. Emerson - That's right, it is right next to the gas station.

Mr. Vanarsdall - Thank you for reminding us. If there is nothing else, the Commission is now adjourned. Thank you.

The meeting is adjourned.

Mr. Ernest B. Vanarsdall, Chairman

R. Joseph Emerson, Jr., Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

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

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

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

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

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

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

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

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

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

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

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

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.

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

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

12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. **(Revised January 2008)**
17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.

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

STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **April 28, 2010,** which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

SUBDIVISION - CONDITIONAL APPROVAL

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

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

5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.

6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**

6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.

7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 28, 2010,** which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on **April 27, 2011,** unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **April 28, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **April 27, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 28, 2010,** which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **April 27, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

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

Standard Conditions for Zero Lot Line Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 28, 2010,** which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **April 27, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

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

SUBDIVISION - CONDITIONAL APPROVAL

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

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