

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County  
2 held in the County Administration Building in the Government Center at Parham and  
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, July 27, 2011.  
4

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

Others Present: Mr. David D. O'Kelly, Acting Secretary  
Ms. Leslie A. News, CLA, Principal Planner  
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner  
Mr. Michael F. Kennedy, County Planner  
Mr. Benjamin Sehl, 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. Mike Jennings, Traffic Engineer  
Ms. Holly Zinn, Recording Secretary

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6 **Mrs. Patricia O'Bannon, the Board of Supervisors' representative, abstains from**  
7 **voting on all cases unless otherwise noted.**  
8

9 Mr. Archer - The meeting will come to order. Let us all stand and **Pledge**  
10 **Allegiance to our Flag.**  
11

12 Good morning, everyone. Welcome to our July 27, 2011 meeting for Subdivisions and  
13 Plans of Development. I'd like to recognize any news media, if there's anyone present.  
14 No one is present.  
15

16 Mr. Secretary, I'll turn things over to you.  
17

18 Mr. Emerson - Thank you, Mr. Chairman. First, on your agenda today, are  
19 the requests for deferrals and withdrawals. You did not receive one in your agenda  
20 package, but I believe we do have one. Ms. News will handle that.  
21

22 Mr. Archer - All right. Before we go further, Mrs. O'Bannon, I apologize  
23 for neglecting you down there. Mrs. Pat O'Bannon from the Board of Supervisors. Now,  
24 Ms. News.

25  
26 Ms. News - Good morning, Mr. Chairman, members of the Commission.  
27 We received a request for a deferral following preparation of the addendum last night.  
28 This is on page fifteen of your agenda and is POD-20-11, Wawa at Laburnum and  
29 Eubank in the Varina District. The original request by the applicant was to defer to  
30 August 11, 2011, but I believe the applicant may be revising their request.

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32 **PLAN OF DEVELOPMENT**

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POD-20-11 POD2011-00225 Wawa at Laburnum and Eubank – 5301 S. Laburnum Avenue (POD-80-07 Rev.)	<b>Townes Site Engineering, P.C. for Laburnum and Eubank C-Store, LLC:</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, 5,500 square-foot convenience store with fuel pumps. The 1.78-acre site is located at the northeast corner of the intersection of S. Laburnum Avenue and Eubank Road, approximately 1,700 feet south of Williamsburg Road (U.S. Route 60), on parcel 816-712-7504. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. <b>(Varina)</b>
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34  
35 Mr. Archer - Is there anyone present who is opposed to this deferment?

36  
37 Mr. Jernigan - Mr. Condlin, could you come down? We don't have  
38 paperwork on this, so can we have it verbally on the change of deferral date? Ms.  
39 News, what would be the new date?

40  
41 Ms. News - September 28, 2011.

42  
43 Mr. Condlin - Mr. Chairman, members of the commission, Andy Condlin  
44 from Williams Mullen. Yes, we agree to that.

45  
46 Mr. Jernigan - So September 28, 2011. All right, Mr. Chairman, with that I  
47 will move for deferral of case POD-20-11, Wawa at Laburnum and Eubank, to  
48 September 28, 2011, by request of the applicant.

49  
50 Mr. Vanarsdall - Second.

51  
52 Mr. Archer - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall, All in  
53 favor say aye. All opposed say no. The ayes have it; the motion passes.

54  
55 At the request of the applicant, the Planning Commission deferred POD-20-11, Wawa at  
56 Laburnum and Eubank, to its September 28, 2011 meeting.

57  
58 Ms. News - Staff is not aware of any further requests for deferral.

60 Mr. Archer - All right. Thank you, Ms. News.

61  
62 Mr. Emerson - Mr. Chairman, that now takes us to the items on the  
63 expedited agenda. Those will also be presented by Ms. Leslie News.

64  
65 Ms. News - Sir, we have 4 items on our expedited agenda this morning.  
66 The first item is found on page 3 of your agenda and is located in the Fairfield District.  
67 This is a transfer of approval for POD-22-87, North Run Phase III Building #4. Staff  
68 recommends approval.

69  
70 **TRANSFER OF APPROVAL**

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72 73 74 75 76 77	POD-22-87 POD2011-00187 North Run Phase III Building #4 – 1550 E. Parham Road	<b>CB Richard Ellis of Virginia, Inc. for LIT Industrial Limited Partnership:</b> Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Crow-TEI Limited Partnership to LIT Industrial Limited Partnership. The 7.19-acre site is located along the north side of E. Parham Road, approximately 1,800 feet east of its intersection with Lydell Drive, on parcel 780-758-6216. The zoning is O/SC, Office Service District (Conditional). County water and sewer. <b>(Fairfield)</b>
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73 Mr. Archer - Is there anyone present who is opposed to transfer of  
74 approval for POD-22-87, North Run Phase III Building #4? Seeing none, I move that  
75 transfer of approval for POD-22-87, North Run Phase III Building #4, be recommended  
76 for approval subject to the staff recommendation and the comments in the agenda.

77

78 Mr. Branin - Second.

79

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

82

83 The Planning Commission approved the transfer of approval request for POD-22-87,  
84 North Run Phase III Building #4, from Crow-TEI Limited Partnership to LIT Industrial  
85 Limited Partnership, subject to the standard and added conditions previously approved.

86

87 Ms. News - The next item is on page 4 of your agenda and is located in  
88 the Varina District. This is transfer of approval for POD-142-86, Super 8 Motel on  
89 Williamsburg Road. Staff recommends approval.

90

91

92 **TRANSFER OF APPROVAL**

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POD-142-86 **Paresh Patel:** Request for transfer of approval as required  
POD2011-00189 by Chapter 24, Section 24-106 of the Henrico County  
Super 8 Motel – 5110 Code from Super 8 Motel Developers, Inc. to Paresh Patel.  
Williamsburg Road (U.S. The 0.75-acre site is located on the north line of  
Route 60) Williamsburg Road (U.S. Route 60), approximately 150  
feet west of Oakleys Lane, on parcel 818-714-3029. The  
zoning is B-3, Business District and ASO, Airport Safety  
Overlay District. County water and sewer. **(Varina)**

94

95 Mr. Archer - Is there anyone present who is opposed to transfer of  
96 approval for POD-142-86 Super 8 Motel? I see none. Mr. Jernigan.

97

98 Mr. Jernigan - Mr. Chairman, with that I will move for approval of transfer of  
99 approval of POD-142-86 Super 8 Motel on the expedited agenda. All deficiencies have  
100 been corrected.

101

102 Mrs. Jones - Second.

103

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

106

107 The Planning Commission approved the transfer of approval request for POD-142-86  
108 Super 8 Motel, from Super 8 Motel Developers, Inc. to Paresh Patel, subject to the  
109 standard and added conditions previously approved.

110

111 Ms. News - The next item is on page 5 of your agenda and located in the  
112 Brookland District. This is a landscape plan, LP/POD-22-10, Affiliated Dermatologists of  
113 Virginia, the Shrader Road facility. The addendum on page one includes a revised plan  
114 that incorporates phasing to allow the applicant to install landscaping in a phased manor  
115 as their budget permits. The minimum requirements, however, are met with phase one.  
116 Staff recommends approval.

117

118 **LANDSCAPE PLAN**

119

LP/POD-22-10 **SMBW Architects for IHH Properties, Inc.:** Request for  
POD2011-00221 approval of a landscape plan, as required by Chapter 24,  
Affiliated Dermatologists of Sections 24-106 and 24-106.2 of the Henrico County  
Virginia – Shrader Road Code. The 1.91-acre site is located on the south line of  
Facility – 7811 Shrader Shrader Road, approximately 180 feet west of Hungary  
Road Spring Road, on parcel 764-752-9619. The zoning is B-3C,  
Business District (Conditional). County water and sewer.  
**(Brookland)**

120

121 Mr. Archer - Is anyone present who is opposed to LP/POD-22-10,  
122 Affiliated Dermatologists of Virginia – Shrader Road Facility?

123  
124 Mr. Vanarsdall - Mr. Chairman, I move that LP/POD-22-10, Affiliated  
125 Dermatologists of Virginia – Shrader Road Facility, be approved with the staff  
126 recommendation and the addendum, subject to the standard conditions for landscape  
127 plans.

128  
129 Mr. Jernigan - Second.

130  
131 Mr. Archer - Motion by Mr. Vanarsdall, seconded by Mr. Jernigan. All in  
132 favor say aye. All opposed say no. The ayes have it; the motion passes.

133  
134 The Planning Commission approved the landscape and lighting plan for LP/POD-22-10,  
135 Affiliated Dermatologists of Virginia – Shrader Road Facility, subject to the standard  
136 conditions attached to these minutes for landscape plans.

137  
138 Ms. News - The final item is on page 18 of your agenda and is located in  
139 the Varina District. This is SUB-14-09, Anderson Mill (September 2009 Plan). This is a  
140 reconsideration for 57 lots. Staff recommends approval.

141  
142 **SUBDIVISION**

143  
144 SUB-14-09 **Timmons Group for Anderson Mill, LLC:** Request for a  
145 SUB2011-00056 reconsideration of a conditional subdivision to revise a  
146 Anderson Mill condition regarding an existing access easement located  
147 (September 2009 Plan) east along the adjacent property. The 21.56-acre site is  
148 Reconsideration - located south of E. Williamsburg Road (U.S. Route 60),  
149 E. Williamsburg Road approximately 75 feet from Hanover Avenue, on parcels  
150 831-714-5604 and 832-713-0577. The zoning is R-3, One  
151 Family Residence District. County water and sewer.  
152 **(Varina) 57 Lots**

153  
154 Mr. Archer - Is there anyone present who is opposed to this  
155 reconsideration for SUB-14-09, Anderson Mill (September 2009 Plan)?

156  
157 Mr. Jernigan - Mr. Chairman, with that I'll move for approval of this  
158 reconsideration for SUB-14-09, Anderson Mill (September 2009 Plan), subject to the  
159 annotations on the plans, the standard conditions for subdivisions served by public  
160 utilities, and the additional Conditions #13 through #17.

161  
162 Mr. Vanarsdall - Second.

163  
164 Mr. Archer - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall, All in  
165 favor say aye. All opposed say no. The ayes have it; the motion passes.

166  
167 57

158 The Planning Commission granted conditional approval to SUB-14-09, Anderson Mill  
159 (September 2009 Plan) – Reconsideration, subject to the standard conditions attached  
160 to these minutes for subdivisions served by public utilities, the annotations on the plans,  
161 and the following additional conditions:  
162

- 163 13. Each lot shall contain at least 11,000 square feet.  
164 14. The frontage road and Hanover Avenue extending to Williamsburg Road (U.S.  
165 Route 60) shall be constructed to meet County standards an accepted for County  
166 maintenance.  
167 15. The developer shall provide a 10-foot wide no ingress/egress easement along the  
168 rear of Lots 40 through 44 until such time as the prescriptive easement is quit-  
169 claimed or vacated.  
170 16. All construction access shall be limited to Hanover Avenue and the frontage road.  
171 17. The details for the landscaping to be provided within the 10-foot wide planting strip  
172 easement abutting the terminus of Piedmont Avenue shall be submitted to the  
173 Department of Planning for review and approval prior to recordation of the plat.  
174

175 Ms. News - That completes our expedited agenda.  
176

177 Mr. Archer - Thank you, Ms. News.  
178

179 Mr. Emerson - Mr. Chairman, that takes us to the next item on this  
180 morning's agenda, which is the Subdivision Extensions of Conditional Approval. Those  
181 will be presented by Mr. Lee Pambid.  
182

183 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL:**  
184

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2010-00076 (SUB-07-10) Hallie's Corner (July 2010 Plan)	3	3	0	Varina	7/25/2012

185  
186 Mr. Archer - Good morning,  
187

188 Mr. Pambid - Good morning, sir. Good morning, members of the Planning  
189 Commission. This map indicates the location of one subdivision that is presented for an  
190 extension of conditional approval. It is eligible for a one-year extension to July 25, 2012.  
191 It's for informational purposes only and does not require Commission action at this time.  
192

193 This concludes my presentation. I can now field any questions you might have.  
194

195 Mr. Archer - Are there questions for Mr. Pambid? Thank you, sir.  
196

197 Mr. Pambid - You're welcome.

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202

Mr. Emerson - Mr. Chairman, that now takes us into your regular agenda.

## PLAN OF DEVELOPMENT

POD-23-11

POD2011-00227

Martin's Fuel Facility at  
West Park Shopping  
Center – 9645 W. Broad  
Street (U.S. Route 250)  
(POD-94-87 Rev.)

**Vanasse, Hangen, Brustlin, Inc. for Westdale Westpark II, Ltd. and Giant Food Stores, 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 fuel facility with 4 pump islands and a kiosk in an existing shopping center. The 7.95-acre site is located approximately 500 feet east of the intersection of Stillman Parkway and W. Broad Street (U.S. Route 250), on part of parcel 754-758-2409. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

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Mr. Archer - Is there any opposition to POD-23-11, Martin's Fuel Facility at West Park Shopping Center? Good morning, Mr. Garrison.

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Mr. Garrison - Good morning. The applicant is requesting approval to construct a four-island fuel pump at West Park Shopping Center. The plan before you today is a revised plan that provides brick on the columns and kiosk and a mansard detail on the roof of the fuel canopy. Staff has requested this mansard detail be provided on the kiosk to match the proposed fuel canopy and to match the previously approved fuel center at the Kroger near Regency Mall. The applicant has stated this would interfere with the HVAC unit but has agreed to provide a roof detail consistent with the proposed fuel canopy.

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Should the Commission act on this request, staff can recommend approval subject to the standard conditions for developments of this type, the annotations on the plan, and the added conditions in your agenda.

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222

Staff and representatives of the applicant are available to answer any questions that you have.

223

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226

Mr. Archer - Thank you, sir. Are there questions for Mr. Garrison?

Mr. Branin - Mr. Garrison, do you have more photos of the proposal?

227

228

229

230

231

Mr. Garrison - The elevations?

Mr. Branin - Yes. We're asking that they put some sort of roof, possibly not a full roof, on that kiosk.

232 Mr. Garrison - What was discussed was maybe replacing this aluminum  
233 parapet type structure with something more consistent with this standing seam gray  
234 mansard detail. If they can't get the angle, maybe they could make it 90 degrees to  
235 conceal the HVAC unit that's on top.  
236

237 Mr. Branin - Do you have a visual of the full site plan so that we can see  
238 the location of the kiosk versus the fuel pumps?  
239

240 Mr. Garrison - The kiosk is right here. Let me zoom in a little bit. Broad  
241 Street is right here, the kiosk is here, and the fuel canopy is right here.  
242

243 Mr. Branin - So, from Broad Street the kiosk wouldn't be visible, but when  
244 you come out of Martin's you would be able to see the kiosk sitting out there all alone.  
245

246 Mr. Garrison - Yes, sir.  
247

248 Mr. Branin - Okay. Those are all the questions I have for Mr. Garrison.  
249

250 Mr. Archer - All right. Anyone else have questions?  
251

252 Mr. Branin - May I hear from the applicant, please?  
253

254 Mr. Archer - Will the applicant please come forward?  
255

256 Mr. Condlin - Members of the Commission, I'm Andy Condlin from  
257 Williams Mullen.  
258

259 Mr. Archer - Nice to see you, sir.  
260

261 Mr. Vanarsdall - Good morning, Mr. Condlin.  
262

263 Mr. Branin - Mr. Condlin, it's been a long time. Welcome back to Henrico  
264 County.  
265

266 Mr. Condlin - Thank you.  
267

268 Mr. Branin - Mr. Condlin, we've spoken, and staff has spoken to you and  
269 the applicant in regards to putting something in to get this to blend better. Ukrop's stores  
270 and, now, Martin's stores have had a long tradition. Martin's is now going to get into the  
271 gas business, as their peers have. We have put roofs on their peers' buildings. I would  
272 think it would be a crime to set a precedent in the Three Chopt District or any other  
273 district that Martin's is choosing to put fuel stations in, that we didn't get it to look the  
274 best we possibly could. I understand that this stands out and your client doesn't feel that  
275 it's necessary. We're looking to get something that's more consistent, especially being  
276 the first one, so we set the precedent of the quality that Martin's deserves to give  
277 themselves. So do you have any ideas on how you're going to address this?

278

279 Mr. Condlin - With respect to the kiosk itself—and I will take one step back  
280 from the context of where we are. Martin's and the other related companies in Giant  
281 Foods have been in the fuel business for quite some time, just not in the Richmond  
282 area. This is the second facility that we've made application for in the Richmond  
283 Metropolitan region. Certainly, they do want to set precedent, and I don't want to give  
284 the feeling at this Commission that this had been an uncompromising situation by  
285 Martin's because they did add the mansard roof to the canopy, which, as you pointed  
286 out, is the more prominent feature, particularly on Broad Street. They also added the  
287 brick columns.

288

289 This particular location includes in the center a number of architectural features on the  
290 roof, and they're flat roofs as well, including over the Martin's store itself is a flat roof  
291 structure. They felt like that was a good compromise. I don't want you to have the  
292 feeling that Martin's is trying to cheap its way through here. They talked to their  
293 architects and looked at this and said this makes sense given the center has a  
294 combination of flat roof and architectural features. We felt like the mansard was a good  
295 compromise; it made sense along the canopy to be consistent and make it look nice. As  
296 far as the kiosk, again, they were trying to make that blend in more.

297

298 The proffers don't specifically require one architectural feature or the other, but they're  
299 obviously willing to compromise. They want to be able to allow for that. As we talked  
300 about, not that a full roof can't be done, but it's a substantial expense because the  
301 HVAC units that are on the top of the roof are currently being hidden by the parapet.  
302 That red band is part of their branding campaign, so the thought was that ultimately we  
303 could put in an architectural feature of some sort to be able to have a roof detail with  
304 that red band to be able to draw in the roof on the canopy, to be able to blend those in a  
305 little bit better, and to show an architectural feature that would go up a little higher  
306 without having to redesign and have structural changes to the kiosk itself.

307

308 I'd like to be able to make a condition on this so that we could work with staff to come  
309 up with that. We weren't able to get a hold of the architect this morning to be able to  
310 specifically talk about that. Someone in the staff said that it certainly could be done—as  
311 long as it's not a full roof—at a much lower expense. We'd like to be able to work with  
312 staff and if not, we'll come back. We can always put on a full roof if we can't come up  
313 with a good compromise.

314

315 Mr. Branin - Taking into consideration that there is an HVAC unit on top,  
316 a full roof, I'm sure, wouldn't work, but there is a happy medium that we'd like to get this  
317 to blend better so we don't have a red-striped box sitting out by itself.

318

319 Mr. Condlin - Right. The condition we'd like to add is to be able to just say  
320 with respect to the roofline and the roof on the kiosk, that the applicant will work with  
321 staff to come up with an acceptable solution.

322

323 Mr. Vanarsdall - There are several in his neighborhood already with Costco  
324 and Sam's.  
325  
326 Mr. Branin - Mr. Vanarsdall, what have you done with your kiosks? Are  
327 there pitched roofs on them? That blended it better?  
328  
329 Mr. Vanarsdall - Oh, yes.  
330  
331 Mr. Branin - Blended it better? We're not asking you to do anything we  
332 haven't asked everybody else.  
333  
334 Mr. Condlin - We're not asking for relief otherwise. Again, it's not like we're  
335 not coming in saying we won't do it.  
336  
337 Mr. Branin - And I appreciate you guys working so diligently with myself  
338 and staff to get this where it should be.  
339  
340 Mr. Condlin - It was a good meeting.  
341  
342 Mr. Branin - I have no further questions for him.  
343  
344 Mr. Archer - All right. Anybody else have questions?  
345  
346 Mrs. Jones - I just wanted to say that because this is so prominent to  
347 Broad Street our concern is, obviously, from that angle. I think it's a valid concern that  
348 that present a unified and very attractive look.  
349  
350 Mr. Archer - All right. Any other comments?  
351  
352 Mr. Branin - A question for Mr. Secretary. To make the motion for  
353 approval of this POD with that condition, how would you like me to state that?  
354  
355 Mr. Emerson - Just a motion for approval with the addition of final approval  
356 for the roofline of the kiosk to be submitted—or a plan to be submitted to the Director of  
357 Planning for final approval, in keeping with the discussion, and adding the roof elements  
358 that have been discussed this morning.  
359  
360 Mr. Archer - Could we number that #36?  
361  
362 Mr. Emerson - I think you could number that #36 if you wish, yes.  
363  
364 Mr. Archer - All right, Mr. Branin.  
365  
366 Mr. Branin - All right. Mr. Chairman, I'd like to move for approval of POD-  
367 23-11, Martin's Fuel Facility at West Park Shopping Center, with Conditions #29 through

368 #36, #36 being a final approval, with submission of the kiosk roof to the Director of  
369 Planning for approval.

370  
371 Mrs. Jones - Second.

372  
373 Mr. Archer - Motion by Mr. Branin, seconded by Mrs. Jones. All in favor  
374 say aye. All opposed say no. The ayes have it; the motion passes.

375  
376 The Planning Commission approved POD-23-11, Martin's Fuel Facility at West Park  
377 Shopping Center, subject to the annotations on the plans, the standard conditions  
378 attached to these minutes for developments of this type, and the following additional  
379 conditions:

380  
381 29. Only retail business establishments permitted in a B-2C zone may be located in  
382 this center.

383 30. ~~DELETED - The ground area covered by all the buildings shall not exceed in the~~  
384 ~~aggregate 25 percent of the total site area.~~

385 ~~3430.~~ No merchandise shall be displayed or stored outside of the building(s) or on  
386 sidewalk(s).

387 ~~3231.~~ Outside storage shall not be permitted except as shown on the approved plan.

388 ~~3332.~~ The proffers approved as a part of zoning case C-76C-89 shall be incorporated in  
389 this approval.

390 ~~3433.~~ The conceptual master plan, as submitted with this application, is for planning  
391 and information purposes only.

392 ~~3534.~~ The location of all existing and proposed utility and mechanical equipment  
393 (including HVAC units, electric meters, junctions and accessory boxes,  
394 transformers, and generators) shall be identified on the landscape plan. All  
395 building mounted equipment shall be painted to match the building, and all  
396 equipment shall be screened by such measures as determined appropriate by  
397 the Director of Planning or the Planning Commission at the time of plan approval.

398 ~~3635.~~ **ADDED** - The details for the Kiosk roof shall be submitted to the Director of  
399 Planning for final approval.

400  
401

402 **PLAN OF DEVELOPMENT**

403

POD-19-11 **Balzer and Associates, Inc. for McDonald's USA, LLC:**  
POD2011-00224 Request for approval of a plan of development, as required  
McDonald's at by Chapter 24, Section 24-106 of the Henrico County  
Brookhollow Shopping Code, to renovate an existing one-story, 4,553 square-foot  
Center Site Improvements restaurant and construct alterations to the drive-through  
– 11218 W. Broad Street facilities, in an existing shopping center. The 1.14-acre site  
(U.S. Route 250) is located on the north line of W. Broad Street (U.S. Route  
(POD-53-97 Rev.) 250), approximately 800 feet east of John Rolfe Parkway,  
on parcel 742-761-1362. The zoning is M-1C, Light  
Industrial District (Conditional) and WBSO, West Broad  
Street Overlay District. County water and sewer. **(Three  
Chopt)**

404

405 Mr. Archer - Is there anyone here who is opposed to POD-19-11,  
406 McDonald's at Brookhollow Shopping Center Site Improvements? Ms. Berndt, go right  
407 ahead, ma'am.

408

409 Ms. Berndt - Thank you. The site renovations, ADA improvements, and  
410 drive-through alterations are proposed by the applicant as detailed in the staff report.  
411 These changes to the building façade are in keeping with the modernization of the older  
412 building prototype that has been implemented at several other County locations. The  
413 colors and materials proposed are compatible with the surrounding shopping center.

414

415 The applicant requests that the existing drive-through lanes be reconstructed to allow 2  
416 locations for placing orders. The lanes would then merge back to the 1 existing lane for  
417 order pickup. Formerly, Section 24-104 of the Henrico County ordinance permitted  
418 1detached menu order board for restaurants with drive-through facilities, not to exceed  
419 24 square feet in area or 8 feet in height. The menu board was not permitted to have  
420 any logos, nor was it permitted to face any public right-of-way.

421

422 On July 26, 2011, the Board of Supervisors voted to amend Section 24-104 to allow  
423 greater flexibility in the regulation of the menu signs at drive-through restaurants. The  
424 ordinance will not permit menu boards as follows:

425

426 - One detached preview sign and one detached menu sign for each position  
427 where orders are placed. Each menu sign shall not exceed 48 square feet in  
428 area or 8 feet in height, and each preview sign shall not exceed 24 square  
429 feet in area or 8 feet in height.

430

431 - Preview signs and menu signs shall be screened to prevent noise and glare  
432 from affecting adjacent residential properties and prevent the sign from  
distracting motorists.

433

434 - Additional and/or larger menu signs or preview signs may be permitted by  
special exception under the newly adopted ordinance.

435

436 The applicant proposes 2 menu boards, one at each position for ordering. Both menu  
437 boards would be angled in the direction of West Broad Street and would measure  
438 approximately 35 square feet, not to exceed 8 feet in height. The closest menu board  
439 would be approximately 110 feet from the public right-of-way of West Broad. Adequate  
440 planting area exists for the screening along West Broad Street, and the applicant  
441 proposes supplemental landscaping to eliminate glare and distraction to motorists. No  
442 adjacent residential development exists in the immediate area.  
443

444 The current proposal complies with the newly adopted ordinance, and, therefore, staff  
445 can recommend approval subject to the annotations on the plan, the standard  
446 conditions for developments of this type, and additional Conditions #29 through #36 in  
447 the agenda.  
448

449 The applicant's representative, Chris Shust of Balzer and Associates, and Chuck  
450 Phan of McDonald's are here to answer any questions you may have of the applicant. I  
451 am happy to answer any questions that the Commission may have of me.  
452

453 Mr. Archer - Thank you, Ms. Berndt. Are there questions from the  
454 Commission?  
455

456 Mr. Branin - If the ordinance doesn't go through—  
457

458 Ms. Berndt - It did last night, just a few hours ago.  
459

460 Mr. Emerson - The ordinance was approved last night.  
461

462 Mr. Branin - Well, then we're good to go. Okay. I have no further  
463 questions.  
464

465 Mr. Archer - Anyone else? All right. Mr. Branin, do you need to hear from  
466 the applicant?  
467

468 Mr. Branin - No, sir, I do not. With that, then, I'm excited to be the first  
469 one to take advantage of the new ordinance.  
470

471 Mrs. Jones - Groundbreaker.  
472

473 Mr. Archer - We'll have a celebration.  
474

475 Mr. Branin - A monumental occasion. I'd like to move that POD-19-11,  
476 McDonald's at Brookhollow Shopping Center Site Improvements, be approved with  
477 standard conditions for developments of this type and additional Conditions #29 through  
478 #36.  
479

480 Mr. Jernigan - Second.  
481

482 Mr. Archer - Motion by Mr. Branin, seconded by Mr. Jernigan. All in favor  
483 say aye. All opposed say no. The ayes have it; the motion passes.  
484

485 The Planning Commission approved POD-19-11, McDonald's at Brookhollow Shopping  
486 Center Site Improvements, subject to the annotations on the plans, the standard  
487 conditions attached to these minutes for developments of this type, and the following  
488 additional conditions:  
489

- 490 29. Only retail business establishments permitted in an M-1C zone may be located in  
491 this center.
- 492 30. The ground area covered by all the buildings shall not exceed in the aggregate 25  
493 percent of the total site area.
- 494 31. No merchandise shall be displayed or stored outside of the building(s) or on  
495 sidewalk(s).
- 496 32. Outside storage shall not be permitted.
- 497 33. The proffers approved as a part of zoning case C-52C-94 shall be incorporated in  
498 this approval.
- 499 34. The developer shall install an adequate restaurant ventilating and exhaust system  
500 to minimize smoke, odors, and grease vapors. The plans and specifications shall  
501 be included with the building permit application for review and approval. If, in the  
502 opinion of the County, the type system provided is not effective, the Commission  
503 retains the rights to review and direct the type of system to be used.
- 504 35. In the event of any traffic backup which blocks the public right-of-way as a result of  
505 congestion caused by the drive-up facilities, the owner/occupant shall close the  
506 drive-up facilities until a solution can be designed to prevent traffic backup.
- 507 36. The location of all existing and proposed utility and mechanical equipment  
508 (including HVAC units, electric meters, junctions and accessory boxes,  
509 transformers, and generators) shall be identified on the landscape plan. All building  
510 mounted equipment shall be painted to match the building, and all equipment shall  
511 be screened by such measures as determined appropriate by the Director of  
512 Planning or the Planning Commission at the time of plan approval.  
513

## 514 PLAN OF DEVELOPMENT

515

POD-24-11  
POD2011-00232  
Parham Place III – 1920  
E. Parham Road  
(POD-150-86 and 53-01  
Rev.)

**Balzer and Associates, Inc. for JEDD of South Carolina, 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, 27,450 square-foot office building and related site improvements. The 5.37-acre site is located on the north line of E. Parham Road, approximately 500 feet west of Lydell Drive, on parcels 777-758-2319 and 4306. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Fairfield)**

516

517 Mr. Archer - Is there any opposition to POD-24-11, Parham Place III?  
518 We do have opposition; good morning, sir. We'll get to you. All right, Ms. Berndt.

519  
520 Ms. Berndt - Good morning. An addendum item is located on page 2 of  
521 your addendum addressing a revised plan and architectural elevations.

522  
523 The applicant has added a large glass atrium to the interior courtyard elevation of the  
524 proposed building. The new footprint is shown on the revised layout plan. The related  
525 site improvements in the third building phase of Parham Place, Office Campus, will  
526 expand the Office Campus for its single tenant, Royal and Company.

527  
528 Staff continues to recommend approval subject to the annotations on the plan, the  
529 standard conditions for developments of this type, and additional Conditions #29  
530 through #33 in the agenda. The applicants, Duke and Jane DuFrane, their  
531 representative, Chris Shust of Balzer and Associates, and Danny Meyer of Dallan  
532 Construction are here to answer any questions you have of the applicant. I am happy to  
533 answer any questions you have.

534  
535 Mr. Archer - Anyone with questions for Ms. Berndt? I think I would like to  
536 hear from the opposition first, if I may. Come on up, sir.

537  
538 Mr. Blue - Good morning. My name is Thomas Blue. I'm the property  
539 owner adjoining on the east. One item that concerns me is drainage. I'm here to make  
540 sure that the retention pond is going to remain operational. As best I could see from the  
541 thing, it appears that it will.

542  
543 The other thing that I am concerned about is the height of the structure and whether or  
544 not it would adversely affect the satellite access from my building in the event that a  
545 satellite dish would be put there. There are none there now, but things do change.

546  
547 The best I can see from the drawing, I'm not sure that either of my concerns are well  
548 taken, but I felt like I should at least voice them so that I would have them on the record.

549  
550 Mr. Archer - Okay. We appreciate you coming, sir.

551  
552 Mr. Blue - Thank you very much.

553  
554 Mr. Archer - We'll have the applicant answer that for you. Would the  
555 applicant come forward, please?

556  
557 Mr. Shust - Members of the Commission, my name is Chris Shust with  
558 Balzer and Associates representing the applicant.

559  
560 I can answer both of those questions. The first question with the existing stormwater  
561 facility closest to the corner, that is going to stay in place, and calculations have been  
562 submitted to demonstrate adequacy. So, we're not changing the drainage condition.

563  
564 In terms of the building height, the building is going to be less than 30 feet in height; it's  
565 a two-story building. We don't see any conflict with satellite service or anything like that.  
566 It's going to be in the back of the site. The Parham Place II building to the east of this is  
567 also going to partially screen the new building.  
568

569 Mr. Archer - Okay. Before you, Mr. Blue, does that answer your  
570 questions?

571  
572 Mr. Blue - Yes, sir, I believe it does.

573  
574 Mr. Archer - Thank you so much. We appreciate you coming out.

575  
576 Mr. Shust - Thank you.

577  
578 Mr. Archer - Anything else you have to offer? I guess not. All right. Does  
579 any member of the Commission have any questions or concerns? All right. With that, I  
580 will move for approval of POD-24-11, Parham Place III, subject to the annotations on  
581 the plan, the standard conditions for developments of this type, and additional  
582 Conditions #29 through #33, and the revised plan in the addendum.  
583

584 Mr. Vanarsdall - Second.

585  
586 Mr. Archer - Motion by Mr. Archer, seconded by Mr. Vanarsdall. All in  
587 favor say aye. All opposed say no. The ayes have it; the motion passes.  
588

589 The Planning Commission approved POD-24-11, Parham Place III, subject to the  
590 annotations on the plans, the standard conditions attached to these minutes for  
591 developments of this type, and the following additional conditions:  
592

- 593 29. A concrete sidewalk meeting County standards shall be provided along the north  
594 line of E. Parham Road beginning at the east line of the existing boulevard  
595 entrance and extending 450 linear feet eastward along the road frontage.  
596 30. Outside storage shall not be permitted.  
597 31. The proffers approved as a part of zoning cases C-113C-85 and C-47C-99 shall  
598 be incorporated in this approval.  
599 32. The certification of building permits, occupancy permits and change of  
600 occupancy permits for individual units shall be based on the number of parking  
601 spaces required for the proposed uses and the amount of parking available  
602 according to approved plans.  
603 33. The location of all existing and proposed utility and mechanical equipment  
604 (including HVAC units, electric meters, junctions and accessory boxes,  
605 transformers, and generators) shall be identified on the landscape plan. All  
606 building mounted equipment shall be painted to match the building, and all  
607 equipment shall be screened by such measures as determined appropriate by  
608 the Director of Planning or the Planning Commission at the time of plan approval.



645  
646 Ms. Goggin - It would, but Mr. Hooker is here to present the request.  
647  
648 Mr. Archer - Come forward, sir.  
649  
650 Mr. Hooker - Good morning, Mr. Chairman. Randy Hooker with  
651 Engineering Design Associates. I'm here to request that you grant approval of an  
652 exception for an additional 20-foot setback. What we're asking for is to emulate the A-1  
653 front yard setback requirement, which is 50 feet. R-2A is 45 feet, so we're asking for the  
654 additional 5 feet to make it uniform with the A-1 setback requirement.  
655  
656 The additional setback requirement for the MTP would cut the overall buildable area in  
657 half and would only give us about a 24-foot depth for the buildable area. That's another  
658 reason for asking for this.  
659  
660 Mr. Jernigan - Thank you, Mr. Hooker.  
661  
662 Mr. Archer - Anyone else have questions? All right, Mr. Jernigan.  
663  
664 Mr. Jernigan - Mr. Chairman, I will move for approval of SUB-08-11, Kings  
665 Manor (July 2011 Plan), with the standard conditions for subdivisions served by public  
666 utilities and the additional Conditions #13, #14, and #15. Also noted on the addendum  
667 that this is for the subdivision and the exception.  
668  
669 Mr. Vanarsdall - Second.  
670  
671 Mr. Archer - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall. All in  
672 favor say aye. All opposed say no. The ayes have it; the motion passes.  
673  
674 The Planning Commission granted an exception to allow a reduction of 20 feet from the  
675 required additional 25-foot setback and granted conditional approval to SUB-08-11,  
676 Kings Manor (July 2011 Plan), subject to the standard conditions attached to these  
677 minutes for subdivisions served by public utilities, the annotations on the plans, and the  
678 following additional conditions:  
679  
680 13. The details for the landscaping to be provided within the 25-foot wide planting strip  
681 easements along Kingsridge Parkway shall be submitted to the Department of  
682 Planning for review and approval prior to recordation of the plat.  
683 14. Any necessary offsite drainage easements must be obtained prior to final approval  
684 of the construction plan by the Department of Public Works.  
685 15. The final plat for recordation shall contain information showing The Chesapeake  
686 Bay Preservation areas, if any, in accordance with Chapter 19, Section 19-72 (18),  
687 of the Henrico County Code, as determined by the Director of Public Works.  
688  
689

## PLAN OF DEVELOPMENT

POD-22-11  
POD2011-00228

Bee Green Recycling –  
3603 and 3609 Nine Mile  
Road (State Route 33)

**Engineering Design Associates for Bee Green Recycling, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 27,500 square-foot recycling building for collection and sorting of metals. The 5.43-acre site is located on the south line of Nine Mile Road (State Route 33) across from the intersection of Gordons Lane and Nine Mile Road and east of the Interstate-64 West off-ramp, on parcels 804-723-6935 and 9207. The zoning is M-1, Light Industrial District and B-1, Business District. County water and sewer. **(Varina)**

692

693 Mr. Archer - Is there any opposition to POD-22-11, Bee Green  
694 Recycling? Mr. Pambid, how are you, sir?

695

696 Mr. Pambid - I'm fine, sir. How about yourself?

697

698 Mr. Archer - Good.

699

700 Mr. Pambid - The applicant intends to construct a one-story, 27,500  
701 square-foot recycling facility that is used strictly for the collection and sorting of scrap  
702 metal. The site is designed to accommodate a significant amount of truck traffic, as  
703 evidenced by the wide drive aisles and 12 roll-up doors. All collection and sorting  
704 activities are to take place inside the building, and no baling or crushing is planned.  
705 Stockpiling is not intended, and a condition has been added to preclude any outdoor  
706 storage.

707

708 This site is within the Enterprise Zone and the Nine Mile Road Corridor Revitalization  
709 and Reinvestment Opportunity Area that's outlined in the Vision 2026 Comprehensive  
710 Plan. The site represents the west gateway to the Nine Mile Road Corridor, which  
711 includes the Tourist Information Center and the Henrico County Eastern Government  
712 Center.

713

714 Staff received a revised grading plan that reduces the amount of grading in the VDOT  
715 limited access right-of-way, and features a 2:1 slope on the back side of the I-64 off-  
716 ramp berm. That leaves much more of the trees and mature vegetation intact than in the  
717 previous plan, and we have some pictures of that.

718

719 Also received was a revised layout that shows a right-in, right-out only entrance as  
720 required by VDOT. The entrance to the site is further down Nine Mile Road about 380  
721 feet from the top of the off-ramp. The layout also includes a new entrance feature  
722 comprised of four 2 by 2 by 8 tall brick columns, two on each side of the entrance with  
723 sections of ornamental iron-style fence and the 34-foot double swing gate.

724  
725 The building is 35 feet, 3 inches in overall height from ground/finished floor level to the  
726 top of the roof ridge. The exterior siding is primarily made of metal panels and concrete  
727 tilt-up panels, and the roof is an exposed fastener metal roof. The issue of the color and  
728 texture of the building is still pending a resolution. Staff has suggested that the  
729 proposed tilt-up concrete panels have a split-face block texture and have an integrated  
730 tan color as opposed to painting a flat surface dark green. These more recently-  
731 received elevations also feature stucco applied over the concrete panels. Those were  
732 received late yesterday afternoon.

733  
734 The roof in the most recent elevation—also received later yesterday afternoon—is now  
735 specified a gray color. It was specified as Hunter Green in the staff report and was  
736 specified as sandstone in color on the staff plan. Staff continues to recommend that the  
737 roof be sandstone in color as originally specified.

738  
739 This concludes my presentation. I can now field any questions regarding this. The  
740 applicant's representative, Randy Hooker from EDA, is also here.

741  
742 Mr. Archer - Thank you, sir. Are there questions from the Commission?

743  
744 Mr. Jernigan - Mr. Pambid, we're clear with VDOT now on the grading  
745 coming off of that exit?

746  
747 Mr. Pambid - We are clear. The applicant understands that a separate  
748 land use permit will still need to be filed with the VDOT central office. That process  
749 typically doesn't occur until later on. So the central office still has to review the grading.

750  
751 Mr. Jernigan - I don't have any more questions for Mr. Pambid.

752  
753 Mrs. Jones - Can I just make sure I understand? Staff's preference is  
754 what on the colors, and the applicant has offered what? I'm a little confused.

755  
756 Mr. Pambid - Okay. The roof was originally shown as sandstone in color  
757 on your first staff plan, and that would be staff's preference for the roof.

758  
759 Mr. Branin - Mr. Pambid, go ahead and show us on the overhead.

760  
761 Mr. Pambid - Okay. It's called out as sandstone here, exposed fastener  
762 metal roof, which is sandstone. It was identified erroneously as Hunter Green in the staff  
763 report. So, here on the staff plan it is sandstone, and staff would prefer to have that stay  
764 as sandstone. On an elevation that was received late yesterday afternoon, it was  
765 specified as gray. In terms of the building materials on the side of the building, the tilt-up  
766 concrete walls were specified as Hunter Green, and you see that here. This would just  
767 be a flat concrete surface; whereas, staff is recommending texture like a concrete block  
768 or a split-face concrete block and that the color be integrated as a tan or a beige or

769 something of that persuasion. So, right now what we received late yesterday afternoon  
770 was tilt-up concrete panels with stucco applied directly. That would be a light green.

771  
772 Mrs. Jones - Green.

773  
774 Mr. Pambid - Green. Yes, ma'am.

775  
776 Mr. Branin - I get the green color with the recycling.

777  
778 Mr. Jernigan - All right. Are they going to get any tax credits for that if they  
779 do green? All right. The panel above the concrete panels—so everybody will know—  
780 those are the thin panels that light comes through, correct?

781  
782 Mr. Pambid - Yes, sir.

783  
784 Mr. Jernigan - So those panels—

785  
786 Mrs. Jones - They're translucent?

787  
788 Mr. Jernigan - Yes.

789  
790 Mrs. Jones - Okay. And what color does that appear as you drive down  
791 the street?

792  
793 Mr. Jernigan - Originally, and as is stands right now, it's green. They're  
794 changing the Hunter Green because they don't want to be stuck in to exactly what  
795 Hunter Green is. They want a color that looks appropriate.

796  
797 Mr. Branin - So are they just stating green?

798  
799 Mr. Jernigan - I'm going to get Mr. Hooker up to specify that. In our  
800 conversation the other day they took out the Hunter Green because it locked them into  
801 that shade. Mr. Pambid, I don't have any more questions for you right now. I would like  
802 to speak to Mr. Hooker.

803  
804 Mr. Pambid - Okay.

805  
806 Mr. Archer - All right. Come on up, Mr. Hooker.

807  
808 Mr. Hooker - Good morning, again. Randy Hooker with Engineering  
809 Design Associates.

810  
811 Just a little background on this project. We submitted a preliminary POD to staff October  
812 5, 2010. We have been working with our client on this quite rigorously, trying to address  
813 what we feel would be County concerns and trying to keep the client happy at the same  
814 time. The colors—they do want to try to keep a green theme to the building. That's why

815 we're calling it a dark green for the metal panel to the upper portion of the building, and  
816 then there's the lighter green for the lower portion of the building for the concrete  
817 panels, just to break it up. The translucent panels are an opaque clear color. Those  
818 translucent panels are along both sides and the rear of the building. They're not  
819 provided on the front of the building for 2 reasons: It's a north face, and with other uses  
820 of the building, it just didn't make sense to use them.

821  
822 Now, getting to the roof. We changed the reference from sandstone to the light gray.  
823 This is pretty much a flat roof. It's a one-on-twelve pitch. The building is 150 feet wide.  
824 One section of the roof is 75 feet, and the roof is going to go up 6 feet, 3 inches. It's  
825 relatively flat. We really didn't see a lot of sense in spending additional money to put a  
826 decorative color on a roof that's really not going to be seen.

827  
828 Mr. Jernigan - And this is standing seam?

829  
830 Mr. Hooker - Not truly standing seam. It will have a ridge appearance to it,  
831 but it's an exposed fastener roof; it's not a mechanically fastened roof.

832  
833 Mr. Jernigan - Is it galvanized?

834  
835 Mr. Hooker - Yes, it's galvanized.

836  
837 Mr. Jernigan - Let's talk about the concrete panel. Lee gave me pictures  
838 prior to the meeting. There was a concrete panel where they didn't properly install  
839 stucco. In our conversations the other day, did you talk to the applicant about the  
840 possibility of putting a texture on this?

841  
842 Mr. Hooker - Yes, I've talked to the applicant about textures and options  
843 and such. The stucco is the preferred option to go now. If the County is 100% against a  
844 stucco finish, then we can go down another path. That was the preferred option. This is  
845 an industrial building, so they're not trying to make it look like an office park or anything  
846 like that. Due to its limited visibility, there is very little exposure to Nine Mile Road, and  
847 with the revised grading, a very low exposure to I-64.

848  
849 Mr. Jernigan - All right. Did you question him about the grids that you can  
850 put in to make it look like split face?

851  
852 Mr. Hooker - There is an option of doing a split face texture type of finish  
853 to the concrete panel. Split face itself has an inherent true texture to it because it's a  
854 physical split block where the aggregate is exposed. The concrete would not have that  
855 finish. It would just have the wavy type of pattern to it. It's still somewhat smooth  
856 because it's cast.

857  
858 Mr. Jernigan - I've seen them put these panels up before, but I've never  
859 been there when they poured them. Can they have the mold that has the texture of  
860 stucco? That way you wouldn't have to add it on.

861

862

Mr. Hooker - I'm certain there are textures. There are textures for all different types of patterns. I would think that there is a texture that could be applied to the mold for a stucco finish, not having to go back and—

865

Mr. Jernigan - Physically put it on.

867

Mr. Hooker - Yes, yes.

869

Mr. Jernigan - That's costly also.

871

Mr. Hooker - Yes.

873

Mr. Branin - What was the thinking of that, going back and putting a texture on?

876

Mr. Hooker - There was really no texture specified on the plan and staff was requesting something.

879

Mr. Jernigan - I didn't want just a smooth flat concrete.

881

Mr. Branin - I agree with that. It breaks it up and it doesn't look—

883

Mr. Jernigan - And we were discussing to where they could put rods in there to give the appearance of a grid look like a split face block or brick.

886

Mrs. O'Bannon - The tilt-up type of concrete wall, don't they have a pattern that's stamped? What you do is you pour the concrete down and then you literally just tilt it up. Right?

890

Mr. Hooker - Right.

892

Mrs. O'Bannon - So can't they put a pattern on the ground?

894

Mr. Hooker - There's a mold, yes. More than likely these are going to be cast in place on site and then tiled up.

897

Mrs. O'Bannon - They can put some sort of pattern in it.

899

Mr. Hooker - Yes.

901

Mrs. O'Bannon - I don't think it's very expensive to do that. I know you're not going to do this, but they can put color in them. We've had some in Tuckahoe where they were red and were made to look like a brick wall. Not that we're saying you need color, but I know there's a pattern you can put down.

905

906

907 Mr. Hooker - That's true.  
908  
909 Mrs. O'Bannon - Is that what you're looking for?  
910  
911 Mr. Jernigan - Yes, ma'am. When I discussed this with him yesterday, we  
912 were looking at options.  
913  
914 Mrs. O'Bannon - The only concern that I'm thinking is with a pattern like that,  
915 if it's in and out—and this is a recycling facility—the exterior, sometimes when things  
916 drop a lot, it may collect trash. You know, if it's too strong.  
917  
918 Mr. Jernigan - Everything is inside.  
919  
920 Mrs. O'Bannon - I know, but often things just kind of fall sometimes. It helps,  
921 and you'll have to power wash it.  
922  
923 Mr. Jernigan - I know one of the partners who is in this operation, and they  
924 don't do anything halfway. Staff did want this building to be a different color, but it is  
925 their building. If they want to paint it green, unless it's something ugly, I'm going to go  
926 along with it. Randy, I'm going to add another condition on here. I'm okay with moving  
927 this along, but what I want to do is get with you tomorrow to go over a couple of more  
928 options on this.  
929  
930 Mr. Hooker - Okay. Sounds agreeable.  
931  
932 Mrs. Jones - I have a quick question unrelated to aesthetics. I was very  
933 glad to see that the revised plan addresses all the requirements for VDOT. I honestly  
934 didn't think you'd get it all squared away by today, but I'm glad you did. Quick question  
935 on the right-in, right-out. These are going to be large trucks coming and going. To get  
936 back on I-64, how far do they have to go to turn around and come back because of the  
937 way Nine Mile Road is laid out? Do they have to go all the way to Dabbs House to turn  
938 around and get back?  
939  
940 Mr. Hooker - My thoughts were they're probably going to have to take  
941 Nine Mile to Laburnum to get back to I-64. We've done many layouts for this site with  
942 the client. This site, like I said, has very little frontage to Nine Mile Road. One item that  
943 we're having to work with Public Works on is there is an RPA along this stream here.  
944 The RPA actually goes right through our entrance, so we're trying to limit what we do to  
945 get into the site, but we still have to get in. I've had a couple of conversations with the  
946 representative of VDOT, and we'll provide a right-in, right-out for this facility. We may  
947 have to widen this entrance. Right now, it's in at 30 feet, and we may have to go to 40  
948 feet. VDOT will allow up to 40 feet, and we may even have to increase these entrance  
949 aprons as well. Those are things we're having to look at.  
950

951 One other consideration we have, too, is the existing building that's been there for quite  
952 some time. They have 2 entrances into that site, so we have to work with VDOT to see  
953 that we don't impact their existing entrances.

954

955 Mrs. Jones - It's a challenge.

956

957 Mr. Hooker - It is. Getting back to your original comment about tractor-  
958 trailers. Basically we have 2 back-in pits along the back of the building. These 2 pits will  
959 have full-size tractor-trailers that will back in and load the metals into there so the site is  
960 pretty much designed for that worst-case scenario, that those tractor-trailers come in,  
961 come around the side of the building, and have to back in to these 2 pits here. Then  
962 also, we're going to have roll-off containers along this side of the building inside that  
963 trucks have to back into to drop off those roll-off containers.

964

965 Mrs. Jones - But they have room to do that?

966

967 Mr. Hooker - It's all inside.

968

969 Mrs. Jones - Okay.

970

971 Mr. Jernigan - The right-in, right out—anything else is pretty much  
972 impossible.

973

974 Mrs. Jones - Yes, I know. I just wondered how that would work out in real  
975 life.

976

977 Mr. Jernigan - Randy, what I want to discuss with you is going to be the  
978 design of the panels and also the roof color. I'll get with you on that tomorrow.

979

980 Mr. Hooker - Sounds good.

981

982 Mr. Jernigan - All right, Mr. Chairman, I'm ready to make a motion.

983

984 Mr. Archer - All right, Mr. Jernigan.

985

986 Mr. Jernigan - With that, I will move for approval of POD-22-11, Bee Green  
987 Recycling, subject to the standard conditions for developments of this type and the  
988 additional Conditions #9 amended, #11, #29, #30, #31, and #32, stating that the exterior  
989 wall treatments and roof color shall be submitted to the Director of Planning.

990

991 Mr. Vanarsdall - Second.

992

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

995

- 996 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of  
 997 Planning for review and Planning Commission approval prior to the issuance of  
 998 any occupancy permits.
- 999 11. **AMENDED** - Prior to the approval of an electrical permit application and  
 1000 installation of the site lighting equipment, a plan including depictions of light spread  
 1001 and intensity diagrams, and fixture specifications and mounting height details shall  
 1002 be submitted for Department of Planning review and Planning Commission  
 1003 approval.
- 1004 29. The entrances and drainage facilities on Nine Mile Road (State Route 33) shall be  
 1005 approved by the Virginia Department of Transportation and the County.
- 1006 30. A notice of completion form, certifying that the requirements of the Virginia  
 1007 Department of Transportation entrances permit have been completed, shall be  
 1008 submitted to the Department of Planning prior to any occupancy permits being  
 1009 issued.
- 1010 31. Outside storage shall not be permitted.
- 1011 32. **ADDED** - Exterior wall treatments and colors shall be submitted to the Director of  
 1012 Planning for final approval.

1013  
 1014 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**  
 1015

POD-21-11 POD2011-00231 Colonial Shooting Academy – 6020 W. Broad Street (U.S. Route 250) (POD-58-75)	<b>Rummel, Klepper &amp; Kahl, LLP for Broad Street Colony, LLC and Colonial Shooting Academy, 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 renovate and convert a three-story, 60,797 square-foot furniture store into an indoor rifle and pistol range with training components. The 2.62-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 600 feet east of the intersection of W. Broad Street (U.S. Route 250) and Horsepen Road, on parcels 770-741-0970 and 2984. The zoning is B-3, Business District. County water and sewer. <b>(Brookland)</b>
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1016  
 1017 Mr. Archer - Is there any opposition to POD-21-11, Colonial Shooting  
 1018 Academy? No opposition. Mr. Pambid?

1019  
 1020 Mr. Pambid - Good morning. This proposal calls for the redevelopment of  
 1021 a building and site—which currently contains the now vacant Colony House Furniture  
 1022 store—into a rifle and pistol range and firearms training academy, including classrooms  
 1023 and retail and café spaces. The applicants intend to rehab the existing building, and no  
 1024 building additions are proposed. The existing parking lot will be redone, and additional  
 1025 parking will be constructed in the rear.

1026  
 1027 Adjacent uses include a self-storage facility, a strip of retail, office, and restaurant  
 1028 spaces, a dry cleaner, car audio store and auto body shop, a gas station, other retail  
 1029 stores, and a pawn shop. The property is not immediately adjacent to any residential

1030 district, and the building is located approximately 285 feet from the nearest residential  
1031 district.

1032  
1033 The building contains 3 stories with a partial second floor and a partial basement. The  
1034 main floor will contain retail and restaurant space, offices and classrooms, as well as 25  
1035 shooting lanes. The basement is dedicated to staff areas, storage, considerable  
1036 mechanical and electrical facilities, a garage and vestibule, and the law enforcement  
1037 tactical range area. The second floor will contain the member area comprised of a  
1038 lounge and 14 lanes. The building will feature a main side entrance and will have tan  
1039 and beige colors on the exterior.

1040  
1041 The application includes approval of the lighting plan, which features eight 320-watt  
1042 metal halide fixtures on 25-foot-high poles. Additional building-mounted lighting and  
1043 lighting underneath canopies is also proposed. A revised photometric plan is included in  
1044 your addendum, which more clearly depicts the light levels throughout the site and  
1045 enlarges the symbols for the light fixtures.

1046  
1047 The staff recommends approval of this plan of development. This concludes my  
1048 presentation. I can field any questions you have regarding this. We have a large  
1049 contingent of applicants here who might also answer your questions.

1050  
1051 Mr. Archer - Thank you, Mr. Pambid. Are there questions?

1052  
1053 Mr. Vanarsdall - I don't have any questions, Mr. Chairman, but I would like to  
1054 hear from the applicant. Thank you, Mr. Pambid.

1055  
1056 Mr. Pambid - You're welcome.

1057  
1058 Mr. Thompson - Good morning, Mr. Chairman and members of the Planning  
1059 Commission. I'm Fred Thompson, architect with Architects Dayton Thompson and  
1060 Associates here in Henrico. The project before you represents a multi-multi-million  
1061 dollar investment to the Henrico County West Broad Street corridor, which totally  
1062 renovates and rejuvenates the exterior, the interior, and the site of a long-vacated  
1063 60,000-square-foot furniture store. It represents both a financial and a corporate  
1064 commitment to this area by the partners of this project to the West Broad Street  
1065 Enterprise Zone as well.

1066  
1067 New curb, asphalt, and surfacing, striped parking, and stormwater management  
1068 methods will be employed on site. The parking will be increased substantially with  
1069 layouts and sizes of spaces in accordance with current zoning ordinance requirements.  
1070 All VDOT requirements have been met as well. The site will be lit and will meet or  
1071 exceed Henrico County standards, as well as the Police Department's accepted  
1072 recommendations. The site will be fully monitored by a security system with cameras  
1073 that monitor the exteriors of the building doorways, parking, and walkways. The  
1074 walkway to and from the parking is covered from the weather and it's lit from beneath as

1075 well as monitored by the security cameras. The new landscaping on the site addresses  
1076 the view from Broad Street, but keeps in mind the necessity for visibility and security.  
1077

1078 The building will be refurbished and will include a distinctive new Broad Street façade,  
1079 which features flags from each of the individual service academies, as well as the flags  
1080 of the U.S., the State of Virginia, and Henrico County. The public and staff entry has  
1081 been relocated from the front of the building to the eastern building corner to provide  
1082 maximum visibility and also to be as close as possible to the major parking areas on the  
1083 site. The exterior of the building will include all new roofing, a new metal canopy, new  
1084 cornice detailing, the addition of a stone base foundation, and a fresh updated color  
1085 palette. New burglary-resistant doors, windows, and glass will be included.  
1086

1087 Interior renovations include the abatement of asbestos and lead paint, total demolition  
1088 of all former purchaser functions, and a completely new interior layout that provides  
1089 code-compliant egress stairs, elevator, ADA restrooms, and energy upgrade standards.  
1090

1091 This renovation work lays the groundwork for a state-of-the-art premier regional indoor  
1092 firearms academy for teaching, training, and recreational uses. This academy will  
1093 provide a safe, affordable place for firearms use, practice, and training. Classes will be  
1094 offered in personal protection, as well as the safe handling, shooting, and the  
1095 appropriate use of firearms. Instruction will be offered to all facets of the community  
1096 from Boy Scouts seeking their merit badges, to target shooting clubs, to all other  
1097 interested members of the public. A special area is reserved for law enforcement  
1098 training, which provides instructional facilities not commonly found in most locales.  
1099

1100 The academy's interior will be comprised of a retail area, a small food service area, and  
1101 a gun vault for safe and secure gun storage on site for those who prefer not to store at  
1102 home. Four distinct ranges will be provided, each with a different focus: A 20-yard  
1103 general range, a 25-yard certifications range, an instructional teaching range, and a  
1104 members' range. All ranges are enclosed by A500 special high-strength steel panels,  
1105 including the walls and ceiling baffles. The downrange lead collection system is totally  
1106 enclosed and allows for the collection and recycling of spent lead. The entirety of the  
1107 building interior will be continuously monitored by an enhanced camera and alarm  
1108 system. Secure areas within the building will have access limited through thumbprint  
1109 actuated or alarmed access doors. A specialized HVAC system will provide for superior  
1110 air quality control. That system will be screened from the public. We've gone to  
1111 extensive lengths to screen those systems from view per Henrico County standards.  
1112

1113 Access to the ranges is controlled by a centrally-located check-in counter that is  
1114 continually staffed by specially-trained range officers who conduct ID checks and safety  
1115 instructional testing before a user is allowed to access the ranges. Each range is then  
1116 constantly monitored by closed-circuit cameras and on-site range officers. Strict safety  
1117 guidelines from the time a user enters the property until they depart will be posted and  
1118 enforced.  
1119

1120 We feel that we have done our utmost to be open and honest about the nature and  
1121 business of the Colonial Shooting Academy. We have worked diligently with various  
1122 Henrico County departments in an effort to exchange information and alleviate any  
1123 concerns about the operation of this business. We would hope that this would meet your  
1124 approval today. I'll be happy to answer any questions. And I have in the audience with  
1125 me the business partners, as well as the site engineer, should you have any specific  
1126 questions. Thank you.

1127  
1128 Mr. Archer - Thank you, Mr. Thompson. Are there questions?

1129  
1130 Mrs. Jones - I didn't hear hours, or maybe I just missed it.

1131  
1132 Mr. Thompson - General hours are from 9 a.m. to 9 p.m., and they are less  
1133 on Sunday.

1134  
1135 Mrs. Jones - Open seven days a week?

1136  
1137 Mr. Thompson - Yes.

1138  
1139 Mr. Vanarsdall - At this point, do you have any idea when it will open?

1140  
1141 Mr. Thompson - Right now, time is of the essence. There have been  
1142 commitments made with various law enforcement agencies to start using the tactical  
1143 area as soon as possible. Again, we will be providing an area of expertise that they  
1144 don't typically have in their academies. February 1 is the target date to be open.  
1145 Funding is in place; drawings have been done, and a contractor retained. So we're  
1146 ready to roll.

1147  
1148 Mr. Vanarsdall - You had a good response from our Police Department, didn't  
1149 you?

1150  
1151 Mr. Thompson - We had numerous one-on-one conversations and meetings  
1152 with them. They critiqued the exterior, the lighting, the landscaping, and gave us some  
1153 very valuable insight on some of the interior operations during situations that may occur  
1154 in life that we were able to deal with. We did reach a satisfactory agreement on  
1155 hardware, security cameras, stairs, and so forth.

1156  
1157 Mrs. O'Bannon - Is this through memberships?

1158  
1159 Mr. Thompson - It's open to the public, but there will be a range of  
1160 memberships that will allow everything from discounts to access to a member area,  
1161 more of a lounge area.

1162  
1163 Mr. Branin - Is this the first academy that the owners are putting in or do  
1164 they have previous experience?

1166 Mr. Thompson - This is the first academy that's coming out of the ground. It  
1167 was modeled on many other academies that we visited. One of note would be the  
1168 Scottsdale Gun Club in Scottsdale, Arizona, in terms of quality and prestige. One of the  
1169 partners does operate an outdoor facility that is utilized by Henrico County Police as  
1170 well. This will be the first indoor facility owned, yes.

1171

1172 Mr. Archer - All right. Anything further?

1173

1174 Mr. Vanarsdall - Thank you.

1175

1176 Mr. Thompson - Thank you.

1177

1178 Mr. Vanarsdall - Thank you, Lee, for all the effort you put forth on this.

1179

1180 Mr. Pambid - You're welcome.

1181

1182 Mr. Vanarsdall - This is an unusual thing that we have before us this morning.  
1183 This is quite state-of-the-art. There are other shooting academies around. I think there's  
1184 one on Midlothian and another one that Mr. Coleman is involved with in Hanover. Since  
1185 Mr. Thompson has done such a good job on this, I'd like to introduce some of the  
1186 people in the rear that are here on behalf of this. I think it shows a real good interest.  
1187 Involved in it is Court Spotts, Ed Lacy, and Ed Coleman. All of you are partners. Mr.  
1188 Coleman is involved in the Hanover Shooting Academy. In addition to Fred Thompson,  
1189 we have his assistant, Susan Lacy, with us, and we have Malachi Mills. We have a lady  
1190 that I didn't get her name—she didn't give it to me—sitting by Susan.

1191

1192 I just think it's going to be really great for us. I think the location will be good. They have  
1193 plenty of parking and hours and so forth. With that, I would like to recommend approval  
1194 of POD-21-11, Colonial Shooting Academy, subject to annotations on the plans, the  
1195 standard conditions for developments of this type, and additional conditions #11B  
1196 amended, #29, #30, and #31.

1197

1198 Mr. Branin - Second.

1199

1200 Mr. Archer - Motion by Mr. Vanarsdall, seconded by Mr. Branin. All in  
1201 favor say aye. All opposed say no. The ayes have it; the motion passes.

1202

1203 The Planning Commission approved POD-21-11, Colonial Shooting Academy, subject  
1204 to the annotations on the plans, the standard conditions attached to these minutes for  
1205 developments of this type, and the following additional conditions:

1206

1207 11B. Prior to the approval of an electrical permit application and installation of the site  
1208 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
1209 specifications and mounting heights details shall be revised as annotated on the  
1210 staff plan and included with the construction plans for final signature.

1211 29. Outside storage shall not be permitted.

1212 30. In order to maintain the effectiveness of the County's public safety radio  
1213 communications system within buildings, the owner will install radio equipment  
1214 that will allow for adequate radio coverage within the building, unless waived by  
1215 the Director of Planning. Compliance with the County's emergency  
1216 communication system shall be certified to the County by a communications  
1217 consultant within ninety (90) days of obtaining a certificate of occupancy. The  
1218 County will be permitted to perform communications testing in the building at  
1219 anytime.

1220 31. The location of all existing and proposed utility and mechanical equipment  
1221 (including HVAC units, electric meters, junction and accessory boxes,  
1222 transformers, and generators) shall be identified on the landscape plans. All  
1223 equipment shall be screened by such measures as determined appropriate by  
1224 the Director of Planning or the Planning Commission at the time of plan approval.  
1225

1226 Mr. Vanarsdall - Mr. Chairman, this qualified for the expedited agenda, but I  
1227 asked them would it be okay if we could present it like Fred Thompson just did.  
1228

1229 Mr. Archer - Thank you, Mr. Vanarsdall.  
1230

1231 Mr. Vanarsdall - Thank you all for coming.  
1232

1233 Mr. Emerson - Mr. Chairman, that now takes us to page 19 of your agenda,  
1234 and the next item is the approval of your 2012 Planning Commission calendar. You do  
1235 have a substitute calendar in your addendum package, and there are some revisions  
1236 that had to be made from the version that was initially delivered to you regarding  
1237 November and December, of course, impacting the submission filing deadlines for  
1238 September and October for those respective months—and also January in order to  
1239 accommodate the holiday schedule, which was somewhat challenging. You normally do  
1240 adjust these meeting dates, so I would call that to your attention.  
1241

1242 Mr. Archer - Okay. Any discussion?  
1243

1244 Mrs. Jones - Only to say that I've decided not to bring up my perennial  
1245 objection. In 5-plus years of bringing it up, I have gained no traction from other  
1246 Commission members, so I will bow to the traditional and accepted schedule for the  
1247 Planning Department at this time.  
1248

1249 Mr. Archer - We so note that with great fervor. I think we need a motion  
1250 for the adoption of the schedule.  
1251

1252 Mr. Branin - So move.  
1253

1254 Mr. Jernigan - Second.  
1255

1256 Mr. Archer - Moved by Mr. Branin, seconded by Mr. Jernigan. All in favor  
1257 say aye. All opposed say no. The ayes have it; the motion passes.

1258  
1259 Mr. Emerson - Mr. Chairman, thank you. The next item would be  
1260 consideration of approval of the minutes for the June 22, 2011 meeting.

1261  
1262 APPROVEL OF MINUTES: June 22, 2011

1263  
1264 Mr. Archer - All right. Any corrections to the minutes?

1265  
1266 Mr. Vanarsdall - I need some help on page 26. The help I need is what was I  
1267 saying?

1268  
1269 Mr. Archer - I think you said "inaudible."

1270  
1271 Mr. Vanarsdall - Anyway, if anybody can figure it out later.

1272  
1273 Mr. Archer - I don't think it was anything bad.

1274  
1275 Mrs. Jones - I have two quick things. On page 30, line 1006, the second  
1276 word is "it's" not "i's", and on page 31, line 1088, we were discussing the Steward  
1277 School, but the headmaster's name is Ken Seward without a "t." Everyone thinks he's  
1278 the founder of the school, but he is not.

1279  
1280 Mr. Archer - Okay, Mrs. Jones. Any other corrections? Do we have a  
1281 motion to approve?

1282  
1283 Mrs. Jones - So moved.

1284  
1285 Mr. Vanarsdall - Second.

1286  
1287 Mr. Archer - Moved by Mrs. Jones, seconded by Mr. Vanarsdall to  
1288 approve the minutes as corrected. All in favor say aye. All opposed say no. The ayes  
1289 have it; the motion passes.

1290  
1291 The Planning Commission approved the June 22, 2011 minutes as corrected.

1292  
1293 Mr. Emerson - Mr. Chairman, going back to your amended agenda, I do  
1294 have a request of you to schedule a work session for August 11, and I'm going to  
1295 suggest 5:30 p.m. As many of you are aware—at least I think you are—we have  
1296 received an application for an Urban Mixed-Use that consists of approximately 188  
1297 acres in Innsbrook. It has been submitted in accordance with the action that the  
1298 Commission and the Board took with the Innsbrook Area Plan in designating the area  
1299 both an urban development area and a potential area for urban mixed-used. We're still  
1300 working with the applicant, but we're hopeful that you may be in a position to at least  
1301 hold your first public hearing on this site in September. I would like an opportunity for  
1302 staff to present to you the application and deliver to you some materials on the 11<sup>th</sup> in

1303 order for you to begin to familiarize yourself with that case. So if it's acceptable to you, I  
1304 would request that you schedule a work session for that item on August 11.

1305  
1306 Mr. Vanarsdall - That would be a meal, wouldn't it?

1307  
1308 Mr. Emerson - Yes, sir. Now, we also scheduled the public hearing for the  
1309 amended urban mixed-use, or at least the first public hearing on the amended urban  
1310 mixed-use district for 6:30. That gives you an hour for presentation from staff on the  
1311 Highwoods' application. I believe that would be enough at that time, and, certainly, we  
1312 could continue later in that meeting. The agenda that evening I believe only contains 4  
1313 items at this point.

1314  
1315 Mr. Branin - Would that meeting be held in the Planning library?

1316  
1317 Mr. Emerson - I'm not sure right now, Mr. Branin. I'll have to check on the  
1318 availability. If the Board conference room is available—or the Manager's conference  
1319 room, I believe is the correct term for it—on the third floor, we'll use that. If it's not  
1320 available, we may very well be back in the Planning large conference room. I'll get that  
1321 information to you as soon as I can verify a location.

1322  
1323 Mr. Archer - Do we need a motion on that? I guess we do.

1324  
1325 Mr. Branin - I would like to move that we schedule a 5:30 work session.

1326  
1327 Mrs. Jones - I wouldn't mind 5:00 because I think we have a lot to cover,  
1328 but I think it may press other people for work obligations, so 5:30 is fine with me.

1329  
1330 Mr. Branin - Can we move for 5:00, then, and give that flexibility if  
1331 someone is running late?

1332  
1333 Mr. Emerson - Staff is fine with 5:00. Again, as Mrs. Jones said, I have the  
1334 same concern of the Commission's time. That's why I was requesting 5:30, but if 5:00  
1335 works for you, it would give you some extra time.

1336  
1337 Mrs. Jones - I prefer that.

1338  
1339 Mr. Jernigan - I'm fine with 5:00.

1340  
1341 Mr. Archer - Okay.

1342  
1343 Mr. Branin - Then I'm going to continue with my motion. I'd like to move  
1344 that we have a work session meeting at 5:00 on August 11.

1345  
1346 Mr. Jernigan - Second.

1347

1348 Mr. Archer - Motion by Mr. Branin, seconded by Mr. Jernigan. All in favor  
1349 say aye. All opposed say no. The ayes have it; the motion passes.

1350  
1351 Mr. Emerson - The next item, Mr. Chairman, is a continuation of your work  
1352 session from your previous meeting on the Urban Mixed-Use Ordinance. This is a  
1353 continuation of your previous meeting on the Urban Mixed-Use District revisions being  
1354 recommended by staff. I do have Mr. Ben Sehl available to begin that presentation. I  
1355 don't know if you'd like to take a brief break before you start this or not.

1356  
1357 Mr. Archer - Do you want a break, or do you want to go right on?

1358  
1359 Mr. Emerson - Certainly, feel free to get up and move around or whatever  
1360 during the discussion.

1361  
1362 Mr. Archer - All right. Go ahead, Mr. Sehl.

1363  
1364 Mr. Sehl - Thank you, Mr. Chairman. As you recall, we discussed this  
1365 item, which is proposed updates to the Urban Mixed-Use District in the Henrico County  
1366 Zoning Ordinance at your work session on July 14. At that time, we had sufficient time  
1367 for staff to present the proposed changes, but we did have minimal time for questions  
1368 and discussions at that meeting. At that work session, you also scheduled a public  
1369 hearing, as the secretary mentioned, for August 11. That will begin at 6:30 p.m., as we  
1370 just discussed.

1371  
1372 So in advance of that I wanted to just provide a brief summary of where we were after  
1373 our July 14<sup>th</sup> work session. Some of the items we discussed were where we have some  
1374 difficulty in administration of the ordinance regarding certain definitions, how we  
1375 administer density requirements, and other stipulations of the ordinance. We'd also  
1376 been noting a lack of flexibility that had been built into the ordinance when it was  
1377 adopted originally in 2002 regarding items such as parking, landscaping, and signage.  
1378 The proposed update was intended to address some of those items.

1379  
1380 We also discussed some of the existing uses and how we were proposing to change  
1381 those, as well as some of the development standards of the UMU District regarding  
1382 sidewalks and fire protection uses.

1383  
1384 I just wanted to run through briefly what we had discussed at the last meeting. We didn't  
1385 have much time to go through any questions at the last meeting. Now that you've had a  
1386 chance to—obviously you've had the ordinance with you for about a month now, and  
1387 then you also received comments and staff responses from the development community  
1388 that we had received earlier in the year. We received 3 responses from about 15 that  
1389 we sent out, 2 of which are members of the development community that actually had  
1390 experience with the UMU District, so you got a chance to see those responses.

1391  
1392 Where we would go now is we do have a couple of updates that we'll need to address  
1393 prior to the public hearing. The Board recently adopted some changes to the outside

1394 storage and refuse container standards for the UMU District, as well as other districts in  
1395 the County. That language will need to be updated in the UMU draft that you have in  
1396 front of you. At the last meeting, we also discussed a reduction in the acreage to allow  
1397 for some of these infill sites along the West Broad Street corridor, those types of areas.  
1398 That would be updated. We're looking at reduction from 20 acres to 10 acres to allow  
1399 some of these older shopping centers to potentially redevelop. Then, we would also  
1400 obviously incorporate any changes that the Commission might recommend at this point.  
1401 I think our goal would be to make those changes and then distribute a revised draft to  
1402 the Commission prior to the public hearing on the 11<sup>th</sup>.

1403  
1404 With that, I'd be happy to take any questions you might have at this time.

1405  
1406 Mr. Archer - Any questions for Mr. Sehl?

1407  
1408 Mrs. Jones - Mr. Sehl, would you just go over for me real quickly to  
1409 refresh my mind as to why staff was willing to permit a reduced percentage of open  
1410 space?

1411  
1412 Mr. Sehl - Right now, we don't anticipate that—it's not a standard you  
1413 can just reduce below the 25% that the code now requires. It would require a provisional  
1414 use permit be approved by the Board of Supervisors in order to reduce that open space  
1415 percentage, but previously the code didn't have that allowance built in at all. So, we saw  
1416 that as an added measure of flexibility so that if there was a specific infill site that maybe  
1417 was already largely developed that maybe had an older shopping center that was 80%  
1418 or 85% impervious area at this point, and maybe was bringing some of that back to  
1419 green area, but couldn't get to that 25%, we wouldn't have had that flexibility in the  
1420 ordinance now to reduce that 25% standard. That's the scenario that staff was looking  
1421 at.

1422  
1423 Mrs. Jones - To me, one of our biggest tugs and pulls, which Mr.  
1424 Theobald's letter alluded to, which we talked about last time a little bit, but not enough  
1425 for my satisfaction, was the fact that especially in Tuckahoe, certainly, or in a lot of the  
1426 other more developed areas of our County, these infill sites will not be quite a nice, neat  
1427 little package to fit into an ordinance without taking a look at every single application on  
1428 its own. That is why the PUPs that are built into this provide that extra level of review. I  
1429 think the open space is an example of that. It's a good one to just kind of illustrate the  
1430 tug and pull that we're all discussing here. Is it up to us to make things so tightly  
1431 constrained that we end up trying to put a square peg in a round hole, or do we want to  
1432 give ourselves that extra layer to be able to assess each project on its own and still go  
1433 ahead and give it the length and breadth of a UMU in spirit if it isn't exactly in the  
1434 technical aspect? Still, we know that we can make it work as that kind of a community.  
1435 That's where my concerns are, basically, how much can we just go ahead and put out  
1436 the general parameters without giving ourselves a way to specifically request certain  
1437 aspects that are important to the success, in our view, of this community type. That's  
1438 really not a question to you, Mr. Sehl; that's more a comment, I realize.

1439

1440 Mr. Sehl - It's certainly something that staff struggles with as well,  
1441 trying to ensure that we have proper regulation in place and that we're enacting the  
1442 ideals that the Board and the Planning Commission have directed us to do.

1443  
1444 Mr. Emerson - I do agree, that's part of what the PUP process is for is to  
1445 allow some of that flexibility and to allow us to examine some of these items and  
1446 determine exactly how we may or may not need to condition certain things. That may  
1447 seem inflexible, but in my mind it's building in some flexibility because it gives you some  
1448 discretion.

1449  
1450 Mrs. O'Bannon - With any redevelopment you have to be more flexible and  
1451 the rules are different. I wouldn't say looser, but their rules are usually different because  
1452 you are dealing with redevelopment. I don't know any better way to put it. If you think of  
1453 the firing range, they've done a really nice job with it. A lot of the buildings on Broad  
1454 Street along that area, they've changed the color and we had some restriction on color.

1455  
1456 Mr. Branin - What I was going to get to was I'm in agreement with Mrs.  
1457 Jones. I know we have had a couple of proposals and have looked at them in the Three  
1458 Chopt District in regards to UMUs. West Broad Village pretty much fits the criteria and  
1459 the blueprint that nationally the planning community says is an urban mixed-use. Would  
1460 you agree with that, Mr. Sehl?

1461  
1462 Mr. Sehl - It certainly contains the mixture of uses that has been seen  
1463 as a new development trend across the country.

1464  
1465 Mr. Emerson - I guess I would add to that also, Mr. Branin, that it's not  
1466 exactly a perfect—it's a very close example, but like any of them, they're not cookie  
1467 cutters. Each and every one has their own unique parameters. As you know, we've  
1468 made judgments and decisions in regards to parking, building separation, and deck  
1469 separation that are unique to it. We've made the same type of decisions that are unique  
1470 to Rocketts Landing—each and every one that has come out of the ground—and I think  
1471 that's one thing, too, to note. While we have approved several of these, we only have 2  
1472 that have actually come out of the ground. I think we've worked successfully with both of  
1473 those at this point under the existing ordinance. The ordinance changes that we're  
1474 proposing have come out of those experiences of what we tried to do. It is a little bit  
1475 closer, maybe, than some other ones, such as Tree Hill Farm for example, that some of  
1476 these changes such as parking, when they knew going in there were some parking  
1477 challenges. We told them that we were going to amend the ordinance to make things  
1478 more acceptable, and that's what this is an attempt to do.

1479  
1480 Mr. Branin - I'm glad you brought that up as well. I can remember when  
1481 the Sonny Haynes' property was being looked at to be developed as a UMU, and it had  
1482 residential and office. It had 2 types of residential, office, commercial, and retail under  
1483 residential. It was meeting all the criteria, and they wanted to put a box store in it.  
1484 Everybody panicked and said you can't have a box store in an urban mixed-use. I  
1485 started saying then that every urban mixed-use that we look at and investigate and

1486 move forward on has to be looked at on its own piece of property, on its own  
1487 characteristics, and its own character. In that condition, a box store probably would  
1488 have worked well, but it didn't meet the urban mixed-use formula that we had. Of  
1489 course, just a like a bunch of others, it never developed, never came out of the ground.

1490  
1491 Innsbrook—which to my fellow Commissioners—there was a meeting last week with the  
1492 community in regards to Innsbrook. There were actually very few negatives that came  
1493 out of that meeting, a lot of positives. The main concerns, as in any urban mixed-use,  
1494 were height and traffic. Those were the only things that resonated throughout. Where  
1495 the housing was close to Innsbrook, the existing housing, height was a concern. With  
1496 everybody else, it was traffic and how are we going to get more people in and more  
1497 people out. That meeting went well. In that meeting—the reason I asked if West Broad  
1498 Village meets the normal criteria—those people were saying “We don't want a West  
1499 Broad Village. We have that; why would we want that?” Innsbrook is more green, more  
1500 open space, denser, but more open space. The people said, “Oh, we're more in favor to  
1501 that”, but that site allows for green space.

1502  
1503 In looking at the changes we're doing to the urban mixed-use, I would ask that staff  
1504 keep in mind that, as Commissioners, we need as much flexibility as possible to meet  
1505 the demands of the existing residents and the existing community with this new urban  
1506 trend. Reiterating what Mrs. Jones said, I would hate to see us restrict ourselves to the  
1507 point that we're trying to make a cookie cutter and fall flat on our face because we have  
1508 restricted ourselves to give ourselves the flexibility.

1509  
1510 That's it. I'm off my soapbox.

1511  
1512 Mr. Archer - I thought it was a good point.

1513  
1514 Mrs. Jones - The question in my view really comes up to how we can  
1515 facilitate an extra level of oversight, such as we're speaking about, without having it be  
1516 so onerously administrative for the process. Mr. Theobald has strong feelings about  
1517 this, obviously. He can come make comments, I would guess. If there is a way to make  
1518 the exceptions that would have to be covered by a PUP administratively more  
1519 streamlined, then possibly that could be a nice compromise.

1520  
1521 Mr. Emerson - I guess what I would reply on that—the history of this  
1522 ordinance, it came forward with Rocketts Landing and is modeled after an ordinance in  
1523 Virginia Beach. That is what the Virginia Beach Town Center has been built under or  
1524 has been permitted under. This is, I believe, a little more flexible, actually, than what  
1525 theirs was. We worked very diligently at that time to work through and make it flexible.  
1526 What we're doing at this point is an attempt to move it to a greater level of flexibility. You  
1527 have to have a certain level of oversight in order to comfortably deal with these types of  
1528 developments. This ordinance does allow a great deal of flexibility. I need to look closer  
1529 at the provisional use permits as submitted with the current Innsbrook proposal, and I  
1530 wouldn't want to mix that up with this ordinance at this time really. Some of those  
1531 provisional use permits, quite honestly, we have issue with and think they may be

1532 premature. We're currently in discussions regarding that at a staff level. Some of those  
1533 may be able to be streamlined. If you look back at several of the recently-approved  
1534 submittals, I think we combined many of the provisional use permits to make them 1 or  
1535 2 versus numerous ones. We do have some provisional use permits that have been  
1536 requested with the Innsbrook application that, quite honestly, I'm not of an opinion that  
1537 actually you can PUP those provisions. Those are discussions that we have ongoing.

1538  
1539 There is flexibility built into this ordinance that I think allows us to deal with some of  
1540 those things, and I do understand your concerns. On the flip side, you do have to have  
1541 a certain level of protection of the community. I think at this point, in my opinion, this  
1542 ordinance is striking a balance of that.

1543  
1544 You did receive the comments from the development community that we sent out to all  
1545 those who have worked with the ordinance. I received phone calls from 2 individuals  
1546 who have worked with the ordinance. They said the ordinance is fine the way it is—  
1547 actually 3. They said they appreciated the changes, and they've worked well with us at  
1548 this point and look forward to continue to do so. Those are from the ones that have  
1549 actually come out of the ground.

1550  
1551 Mrs. Jones - I just feel like the oversight has to be there. I'm not all that  
1552 comfortable yet with the fact that this is a relatively new type of community we're  
1553 building here, and I think we need to go slowly to open that up.

1554  
1555 Mr. Sehl - I would note, too, that the provisional use permits have not  
1556 been greatly expanded as part of this. We haven't taken a bunch of permitted uses that  
1557 were previously listed at permitted uses in the UMU District and moved them into  
1558 provisional uses. We have certain uses that we didn't have previously, like one-family  
1559 dwellings. That will show up both in the permitted uses, so you see some additions in  
1560 areas like that. Staff has not gone about adding a great number of uses, suddenly  
1561 making it so you have to go back and get a PUP for a use that you previously were able  
1562 to do without that PUP.

1563  
1564 Mr. Emerson - We have made it more flexible in terms of being able to  
1565 reduce the open space in areas where applicable. We've also made it clear that some  
1566 items are allowable uses that weren't clear, that we have handled through PUPs and  
1567 other means. We requested a reduction in acreage to make it more flexible.

1568  
1569 Mr. Sehl - I think the big things you'll see, too, are regarding parking.  
1570 Now, we've allowed a parking plan to be approved by the Planning Commission so you  
1571 could reduce the non-residential standards. Obviously, with parking, one of the big  
1572 things that we'll need to see is just how you're going to accomplish that parking  
1573 reduction and signage as well. Certain sign standards will be able to be approved as  
1574 part of the sign package when it's originally approved, and then deviations could be  
1575 approved later in the process to get signage that might not have been consistent with  
1576 that original standard. As the secretary said, I think staff have tried to strike a balance

1577 between flexibility that has been asked for, both by staff and the development  
1578 community, and what we feel is a needed level of regulation.

1579  
1580 Mrs. Jones - Another comment. I appreciate the matrix. Boy, was that  
1581 helpful. You're laughing.

1582  
1583 Mr. Sehl - I'm waiting to hear the font-size question. It is certainly a  
1584 detailed document.

1585  
1586 Mrs. Jones - It was very helpful. A couple of notes I made in the margins  
1587 here—removing auto filling stations as a permitted use, only available as a PUP.

1588  
1589 Mr. Sehl - Previously, auto filling stations were only permitted as a  
1590 permitted use if it was inside of a parking garage. Given the pedestrian-oriented nature  
1591 of this, any auto fueling station that wasn't inside of a parking garage would have  
1592 required that provisional use permit in any case. Now, under the existing ordinance,  
1593 given the urban nature of these developments and how gas stations on corners can be  
1594 detrimental to that sort of environment, we thought it was best to—that is one that we  
1595 certainly have removed as a permitted use, but it was a very limited permitted use.

1596  
1597 Mrs. Jones - Right. I have notes here about clarifying the type of  
1598 pedestrian access necessary to count off-site parking spaces within 1,000 feet of the  
1599 use. That was a recommendation. That was from the Clarion.

1600  
1601 Mr. Sehl - Could you point me to maybe what line number in the  
1602 ordinance?

1603  
1604 Mrs. Jones - Page 4.

1605  
1606 Mr. Sehl - Thank you.

1607  
1608 Mrs. Jones - Line 850. No. This is page 4 of the matrix. I'm sorry.

1609  
1610 Mr. Sehl - Page 4 in the matrix; I'm sorry. So it's referencing—

1611  
1612 Mrs. Jones - So language is being added requiring sidewalks or other  
1613 improved pedestrian access in order to count off-site spaces.

1614  
1615 Mr. Sehl - We didn't want an off-site space where there weren't  
1616 adequate sidewalks between an off-site space that you might be counting towards the  
1617 use. Obviously, the pedestrian environment is central to an urban mixed-use  
1618 environment, so we want to make sure that there is. It can be done either through  
1619 sidewalks, or it could be done through a trail that goes through an open space.  
1620 Previously, that sort of trail maybe wouldn't have been able to—all it said was, "Off-site  
1621 parking accessible by walking." We wanted to clarify that meant sidewalk; it meant an  
1622 improved pedestrian path through an open space. It didn't mean that you could forge

1623 your own trail through an open space piece that's wooded to get to that space that's  
1624 1,000 feet away.

1625  
1626 Mrs. O'Bannon - I think the question of traffic, even with a walkable area, that  
1627 was a legitimate question. The urban mixed uses that you generally see are near a train  
1628 station or a metro station or a heavily-bused area. If we're going to just have the cars,  
1629 it's going to be 20 stories or something—in other words, very tall buildings—that is an  
1630 issue.

1631  
1632 Mr. Emerson - I agree, Mrs. O'Bannon, that is an issue, and that's  
1633 something that in this form of development we will continue to struggle with because we  
1634 deal with sites developed and transitioning from more of a suburban atmosphere to an  
1635 urban atmosphere. What you're speaking of is more of a transit-oriented style of  
1636 development. I think public transit, obviously, has to play into these developments at  
1637 some point as traffic escalates. You can only improve the road network to a certain  
1638 level, especially since Broad Street can't have any more lanes on it, for example.  
1639 Nuckols Road and some of the areas that are currently under discussion probably could  
1640 handle some improvement, but there's not much area to improve.

1641  
1642 There are 2 things that are going to have to happen. Number 1, of course, the goal of  
1643 these communities is that people live in close proximity to their place of employment,  
1644 and they walk or again, they use public transit. The other thing is public transit has to  
1645 become a big part of the discussion, and who provides that public transit? Is it done by  
1646 the applicants who propose these, or is that a public-provided type of thing? As you look  
1647 around the country, you'll find it on both sides of the table. You'll see some internally  
1648 provided by the community, I guess, or the association or whomever it may be that  
1649 takes people out to maybe transit stations where publically provided transportation  
1650 occurs such as a bus line that moves up and down Broad Street, for instance, things  
1651 like that.

1652  
1653 You also have to accept that what you've become used to, I guess, as your acceptable  
1654 standards of service for transportation from a car standpoint at intersections, that's  
1655 going to change, and you're going to move more to an urban environment. Those levels  
1656 are going to be at a lower level than they have been in the past from a suburban  
1657 standpoint. So it's kind of a change in mindset, but also somewhere this public transit  
1658 piece has to become more in the discussion and how that's implemented, I think.

1659  
1660 Mrs. O'Bannon - I can see areas along Broad Street that are less than the  
1661 acreage we had before, say 10 acres. However, they have single-family homes behind  
1662 a lot of those as you go down Broad Street. We have neighborhoods right behind there.  
1663 But someone might want to take one of the older shopping centers and do a [inaudible]  
1664 or something like that with some apartments above it, and a shop and a restaurant and  
1665 a dry cleaners or something on the main floor, businesses down below. There is  
1666 transportation there, and if it were smaller we wouldn't be worried, I think, so much.  
1667 Parking could be sufficient, and we wouldn't worry so much about the traffic. When you  
1668 talk about the large area of Innsbrook and you're going up many stories—the structures

1669 that we had looked at as a Board in Raleigh, the first 8 floors were some sort of office  
1670 business, business on the first floor and office on the next 6 or 7 floors. Then, above  
1671 that, there were condominiums up to, I think it was, 24. It may have been that tall. Even  
1672 then there was only 1 of them here and 1 of them there. They were very—I won't say  
1673 isolated, but there weren't a lot of them the way we've looked at UMUs, which is more  
1674 like West Broad Street Village.  
1675

1676 Mr. Emerson - Sure. I think over time you're going to see that transition. I  
1677 think the application we'll discuss on the 11<sup>th</sup> is going to become your first truly urban  
1678 urban-style of an application that is going to have more vertical height in it in the future.  
1679 It is long-term. As you know, that study encompassed over 1,300 acres and has several  
1680 different styles of development in it. It's going to take years to develop. Currently, your  
1681 public transit comes up to, I believe, Stillman and Gaskins, right there at Broad. Again, I  
1682 think as density occurs, the demand for that will expand, and it will have to be  
1683 expanded. I think it's going to be a long-term thing.  
1684

1685 The other thing I would point out while discussing this urban mixed-use district, I do  
1686 believe that there is a need, and will continue to be a need, for different styles of  
1687 ordinances. This is our best vehicle at this time, I think, for an Innsbrook that we've  
1688 talked about. You really need some sort of central business district style of zoning  
1689 category that would be different. I think the first application in Innsbrook we will work  
1690 through with this, but at some point we're going to have to fashion something for that  
1691 area that will be more of a use—this isn't the proper term probably, but more of a use by  
1692 right, more of a zoning category that will spell things out, give some flexibility, and  
1693 continue this grid-style development because you're going to be dealing with very small  
1694 portions after this first application that Highwoods has submitted. They have 188 plus or  
1695 minus acres. From this point forward, I think the largest piece in one chunk may be 25  
1696 acres. You may have 2 and 3 acres. How they fit together, it's going to be somewhat of  
1697 a putting together a puzzle because they're going to go at different times. So, I think it is  
1698 going to demand a different style ordinance. At this time, this is probably the best  
1699 vehicle we have, and as we move through examining our ordinances and looking at  
1700 what we need to do, I think that central business district style ordinance is going to have  
1701 to be part of the discussion.  
1702

1703 Mrs. O'Bannon - I can see the area around Regency Square being something  
1704 like that. I can see in Varina there are areas where you have lots of concentration.  
1705 Laburnum and the Nine Mile Road area. I'm not sure they're going to go up in Varina.  
1706 They really like that rural look. I think they even call it rural residential. They'd like to  
1707 have their own category, but I can see it certainly say, for instance, around Regency.  
1708 You have major roadways through there that can handle the traffic, and you have bus  
1709 service already.  
1710

1711 Mr. Emerson - I think with the changing economy, one thing I keep coming  
1712 back to as I read and attend some of the national conferences and things, there are 2  
1713 main themes that are coming out in terms of how and where we're headed from a  
1714 development standpoint. One is demanding flexibility, yet on our end we need to have a

1715 comfort level that we can regulate. The other thing is a lot of our ordinances probably  
1716 need to be streamlined. That seems to be a constant theme across the United States.  
1717 Streamlining, updating, making them as user-friendly as possible, and trying to address  
1718 the new realities as we emerge from this jobless recovery, I guess, as they like to call it.  
1719

1720 Mr. Branin - Mr. Secretary and Mr. Chairman, I know we had comments  
1721 from a bunch of different attorneys. We have Mr. Theobald in the room. I'm probably  
1722 going to regret this, not relating to the case we're going to be looking at soon, but in  
1723 general what we're doing with changes, would you all entertain him giving us 1 or 2  
1724 things that he sees that we should be looking at or thinking about?  
1725

1726 Mr. Archer - Mr. Theobald?

1727  
1728 Mr. Branin - Mr. Theobald, you have 2 minutes.

1729  
1730 Mr. Archer - Just don't make it regrettable.  
1731

1732 Mr. Theobald - I thank you all so much for the opportunity. I'm Jim  
1733 Theobald. I appreciate being part of this process. We really are on the same path  
1734 together, and I think on the right path, so I don't want you to think otherwise.  
1735

1736 From the development community standpoint, flexibility and predictability are the 2  
1737 greatest features. I think where we have somewhat of a difference of opinion is perhaps  
1738 the current draft suggests that you gain flexibility because you can constantly go back  
1739 and seek additional levels of approval, through the opinion of the Director of Planning in  
1740 a number of instances, or through a PUP process. What that means in the context of a  
1741 large UMU is that you're not sure block-by-block if you can get to the finish line, so you  
1742 may be back here block by block. I don't know if that's what you really want to happen.  
1743 It certainly is a hardship on your time, staff time, and the developer's time. My  
1744 suggestions are more born of the fact that you build the flexibility into the ordinance  
1745 itself so that you have that flexibility. For instance, Mr. Emerson just suggested some  
1746 PUP requests may be premature. Well, that means I don't know if I can ever have that  
1747 use, or whatever it is, in my community. I guess I'm being asked to wait until later to  
1748 either show a rendering or a picture, or how it's going to work, etc. There are some  
1749 instances where I think that's appropriate. I think there are others, though, where they  
1750 should be building to the ordinance. You shouldn't need 27 PUP requests to plan your  
1751 UMU. It's just a little difference in philosophy, I think. This UMU ordinance needs to be  
1752 flexible, and you do need to have control. I think that perhaps more things should be  
1753 allowed as matter of right with certain restrictions, if you will, rather than the constant  
1754 refrain of you can always get a PUP or you can submit it for approval.  
1755

1756 There are 3 specific things I would point out. I think the civic use part of that is just flat  
1757 illegal in the ordinance, and you all can deal with that and talk to the County Attorney.  
1758 You just can't require private development to provide you with libraries and government  
1759 buildings, etc.  
1760

1761 The parking concerns me a great deal because I think waiting until the Planning  
1762 Commission POD process to know if you can get a parking reduction doesn't help you.  
1763 You need to know that almost up front in planning these mixed-use designs because  
1764 your parking structure—and they're all going to be structured parking—needs to relate  
1765 to the office building, the residential building. Most of the parking decks as contemplated  
1766 in your ordinance are wrapped with other uses. So that needs to be known up front. You  
1767 can't do all your engineering and then bring a POD here and be told no, that's not going  
1768 to work. That needs a little more thought, as well as having to reserve areas in case you  
1769 guess wrong is just counterintuitive to developing a UMU. That's part of your shared  
1770 parking ordinance now. If you're getting rid of most of your surface parking and doing  
1771 deck parking, where do you reserve a potential place for it to go? Your open space?  
1772 You need to get it right up front. Reserving this overflow thing is going to complicate the  
1773 process.

1774  
1775 My last comment is just this whole proffer amendment thing. This is really very much a  
1776 legal issue. I have 188 acres, for instance, in the pending case. If I sell 2 acres of it to  
1777 somebody and want to amend a proffer, I need that person's joinder power of attorney.  
1778 Often, for whatever reason, they may not be willing. We experienced this at Grayson  
1779 Hill. We experienced this with another situation. This may be one that has to be solved  
1780 by the General Assembly, but we're trying to work through it at a local level with the best  
1781 flexibility we can.

1782  
1783 Anyhow, my other comments are in my letters. I appreciate you letting me make my  
1784 statement on the philosophy of this now, rather than waiting until the public hearing. I  
1785 appreciate the amount of time staff has put on this and the emphasis. We have cleaned  
1786 up a lot of administrative and definitional type issues so we really are on the right track.

1787  
1788 Thank you so much.

1789  
1790 Mr. Archer - Thank you, Mr. Theobald.

1791  
1792 Mr. Branin - Mr. Theobald, you don't have to stay there. I can talk to you  
1793 while you walk away. Thank you for your time. As Commissioners, we need more  
1794 flexibility so we can work more. You're saying that you need to have tighter restrictions  
1795 so you can be more focused. God bless staff, and I don't know how they're going to  
1796 accomplish both. I agree with you in regards to having focus in design so you can work  
1797 within the parameters to achieve what you're hoping to achieve. I would also say in  
1798 regards to that, that's why communication between the County and the development  
1799 community—when it comes to a large project that is very complex and very intricate—is  
1800 very important. While the developer is doing the design, the needs and parameters will  
1801 be put into place ahead of time. I don't know how we're going to meet the balance, but I  
1802 think staff is doing a heck of a job in attempting. Like I said, the second UMU we looked  
1803 at there were 2 different philosophies, and there was really no middle ground so we're  
1804 getting there.

1805

1806 Mr. Archer - This might not be the right time to bring this up, and it might  
1807 be. I recall 2 or 3 years ago we were approving something in the West Broad Street  
1808 corridor, and there was a person who came and spoke about how dangerous it was to  
1809 try to cross West Broad Street. I thought about his conversation when I left that night.  
1810 He was saying that even if you only have a block to go, it's safer to drive than it is to  
1811 walk. I thought about that in the context of something I read in one of the planning  
1812 periodicals where we're seeing more and more uses of elevated pedestrian crosswalks.  
1813 I think at some point in time we're going to have to start integrating that into our thought  
1814 process in heavily traveled areas. I think it would do 2 things. It would make it safer for  
1815 people to cross, and it would cut down on traffic. I just think it's something we might  
1816 want to think about.

1817  
1818 Mrs. O'Bannon - The only other thought I had in thinking about transportation  
1819 is my son's been living in Europe, and now he's in England I've been going to all these  
1820 different places. Where he is now, they have good taxi service. There is no metro, no  
1821 bus. If you go to any corner there's a taxi stand. Not every corner, but there are spots.  
1822 There's an inner-town feel, because, of course, these are in England, and they're really,  
1823 really old and the streets are really, really small and narrow. There are taxi stands just  
1824 about every few blocks, and there is always a taxi there unless it's raining. It's things  
1825 like that maybe we could aim for. I know I promote a taxi service again and again, and  
1826 this is what the people in Tuckahoe have told me they wanted. They want more taxi  
1827 service because they want to go from their house to here, or that location to here. So it  
1828 could be the type of thing that as we get more dense, that may become more  
1829 affordable.

1830  
1831 When you started talking about going across the street, there have been some cities  
1832 where actually they had a scooter service. It was like a big tricycle-looking vehicle—I  
1833 don't know if you've seen those—and they carry you across the street. No? Nobody's  
1834 seen it? I've seen all kinds of ways to accommodate these things. You have what you  
1835 have, and you're trying to redevelop or you're rearranging how things are. There are  
1836 ways to get around it that aren't just a bus or just an underground metro system or  
1837 something like that. I'm willing to look at all of them.

1838  
1839 What I'm hearing from citizens, though, is they want something that—I'll say—is more  
1840 individualized. They like taxis if they can't use a car.

1841  
1842 Mr. Archer - Thank you, Mrs. O'Bannon. Any further discussion?

1843  
1844 Mr. Branin - Then I'd like to move to adjourn.

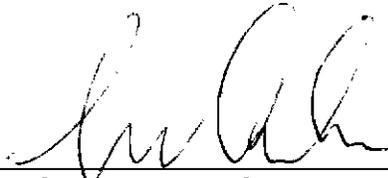
1845  
1846 Mr. Jernigan - Second.

1847  
1848 Mr. Archer - Motion by Mr. Branin, seconded by Mr. Jernigan for  
1849 adjournment. All in favor say aye. All opposed say no. The ayes have it; the motion  
1850 passes.

1851

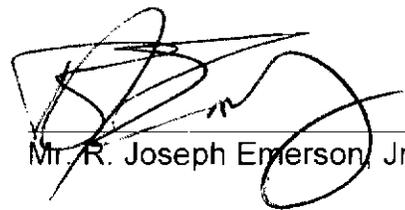
1852 We are, therefore, adjourned.

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Mr. C. W. Archer, Chairman



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Mr. R. Joseph Emerson, Jr., Secretary

## PLANS OF DEVELOPMENT

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

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least **48** hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **July 27, 2011**, 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.

- 9A. **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 **July 27, 2011**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

**B-2 ZONE**

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

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

**B-3 ZONE**

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

## SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 27, 2011**, which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on July 25, 2012, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **July 27, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **July 25, 2012**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated July 27, 2011, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on July 25, 2012, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
  
12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to

the Department of Planning for review, prior to final approval. The proposed Homeowners Association for the project shall be responsible for the exterior maintenance of all buildings and grounds.

13. All block corners shall be monumented and referenced, where possible, to the exterior boundaries of the site
14. The record plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of (name of subdivision) and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated July 27, 2011, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on July 25, 2012, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan

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

## SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated July 27, 2011, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on July 25, 2012, 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.