

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County,
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, June 23, 2010.
4

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

Members Absent: Mr. C. W. Archer, C.P.C. Vice-Chairman (Fairfield)

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

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

9 Mr. Vanarsdall - Good morning, everybody. Welcome to the Henrico County
10 Planning Commission of Subdivisions and Plans of Development. I'd like to pay special
11 attention to Mr. Kaechele on the end down there, who represents the Board of
12 Supervisors and who is the immediate past chairman of the Board of Supervisors.
13 Fellow Commissioners, our secretary, Mr. Emerson. Is there anyone here from the
14 news media? Now, I would like to ask you to stand and **Pledge Allegiance to the**
15 **Flag.**
16

17 Thank you for that. Mr. Archer will not be joining us this morning; he's on a business
18 trip. I will turn the meeting over to our secretary and Director of Planning, Mr. Emerson.
19

Mr. Emerson - Thank you, Mr. Chairman. We have no requests for deferral or withdrawals. That will take us to the next section of your agenda, which are the expedited items. Those will be presented by Ms. Leslie News.

Mr. Vanarsdall - Good morning, Ms. News.

Ms. News - Good morning, Mr. Chairman, members of the Commission. This morning we have 7 items on our expedited agenda.

Mr. Jernigan - Mr. News, first can I tell you, we don't have any computer screens on up here.

Mr. Vanarsdall - We can go back like we did when we first started out, when we couldn't afford the screens. Go ahead, Ms. News.

Ms. News - The first item on your expedited agenda is found on page 3 of your agenda and is located in the Varina District. This is a transfer of approval for POD-146-84, Smurfit-Stone (formerly The Stanley Works). Staff recommends approval.

TRANSFER OF APPROVAL

POD-146-84	Grattan Associates, P.C. for Smurfit-Stone Container
POD2010-00145	Corporation: Request for transfer of approval as required
Smurfit-Stone (Formerly	by Chapter 24, Section 24-106 of the Henrico County
The Stanley Works) -	Code from The Stanley Works, Inc., Annuity Board of the
5710 S. Laburnum Avenue	Southern Baptist Convention, C & O Railway, Company,
	and Empire Development Company to Smurfit-Stone
	Container Corporation. The 20.94-acre site is located on
	the northwest corner of Laburnum Avenue and Charles
	City Road, on parcel 816-710-2400. The zoning is M-1,
	Light Industrial District and ASO, Airport Safety Overlay
	District. County water and sewer. (Varina)

Mr. Vanarsdall - Is anyone in the audience in opposition to POD-146-84, Smurfit-Stone (formerly The Stanley Works)? No opposition.

Mr. Jernigan - Mr. Chairman, with that I will move for approval of transfer of approval of POD-146-84, Smurfit-Stone (formerly The Stanley Works), which is now POD2010-00145, on the expedited agenda.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-146-84, Smurfit-Stone (formerly The Stanley Works), from The Stanley Works, Inc., Annuity Board of the Southern Baptist Convention, C & O Railway, Company, and Empire Development Company to Smurfit-Stone Container Corporation, subject to the standard and added conditions previously approved.

Ms. News - The next item is found on page 4 of your agenda and is located in the Three Chopt District. This is transfer of approval for POD-61-72, Forest Office Building at Forest Office Park, which is formerly the Koger Executive Center. Staff recommends approval.

TRANSFER OF APPROVAL

POD-61-72	CB Richard Ellis for 95-10 Richmond/Koger, LLC:
POD2010-00112	Request for transfer of approval as required by Chapter
Forest Office Building at	24, Section 24-106 of the Henrico County Code from
Forest Office Park	Koala Richmond Realty Holding and Forest Park
(Formerly Koger Executive	Association, LLC to 95-10 Richmond/Koger, LLC. The
Center) – 8001 Franklin	3.48-acre site is located at the southwest corner of the
Farms Drive	intersection of Forest Avenue and Franklin Farms Drive,
	on parcel 759-743-3775. The zoning is O-2, Office District.
	County water and sewer. (Three Chopt)

Mr. Vanarsdall - Is there any opposition to POD-61-72, Forest Office Building at Forest Office Park (formerly Koger Executive Center)? No opposition, Mr. Branin.

Mr. Branin - Mr. Chairman, I'd like to move that the transfer of approval of POD-61-72, Forest Office Building at Forest Office Park (formerly Koger Executive Center), move forward with approval on the expedited agenda.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-61-72, Forest Office Building at Forest Office Park (formerly Koger Executive Center), from Koala Richmond Realty Holding and Forest Park Association, LLC to 95-10 Richmond/Koger, LLC, subject to the standard and added conditions previously approved and the following additional conditions:

1. All landscaping deficiencies, as identified in the inspection report, dated May 4, 2010, shall be corrected by October 31, 2010.
2. All parking lot deficiencies, as identified in the inspection report, dated May 4, 2010, shall be corrected by July 31, 2010.

Ms. News - The next item is found on page 5 your agenda and is located in the Tuckahoe District. This is a transfer of approval for POD-50-79, Gayton Crossing Shopping Center – Phase I. Staff recommends approval.

TRANSFER OF APPROVAL

POD-50-79
POD2010-00113
Gayton Crossing
Shopping Center - Phase I
- 9700 Gayton Road

M.L. Bell Construction for FW VA – Gayton CRSG SC, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Gayton Crossing Joint Venture, Gayton and Gaskins, LP II, and USRPI, LLC to MacQuarie Countrywide – Regency II. The 7.46-acre site is located at the northwest corner of Gaskins and Gayton Roads, on parcel 746-745-0311. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

Mr. Vanarsdall - Is there any opposition to POD-50-79, Gayton Crossing Shopping Center – Phase 1? No opposition. Mrs. Jones?

Mrs. Jones - I move for approval on the expedited agenda of transfer of approval for POD-50-79, which is now POD2010-00113, for Gayton Crossing Shopping Center – Phase 1. This is with the following condition #1 listed on the agenda.

Mr. Jernigan - Second.

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

The Planning Commission approved the transfer of approval request for POD-50-79, Gayton Crossing Shopping Center – Phase 1, from Gayton Crossing Joint Venture, Gayton and Gaskins, LP II, and USRPI, LLC to MacQuarie Countrywide – Regency II, subject to the standard and added conditions previously approved and the following additional condition:

1. The missing landscaping shall be corrected by October 31, 2010.

Ms. News - The next item is on page 6 of your agenda and is also located in the Tuckahoe District. This is transfer of approval for POD-94-80, Gayton Crossing Shopping Center – Phase II. Staff recommends approval.

123 **TRANSFER OF APPROVAL**

124
125
126 POD-94-80
127 POD2010-00162
128 Gayton Crossing
129 Shopping Center – Phase
130 II – 9700 Gayton Road

M.L. Bell Construction for Regency Centers: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Walter L. Hooker, Gayton and Gaskins LP, Gayton Triangle Land Co., Gayton and Gaskins, LP II, and USRPI, LLC to Macquire Countrywide – Regency II. The 8.14-acre site is located at the southeastern corner of Quioccasin and Gayton Roads, on parcel 745-745-5844. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

125
126 Mr. Vanarsdall - Again in the Tuckahoe District, is there any opposition to
127 case POD-94-80, Gayton Crossing Shopping Center – Phase II? No opposition.

128
129 Mrs. Jones - I'll make a motion for approval on the expedited agenda of
130 transfer of approval POD-94-80, as POD2010-00162, for Gayton Crossing Shopping
131 Center – Phase II. Approval with the following condition #1 listed on the agenda.

132
133 Mr. Jernigan - Second.

134
135 Mr. Vanarsdall - Motion by Mrs. Jones, seconded by Mr. Jernigan. All in favor
136 say aye. All opposed say no. The ayes have it; the motion passes.

137
138 The Planning Commission approved the transfer of approval request for POD-94-80,
139 Gayton Crossing Shopping Center – Phase II, from Walter L. Hooker, Gayton and
140 Gaskins LP, Gayton Triangle Land Co., Gayton and Gaskins, LP II, and USRPI, LLC to
141 Macquire Countrywide – Regency II, subject to the standard and added conditions
142 previously approved and the following additional condition:

- 143
144 1. The missing landscaping shall be corrected by October 31, 2010.

145
146 Ms. News - Next on page 7 of your agenda and located in the Three
147 Chopt District is a transfer of approval for POD-75-80, 33-87, 107-88, and 16-97,
148 Parham 2810 Building, which is formerly the GE Executive Center. There is an
149 addendum item on page 1 of your addendum, which indicates that with the exception of
150 parking maintenance, all other deficiencies have been addressed. Condition #1 has
151 been added to address resealing and re-striping of the parking lot. Staff can
152 recommend approval.

155 **TRANSFER OF APPROVAL**

156
157
158 POD-75-80, 33-87, 107- Christopher Todd for Direct Invest Property
159 88, and 16-97 Management, LLC: Request for transfer of approval as
160 POD2009-00454; required by Chapter 24, Section 24-106 of the Henrico
161 POD2010-00066; County Code from Dominion Bankshares E.V.O.C. and
162 POD2010-00065; First Union Operations Center to Direct Invest Property
163 POD2010-00067 Management, LLC. The 9.93-acre site is located at 2810
164 Parham 2810 Building N. Parham Road, approximately 255 feet from Mayland
(Formerly GE Executive Drive, on parcel 757-753-9760. The zoning is O-3C, Office
Center) - 2810 N. Parham District (Conditional). County water and sewer. **(Three
Road Chopt)**

157
158 Mr. Vanarsdall - Is there any opposition to case POD-75-80, 33-87, 107-88,
159 and 16-97, Parham 2810 Building (formerly GE Executive Center)? No opposition.
160

161 Mr. Branin - Mr. Chairman, I'd like to move for transfer of approval of
162 POD-75-80, 33-87, 107-88, and 16-97, Parham 2810 Building (formerly GE Executive
163 Center), with the addendum item #1 to move forward for approval.
164

165 Mr. Jernigan - Second.
166

167 Mr. Vanarsdall - Motion by Mr. Branin, seconded by Mr. Jernigan. All in favor
168 say aye. All opposed say no. The ayes have it; the motion passes.
169

170 The Planning Commission approved the transfer of approval request for POD-75-80,
171 33-87, 107-88, and 16-97, Parham 2810 Building (formerly GE Executive Center), from
172 Dominion Bankshares E.V.O.C. and First Union Operations Center to Direct Invest
173 Property Management, LLC, subject to the standard and added conditions previously
174 approved and the following additional condition:
175

- 176 1. All parking lot maintenance, including resealing and re-striping, shall be corrected
177 by June 30, 2011, in accordance with the letter of agreement, dated June 14,
178 2010.
179

180 Ms. News - Next on page 8 of your agenda and located in the Three
181 Chopt District is SUB-06-10, Oglethorpe Park at Greenbrooke, June 2010 plan for 49
182 lots. Staff recommends approval.
183
184

185 **SUBDIVISION**

186 SUB-06-10
SUB2010-00074
Oglethorpe Park at
Greenbrooke
(June 2010 Plan)

Youngblood, Tyler and Associates, P.C. for Oglethorpe Park, LLC: The 12.37-acre site proposed for a subdivision of 49 single-family homes with zero lot lines is located on the south line of Dublin Road between the east line of Belfast Road and the west line of Glasgow Road, on parcels 745-764-7834, 7122, 6608, 2159, 1645, and 1031. The zoning is R-5AC, General Residential District (Conditional). County water and sewer. **(Three Chopt) 49 Lots**

187
188 Mr. Vanarsdall - In the Three Chopt District, is there any opposition to SUB-
189 06-10, Oglethorpe Park at Greenbrooke (June 2010 Plan)? No opposition.

190
191 Mr. Branin - Mr. Chairman, I'd like to move that SUB-06-10, Oglethorpe
192 Park at Greenbrooke (June 2010 Plan), be approved on the expedited agenda.

193
194 Mr. Jernigan - You have conditions# 13 through 16.

195
196 Mr. Branin - I'm sorry. Conditions# 13 through 16.

197
198 Mr. Jernigan - Second.

199
200 Mr. Vanarsdall - Motion by Mr. Branin, seconded by Mr. Jernigan. All in favor
201 say aye. All opposed say no. The ayes have it; the motion passes.

202
203 The Planning Commission granted conditional approval to SUB-06-10, Oglethorpe Park
204 at Greenbrooke (June 2010 Plan), subject to the standard conditions attached to these
205 minutes for zero lot line subdivisions served by public utilities, the annotations on the
206 plans, and the following additional conditions:

207
208 13. The plat shall contain a statement that the common area is dedicated to the
209 common use and enjoyment of the homeowners of Oglethorpe Park and is not
210 dedicated for use by the general public. This statement shall refer to the
211 applicable article in the covenants recorded with the plat.

212 14. At least sixty days prior to recordation of the plat, a draft of the covenants and
213 deed restrictions for the maintenance of the common area shall be submitted to
214 the Department of Planning for review. Such covenants and restrictions shall be
215 in form and substance, satisfactory to the County Attorney and shall be recorded
216 prior to recordation of the subdivision plat.

217 15. Any necessary offsite drainage easements must be obtained prior to final
218 approval of the construction plan by the Department of Public Works

219 16. The proffers approved as part of zoning case C-35C-09 shall be incorporated in
220 this approval.
221

Ms. News - The final item is located in the Three Chopt District and is on page 9 of your agenda. This is POD-14-10, Community Health Office at Westerre Commons. There is an addendum item on page 1 of your addendum, which includes a revised plan with some minor revisions to address staff's previous annotations. Staff continues to recommend approval.

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD-014-10 R K and K Engineers for Westerre Commons, LLC and
POD2010-00160 Lingerfelt Development, LLC: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story 25,268 square foot office building. The 1.83-acre site is located on the south line of Westerre Parkway, approximately 800 feet east of Cox Road, on parcel 749-759-0307. The zoning is B-2C, Business District (Conditional) and O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is there any opposition to POD-14-10, Virginia Community Health Office at Westerre Commons, in the Three Chopt District? No opposition.

Mr. Branin - Mr. Chairman, I'd like to move that POD-14-10, Virginia Community Health Office at Westerre Commons, be approved on the expedited agenda with the additional conditions# 11, #29, #30, #31, #32 and the addendum.

Mr. Jernigan - Second.

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

The Planning Commission approved POD-14-10, Community Health Office at Westerre Commons, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

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

29. Outside storage shall not be permitted.

30. The proffers approved as a part of zoning cases C-63C-98 and C-45C-04 shall be incorporated in this approval.

31. The certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.

258 32. The location of all existing and proposed utility and mechanical equipment
259 (including HVAC units, electric meters, junctions and accessory boxes,
260 transformers, and generators) shall be identified on the landscape plan. All
261 building mounted equipment shall be painted to match the building, and all
262 equipment shall be screened by such measures as determined appropriate by
263 the Director of Planning or the Planning Commission at the time of plan approval.
264

265 Ms. News - That completes our expedited agenda.

266
267 Mr. Vanarsdall - Thank you, Ms. News.

268
269 Mr. Emerson - Mr. Chairman, that takes us to the next item on your agenda
270 this morning which is the subdivision extensions of conditional approval. Those will be
271 presented by Mr. Lee Pambid.
272

273 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

274 **FOR INFORMATIONAL PURPOSES ONLY – SUBDIVISION EXTENSIONS**
275
276

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2008-00152 (SUB-16-05) Midview Farms (June 2005 Plan)	95	9	4	Varina	7/1/2014
SUB2008-00151 (SUB-17-07) Nature's Way (June 2007 Plan)	8	8	2	Fairfield	7/1/2014
SUB2008-00182 (SUB-69-05) Techpark (June 2005 Plan)	0	0	4	Varina	7/1/2014

277
278 Mr. Vanarsdall - Good morning, Mr. Pambid.

279
280 Mr. Pambid - Good morning. This map indicates the location of the 3
281 subdivisions that are presented for extensions of conditional approval. They are all
282 eligible for extensions and will be extended to July 1, 2014, per the legislation passed
283 last year by the General Assembly. These are for informational purposes only and do
284 not require Commission action at this time. I can field any questions you might have
285 regarding these.
286

287 Mr. Vanarsdall - Questions for Mr. Pambid? Thank you.

288
289 Mr. Pambid - Thank you.
290

291 Mr. Emerson - Mr. Chairman, the next item on your agenda this morning
292 would be the approval of minutes for the May 26, 2010 meeting.

293

294 APPROVAL OF MINUTES: May 26, 2010

295

296 Mr. Vanarsdall - If anyone didn't get a chance to read the minutes.

297

298 Mrs. Jones - Mr. Chairman, I have a correction. On page 29, line 2096, I
299 was talking about the Innsbrook Owners Association and the line says, "Obviously, they
300 are confused about this." They were not confused; they were *enthused*. I thought I
301 should set that straight.

302

303 Mr. Vanarsdall - There's a little bit of difference isn't there?

304

305 Mrs. Jones - Yes.

306

307 Mr. Vanarsdall - Anybody else have any changes?

308

309 Mr. Branin - Mr. Chairman, on page 14, line 448, strike "them." The
310 statement was, "What I was more interested in is hearing about," not "interested in is
311 them hearing about."

312

313 Mr. Vanarsdall - Okay. Wasn't quite as bad as the "confused" and
314 "enthused". Anybody else? If not, I'll entertain a motion.

315

316 Mr. Jernigan - So moved.

317

318 Mr. Branin - Second.

319

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

322

323 The Planning Commission approved the May 26, 2010 minutes as corrected.

324

325 Mr. Emerson - Mr. Chairman, that now takes us into our work sessions
326 scheduled for this morning. The first one is to review proposed amendments to Chapter
327 24 of the County Code to minimize the impact of refuse servicing on adjacent
328 properties. This was born out of some recent Noise Ordinance work, and the Board of
329 Supervisors requested we take a look at the Zoning Ordinance and make some
330 adjustments in order to provide some consistency and protection to residential areas.
331 Mr. Ben Blankinship will be making this presentation.

332

333 Mr. Vanarsdall - Good morning, Mr. Blankinship.

334

335 Mr. Blankinship - Good morning, Mr. Chairman, members of the Commission.
336 Thank you, Mr. Emerson. As Mr. Emerson stated, this was brought up as part of some

amendments to the Noise Ordinance. It was observed that along with other noise issues such as barking dogs, one of the more frequent noise complaints involved the servicing of dumpsters very early in the morning. A lot of times those companies like to get out at 4:30 or 5:00 in the morning to beat the heat on days like today, and that can be very troublesome to people who are trying to sleep. So, we were asked to develop an amendment to the Zoning Ordinance that would restrict the hours during which refuse companies can service their dumpsters, refuse containers.

We already have restrictions in the business districts. In the B-1 and B-2 districts where the hours of operation generally are limited from 6:00 a.m. to midnight, those hours also extend to the servicing of dumpsters. In the B-3 district, dumpsters that are located within 250 feet of an "R" district are currently limited to being serviced only between 6:00 a.m. and midnight. So, we already had those to begin with, and the amendment will extend those same restrictions essentially to all the zoning districts in the ordinance except for the UMU District. The UMU, the Urban Mixed Use District is intended to have a mixture of uses and operations going on 24 hours in some of those businesses. It was thought best just not to change the regulations in that district since it is in some ways separate from the rest of the ordinance anyway.

We have brought before you a brief amendment that would restrict in all districts, except the O-3, B-3, and the 3 industrial districts, that refuse containers may not be serviced between 12:00 midnight and 6:00 a.m. Then, in O-3, B-3, and the industrial districts, refuse containers within 250 feet of an "R" District may not be serviced between 12:00 midnight and 6:00 a.m. So, it would extend, essentially, the same regulations we have now in the business districts to all districts. That includes even the single-family districts because there are uses such as churches, country clubs, and schools that are located in the one-family districts that do have dumpsters, and it could be annoying to neighbors to have those dumpsters serviced just like in a business or an industry. So, it does apply even in the one-family districts.

Finally, as we were going through and making these changes, we became aware that there is some language in the ordinance that is not consistent from one district to the next. Some of that has to do with the screening of refuse containers, and some of it has to do with the locations of refuse containers. While we were making these changes, we just standardized the language throughout the Code to try to avoid confusion. Among other things, as of now, according to Code, you can use landscape plantings as the only screening for your dumpsters. As you know, that has not really been our practice for quite some time. We have been requesting—and we've been very consistent in getting from applicants—either a fence or a wall to screen dumpsters. We just wanted to remove the words, "landscape plantings," from the Code so that it would be clear that is not really an acceptable material any longer.

That's all there is to this. You don't look enthused, but I hope you're not confused at least. Do you have any questions?

382 Mr. Branin - Oh, I have lots. I'm not taking issue with it; I'm just
383 interested in knowing where the 250-foot mark came about.

384
385 Mr. Blankinship - That, as I say, has been in the B-3 District for several years.
386 I think it was 1987 when that amendment was first adopted. I can't tell you why it's 250
387 rather than 300 or 200. I will say that we did some maps through the GIS looking at 250-
388 foot buffers around these things. The O-3, B-3, and Industrial districts are really the
389 only ones that are big enough to make that difference important. That's why we limited it
390 to those 3 districts.

391
392 Mr. Vanarsdall - I thought the Code said that it had to be 300 feet from an "R"
393 District. I know it used to.

394
395 Mr. Blankinship - There are certain uses that are restricted at 300 feet.

396
397 Mr. Vanarsdall - I have a question for you, Ben. I'd asked you about one of
398 them, and I won't ask you again. You're right about one thing. In my district, the only
399 complaints I've ever had are usually 2:00, 3:00, or 4:00 in the morning for some reason.
400 They always blame it on the driver or that we had a new driver.

401
402 The other thing is that the 250 feet is from property line to property line.

403
404 Mr. Blankinship - Well from the dumpster to the property line.

405
406 Mr. Vanarsdall - Okay, from the dumpster.

407
408 Mr. Blankinship - Yes, sir.

409
410 Mr. Vanarsdall - Suppose your house is 50 feet back and you have a
411 warehouse that's maybe 10 feet back. The noise gets to the house, but it goes across
412 the property line.

413
414 Mr. Blankinship - The idea is if the dumpster itself is within 250 feet of any
415 residential district. It's really not even the property line.

416
417 Mr. Vanarsdall - You just answered it. It's from the residential.

418
419 Mr. Blankinship - District, yes.

420
421 Mr. Vanarsdall - Okay.

422
423 Mr. Blankinship - If the dumpster is within 250 feet of a residence district, that
424 dumpster can't be serviced between 12:00 midnight and 6:00 a.m., but if you're looking
425 at the raceway, for example, you have a B-3 zoning district that's practically a mile
426 across. If they want to service dumpsters in the middle of the racetrack, it's not going to
427 hurt anybody, but the ones on the edge of the property would be restricted.

428
 429 Mr. Vanarsdall - Thank you, that answered it.
 430
 431 Mr. Jernigan - All right, Mr. Blankinship, on the UMU's, what are the
 432 regulations for that?
 433
 434 Mr. Blankinship - We did not limit the hours of servicing refuse containers in
 435 the UMU. There is no change. They're not limited today, and they would not be limited
 436 under this.
 437
 438 Mr. Jernigan - UMU is something that's just come around in the last few
 439 years. If you have retail on the first floor and residential on the second and third floors,
 440 they're dumping it in the middle of the night, then those people are going to be affected.
 441
 442 Mr. Blankinship - It could create issues. The thinking was that there are no
 443 restrictions on the hours of operation generally, so any business can be operating in the
 444 UMU across the street from second-floor apartments, 24 hours a day. There will be
 445 traffic; there will be activity going on within that district. So, we decided that in this
 446 draft—and, of course, this is a work session, so we're here to hear your comments—we
 447 decided that for this draft it would be best just not to involve the UMU district in this
 448 amendment.
 449
 450 Mr. Emerson - Mr. Jernigan, I guess to explain that a little bit further. The
 451 Urban Mixed Use, as you know, is meant to be a very urban environment. So, if you
 452 choose to live in that environment with this 24-hour continuous operation of things, the
 453 uses are so close together it would just be very difficult to regulate. Those are certain
 454 things that you accept moving into that environment. You just as easily could have a
 455 business nearby that's operating 24 hours a day. So, the dumping of a refuse container
 456 might be a minor nuisance compared to some other type of operation that's running
 457 24/7.
 458
 459 Mr. Vanarsdall - I think you'd run into a problem with somewhere like West
 460 Broad Village.
 461
 462 Mr. Emerson - Possible. But again, they have to be self-regulating as well.
 463
 464 Mr. Jernigan - That's what I was looking at because Tree Hill hasn't
 465 developed yet, but it's going to. I'm just thinking. In that environment, that's the reason
 466 we designed this where you could have retail and residential above. Most of those
 467 operations, I can't see that many of them [inaudible].
 468
 469 Mr. Emerson - I wouldn't think so, but these are certain things that you
 470 accept moving into a community like that.
 471
 472 Mr. Jernigan - And in a case of a UMU, you may be closer to the dumpster
 473 than you are the district.

474
 475 Mr. Emerson - Yes, sir, absolutely.
 476
 477 Mr. Blankinship - If experience shows that we need to amend the Code again,
 478 it wouldn't be difficult to bring UMU into this.
 479
 480 Mr. Vanarsdall - My concern is how to police the 250 feet. I called Ben and
 481 asked him, and he said when they get a complaint. They don't have to worry about it
 482 until they get a complaint.
 483
 484 Mr. Branin - In the spirit of this being a work session, the 250 feet is the
 485 only thing I'm struggling with, that distance. I know that sound will definitely travel 300
 486 feet. I have a neighborhood that was alongside an office park where this became a big
 487 issue. Ms. Goggin was working with me diligently with this one neighborhood because
 488 even though the developer had stated it would not be dumped at night, the companies
 489 were still coming in and banging the dumpsters at 4:00 in the morning. My phone was
 490 actually ringing at 4:00 in the morning to tell me that they were banging the dumpsters.
 491 I had told the neighborhood if this happens again, tell me, because then I'll call the
 492 developer at 4:00 in the morning and let him know that we're all awake experiencing
 493 these dumpster problems. Believe it or not, that took care of the problem, because after
 494 the third 4:00 call from me in the morning and his wife said, "It's him again," it solved the
 495 problem. That was a much larger distance than 250 feet, and I don't think it was just
 496 this one neighborhood and this one office park. If you're going to look at something, I
 497 would ask that you look at that distance. I don't know if that's far enough.
 498
 499 Mr. Vanarsdall - That's a good point. Our Code hasn't been rewritten, I
 500 understand, in many years. When they rewrite it, it wouldn't be too much if it had 3
 501 miles from an "R" District. You can throw a baseball 300 feet, some people. I can't; I
 502 tried it. I actually called Paragon. They used to have a sweeper. That sweeper wouldn't
 503 run except 2:00 in the morning, and I kept getting complaints. I called the man that was
 504 in charge of that; he lived out in Goochland. I called him at 11:30 p.m. on a Saturday.
 505 He'd already gone to bed. He was all bent out of shape and told me I was rude for
 506 calling him. So, I know what you're talking about.
 507
 508 Mr. Branin - Mr. Blankinship, that's the only thing, the distance. I can't sit
 509 here and say—and the proper distance should be 627 feet. I don't know what it is, but I
 510 just feel that 250 might not be adequate.
 511
 512 Mr. Blankinship - All right. I appreciate that.
 513
 514 Mr. Emerson - We can take a look at that, as well as the Urban Mixed Use.
 515
 516 Mr. Jernigan - The reason I bring that up, Mr. Emerson, is because you
 517 have the greatest density in a UMU. We're trying to fix something here where we don't
 518 have a lot of complaints.
 519

520 Mr. Vanarsdall - I always wonder in a UMU how you choose a place to live.
521 Do you want it overtop of the poolroom or overtop of the beer joint that stays open until
522 1:00 in the morning?

523
524 Mr. Emerson - Therein lies the challenge. You make your choice when you
525 move into the community. That's what makes it challenging in terms of trying to come
526 up with any type of limitation like this. We'll look at it again.
527

528 Mrs. Jones - My only comment on the UMU would be that in certain
529 situations, when you get a pattern established, it's much harder to rein it in than it is to
530 start with a restriction and loosen it. Since we're new at this and we don't have a track
531 record to go on, we may want to consider whether it's better to start with a consistent
532 policy for dumpsters that might also extend to the UMU and then think about loosening
533 it, or just do nothing and wait until the complaints roll in. That's essentially what we're
534 asking about the UMU. I think this is reasonable. I like consistency anytime I can find it,
535 and I have no problem with the policy. I guess I agree with Mr. Branin that I don't know
536 what the distance should be, but we do have folks who will certainly let us know if it is a
537 problem.
538

539 Mr. Blankinship - Again, in the B-3 and the Industrial districts, other uses are
540 not restricted as to hours of operation. So, they could be loading and unloading trucks at
541 those same hours.
542

543 Mr. Vanarsdall - I think you probably have it as good as you can get it. Thank
544 you, Mr. Blankinship.
545

546 Mr. Blankinship - Thank you.
547

548 Mrs. Jones - Mr. Blankinship, can I just ask one unrelated question but
549 one I'd like to know? This has to do only with the dumpsters, per se.
550

551 Mr. Blankinship - And recycling containers and other things very similar to
552 that.
553

554 Mrs. Jones - Right. As defined here in the definitions you gave us. When
555 drivers come to pick up garbage in residential neighborhoods, are folks flooded with a
556 lot of complaints about those hours as well, just regular garbage pickup?
557

558 Mr. Blankinship - Those concerns do get raised from time to time. I mentioned
559 at the very beginning of my remarks that this grew out of some changes that the County
560 was doing to the Noise Ordinance. Those operators are regulated by the Noise
561 Ordinance. There is another way to deal with those issues, but because dumpsters
562 were already addressed in the Zoning Ordinance, we were instructed to go ahead and
563 make that effective throughout the Zoning Ordinance. Since the Zoning Ordinance has
564 never regulated the private door-to-door carriers, we decided not to bring that into this
565 process.

566
567 Mrs. Jones - Which includes the pickup of the recycling bins?
568
569 Mr. Blankinship - Individual door-to-door.
570
571 Mrs. Jones - Tough question. I know the Board has struggled with that.
572 Okay, thank you.
573
574 Mr. Vanarsdall - One of the problems we had was with Target at Staples Mill
575 Plaza. Dave O'Kelly can tell you how much trouble we had there. One of the problems
576 is when truckers stop to spend the night and they don't turn their motor off. The diesel
577 runs all night, and they have big condos behind there. They had a problem with that in
578 addition to everything else.
579
580 Mr. Blankinship - We had a lot of 4:00 a.m. phone conversations over that.
581
582 Mr. Vanarsdall - Tom Tokarz sent me the Noise Code on that. It didn't cover it
583 because it didn't go past 50 feet or something. They could hear the truck when it was
584 more than 50 feet. So, that didn't take care of anything. That's one of the things that it's
585 a wonder you don't have more complaints about. You can't knock on the window and
586 tell them. Thank you.
587
588 Mr. Blankinship - Yes, sir.
589
590 Mr. Emerson - Mr. Chairman, we can work on some of these items and
591 bring those back to you to discuss further. I was going to ask you to consider scheduling
592 a public hearing on these items. I was going to suggest September 9, 2010, just due to
593 the fact that our next available date would be August. I know with vacation schedules
594 and things, there may be people in the public that might want to comment on this.
595
596 Mr. Vanarsdall - Do you think we need a second meeting on it?
597
598 Mr. Emerson - Probably not. We can work on these items, and you can
599 discuss them at a public hearing, if you're comfortable with that.
600
601 Mr. Vanarsdall - I'd rather do that, if it's all right with the other
602 Commissioners.
603
604 Mr. Jernigan - It's alright with me.
605
606 Mrs. Jones - Yes.
607
608 Mr. Branin - Yes.
609
610 Mr. Emerson - Well, then I guess I would request you schedule a public
611 hearing for September 9, 2010. That's your evening meeting in September.

612
613 Mr. Vanarsdall - Do you need a motion to do that?

614
615 Mr. Emerson - Yes, sir.

616
617 Mr. Jernigan - Mr. Chairman, I recommend that we have a public hearing
618 on the Zoning Ordinance amendments for refuse containers on September 9, 2010.

619
620 Mr. Branin - Second.

621
622 Mr. Vanarsdall - Motion by Mr. Jernigan, seconded by Mr. Branin. All in favor
623 say aye. All opposed say no. The ayes have it; the motion passes.

624
625 Mr. Emerson - Mr. Chairman, that takes us to our next work session item,
626 which is the Innsbrook Area Land Use Study in the discussion of designating the area
627 as an Urban Development Area, as per the Code of Virginia. This staff presentation will
628 be made by Mr. Seth Humphreys.

629
630 Mr. Vanarsdall - Good morning, Mr. Humphreys.

631
632 Mr. Humphreys - Good morning, Mr. Chairman, members of the Planning
633 Commission. In this work session, we will be discussing proposed amendments to the
634 2026 Comprehensive Plan regarding the addition of an Urban Development Area or a
635 UDA section. The Planning Department is proposing adding this section as part of the
636 Innsbrook Land Use Study. This presentation will describe what a UDA is, how the
637 Code of Virginia applies, what advantages exist for adding a UDA section, and the
638 actual amendments being proposed.

639
640 An Urban Development Area is a land use tool localities are required to adopt by the
641 Code of Virginia. The intent is for localities to identify an area or areas that are
642 appropriate for higher densities, possibly as redevelopment or infill within an under-
643 developed area. The overriding goal is to capture a majority of the future growth into
644 these areas.

645
646 The amendment being discussed today would further describe the locational criteria for
647 these areas as including access to a regional transportation network and having
648 sufficient existing or planned infrastructure. We felt those were good additions that
649 weren't necessarily addressed in the Code of Virginia.

650
651 The Code of Virginia mandates several aspects of what localities must do to adopt an
652 Urban Development Area and what it must contain. Several aspects of the legislation
653 are of particular interest to the efforts to amend our Comprehensive Plan. State Code
654 mandates the total potential development within the Urban Development Areas must be
655 equal to 10 to 20 years' worth of the future growth for the locality. According to the State
656 Code, the mandated allowable densities for the UDA for a locality the size of Henrico
657 are 8 single-family units per acre; 12 townhouse units per acre; 24 apartment units per

acre; and a commercial floor area ratio of 0.8. These densities do not mean that the development has to be built to that, but just that there is the opportunity for those densities to exist. It should be noted the density requirements will result in one change for Land Bay D, the most recently talked about addition to the Innsbrook Plan. That area will now have a recommended maximum density of 8 versus the previously recommended 7 single-family units per acre. The addition of Land Bay D would help the County satisfy the single-family component of the UDA legislation and is not intended to accommodate any apartments. The area to be defined as the UDA must also be shown on the Future Land Use Map, which we'll be discussing in a few slides. Lastly, the County must send all documentation regarding the adoption of an Urban Development Area to the Commission on Local Government.

These are some of the benefits of what we're going to be doing here. There are several benefits to adopt in an official Urban Development Area at this time. It will solidify the County's compliance with the Code of Virginia. With the adoption of the most recent Comprehensive Plan, we used the self-certification method. That is still available; however, this new section would clarify the County's UDA policy and help to make sure that we do satisfy the State Code. It also gives the option of a more defined vision for these areas. Potential legislation was brought forward during the last General Assembly session that would create future infrastructure funding to be made available for projects within Urban Development Areas. While this legislation was tabled, it could be brought forward again in the future. This could lead to another pool of funding for Henrico to tap for infrastructure projects. We deem it wise to do these Urban Development Areas so that we have the potential to tap any of those funds. Additionally, new stormwater regulations have allowances for developments located within Urban Development Areas. This would help with the Innsbrook area.

The actual amendments to the Comprehensive Plan we are proposing would be made to both Chapter 5 and Chapter 12. The overview section of Chapter 5 would be amended, and a new section for Urban Development Areas would be added. Those have been handed out to you today and were available on your portal previously. The overview section has been black-lined so you can see exactly what text changes were being proposed for that section. All the other sections are completely new, so they were not black-lined.

As part of the new section of Urban Development Areas in Chapter 5, these new keystone policies will be added to the plan in both Chapter 5, "Land Use", and Chapter 12, "Implementation". These keystone policies address residential/non-residential balance; vertically mixed uses; adequate public facilities; vehicular/pedestrian connectivity and circulation; housing variety; mass transit; incorporated environmental features; public open spaces; and transitional areas between the density as seen in the Urban Development Areas and the existing development outside of that. As discussed, the Future Land Use Map will be amended to show the Urban Development Area, as shown on this slide.

703 The amendments discussed today would accompany the Innsbrook Land Use Study
704 through the remainder of its process. The next meeting for the Innsbrook Study will be
705 at an open house on July 7, 2010, regarding the addition of Land Bay D. Then, a public
706 hearing regarding the entire study will be held on July 15, 2010. After action is taken by
707 the Planning Commission, the Study and amendments will come before the Board of
708 Supervisors for a work session and public hearing.

709
710 That concludes my presentation. I'll be happy to take any questions at this time.

711
712 Mr. Vanarsdall - Any questions for Mr. Humphreys?

713
714 Mr. Kaechele - The State has mandated the minimum density that was
715 shown?

716
717 Mr. Humphreys - It has mandated the minimum allowable density. It does not
718 mean that it has to be built to that. For instance—8 single-family units per acre—we just
719 have to allow the possibility for that. In reality, that density is very hard to obtain. It can
720 be done through possibly zero lot line areas. Most of those developments that we're
721 seeing are still in the 6 range. So, it doesn't have to be a minimum of 8; it just has to be
722 allowed to go up to 8.

723
724 Mr. Kaechele - And also the potential funding for that future infrastructure, is
725 there some requirement there? Is our Capital Program sufficient to cover that?

726
727 Mr. Emerson - We have evaluated that briefly. As you know, there will be
728 capital demands in water, sewer, and roads to develop this area. Those will be
729 evaluated as development plans come forward with more specificity. The development
730 community will be looked towards to assist, if not completely fund.

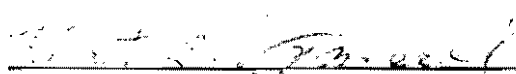
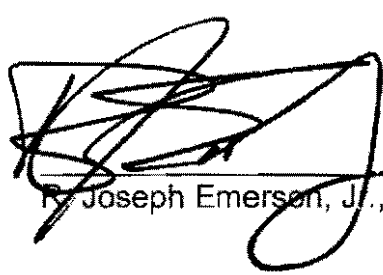
731
732 Mr. Kaechele - It doesn't change a lot from what's already being done.

733
734 Mr. Emerson - No, sir, that would not change from our current practice. Now
735 there is potential—and it was discussed during the General Assembly several times—of
736 certain funding being directed from the State towards Urban Development Areas. Once
737 we place this into our plan and have the ability to work with it, if the General Assembly
738 so sees fit and finds available funds—which may be a stretch in and of itself—possibly
739 there may be some funding in the future if you designated UDA's and you're trying to
740 direct your growth in this concentrated manner. The other thing I guess that they have
741 dangled in front of us are some stormwater management benefits if a UDA is
742 designated. That's pending the regulations that are still under development and, I
743 guess, in review and question. Those are the answers, I guess, to your questions as
744 best I can give at this time.

745
746 Mr. Kaechele - Okay, that's fine.

747
748 Mr. Vanarsdall - Any more questions for Mr. Humphreys? Thank you.

749
750 Mr. Humphreys - You're welcome.
751
752 Mr. Vanarsdall - Mr. Secretary, this community meeting is going to be sort of
753 like the last one we had.
754
755 Mr. Emerson - Yes, sir. This community meeting will be structured exactly
756 as the last one you had, except it is focused only on the additional area to the study.
757 You have a copy of the brochure that will be mailed I believe this week. It will be from
758 5:00 p.m. to 7:00 p.m. on July 7, 2010. One thing, again, I would like to mention. It's not
759 anticipated any multi-family in this area; I know we've gone over it numerous times. Mr.
760 Humphreys touched on it again. We did bump the recommended density from 7 to 8 to
761 be compliant with the UDA mandates from the State of Virginia. The UDA designation
762 does look for allowance for single-family. We received comments at the public hearing
763 regarding the fact we had not made any allowances for single-family. Well, not at the
764 public hearing, but at the post-public meeting. This allows a higher density of single-
765 family in this area, if it's accepted. For your public hearing, we will draft 2 different
766 resolutions for your adoption. One, if there is concern regarding this area, that would
767 move forward the original core study area minus the additional area, and then one that
768 would include the entire area. So at your public hearing, if there is still concern
769 regarding these—I don't want to term it last-minute changes, but essentially that's what
770 it is—to the overall study. If you choose that you are not comfortable with moving it
771 forward with this additional 150-some-odd acres, there will be a resolution available for
772 your adoption that would not include this area. The concept is it's single-family now,
773 detached single-family. It will remain detached single-family, only at a higher density
774 that would be in a gridded pattern complementary to what's envisioned for the whole.
775 Of course, within the original study area, that is the area where we envision multi-family
776 and very high density development along with additional office, retail, and commercial.
777 This would merely be a higher density single-family detached residential component
778 that could complement this area.
779
780 Mr. Vanarsdall - Thank you. Questions for Mr. Emerson?
781
782 Mr. Humphreys - No action is required of the Commission today, unless you
783 have comments or direction for us.
784
785 Mr. Vanarsdall - Do you have anything else for us, Mr. Secretary?
786
787 Mr. Emerson - No, sir, I don't.
788
789 Mr. Vanarsdall - Do the Commissioners have anything to bring to the table?
790
791 Mr. Branin - No, sir.
792
793 Mr. Vanarsdall - All right. I guess that takes care of it. We will adjourn.
794

795 Mr. Emerson - Do you have a motion and a second on that?
796
797 Mr. Jernigan - You don't need it.
798
799 Mrs. Jones - I move that we adjourn.
800
801 Mr. Branin - I second that.
802
803 Mr. Emerson - There we go. Just so you're clear, when you amended your
804 bylaws to require the second, you really need to do that motion and a second. Thank
805 you.
806
807 The meeting is adjourned.
808
809
810
811
812
813 
814 Mr. Ernest B. Vanarsdall, Chairman
815
816
817
818
819 
820
821
822 Joseph Emerson, Jr., Secretary
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824
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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 **June 23, 2010**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

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

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

STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **June 23, 2010**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **June 23, 2010**, which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on June 22, 2011, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **June 23, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **June 22, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **June 23, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **June 22, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to

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

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

Standard Conditions for Zero Lot Line Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **June 23, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **June 22, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **June 23, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **June 22, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.