Minutes of the regular monthly meeting of the Planning Commission of Henrico County, held in the County Administration Building in the Government Center at Parham and Hungary Spring Roads beginning at 9:00 a.m. Wednesday, March 24, 2010.

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

Member Absent: Mr. E. Ray Jernigan, C.P.C., (Varina)

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

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

Mr. Vanarsdall - Good morning, everybody. Welcome to the Henrico County Planning Commission meeting. Good morning, fellow Commissioners, staff members, Ms. News, Mr. Kaechele, Mr. O'Kelly back there, our assistant director, and our director and secretary, Mr. Joe Emerson, and last, but not least, Mr. Kaechele on the end is a member of our Board of Supervisors, as you all know. He's sitting with us this year to keep us straight. He's the immediate past Chairman of our Board. So, welcome again, Mr. Kaechele. With that, I'd like to ask everybody to stand, and face the flag, and **Pledge Allegiance to the Flag**.

Thank you very much. I'll turn the meeting over now to our secretary, Mr. Emerson.

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

Ms. News - Thank you, Mr. Chairman. Good morning, members of the Commission.

Mr. Vanarsdall - Good morning, Ms. News.

Ms. News - We have one item on our list of deferrals this morning, and it will be found on page 8 of your agenda and is located in the Three Chopt District. This is POD-41-07, Pouncey Place, Phase 1. The applicant is requesting a deferral to the April 28, 2010 meeting.

PLAN OF DEVELOPMENT AND MASTER PLAN
(Deferred from the February 24, 2010 meeting)

POD-41-07 POD2007-00101 Pouncey Place, Phase I – Pouncey Tract Rd. and Twin Hickory Lake Dr. (POD-57-86 Rev.)	**Bay Design Group, P.C. for Pouncey Place, LLC:** Request for approval of a plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a shopping center with Phase 1 consisting of 3 one-story retail buildings totaling 32,500 square feet and a future phase consisting of 2 one-story retail buildings totaling 57,200 square feet. The 9.89-acre site is located on the southeast corner of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive on parcel 740-765-2150 and part of parcel 740-765-7333. The zoning is B-2C, Business District (Conditional), A-1, Agricultural District, and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to the deferral of POD-41-07, Pouncey Place, Phase 1? No opposition, Mr. Branin.

Mr. Branin - I'd like to move that POD-41-07, Pouncey Place, Phase 1, be deferred to the April 28, 2010 meeting, per the applicant's request.

Mrs. Jones - Second.

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

At the request of the applicant, the Planning Commission deferred POD-41-07, Pouncey Place, Phase 1, to its April 28, 2010 meeting.

Ms. News - Staff is not aware of any further request for deferrals.

Mr. Emerson - Mr. Chairman, that takes us to the next item on the agenda, the expedited items. Those will be presented by Ms. Leslie News as well.

Ms. News - There are 3 items on our expedited agenda this morning. The first is found on page 3 of your agenda and is located in the Varina District. This is a transfer of approval for POD-32-71, Bellsun Apartments. There's an addendum item on page 1 of the addendum that contains a correction to the street address. Staff recommends approval.

TRANSFER OF APPROVAL

POD-32-71 POD2010-00038 Bellsun Apartments – 145 S. Oak Avenue	**Joyner Fine Properties for Bellsun Apartments, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Bellsun Associates, Morge and Associates IV, Mary Gunnell Phillips, Bellsun Apartment, LP, Bruce Phillips, and Joy G. Phillips, Trustee, to Bellsun Apartments, LLC. The 4.27-acre site is located at the northeast corner of E. Beal Street and S. Oak Avenue, on parcel 823-722-0640. The zoning is R-5, General Residential District. County water and sewer. **(Varina)**

Mr. Vanarsdall - Is there any opposition to POD-32-71, Bellsun Apartments? I move that transfer of approval for POD-32-71, Bellsun Apartments, be approved on the expedited agenda, as recommended by staff.

Mr. Branin - Second.

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

The Planning Commission approved the transfer of approval request for POD-32-71, Bellsun Apartments from Bellsun Associates, Morge and Associates IV, Mary Gunnell Phillips, Bellsun Apartment, LP, Bruce Phillips, and Joy G. Phillips, Trustee, to Bellsun Apartments, LLC, 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 a transfer of approval for POD-50-06, St. Mary's Hospital – Maple Avenue Parking Lot. Staff recommends approval.

TRANSFER OF APPROVAL

POD-50-06 POD2010-00022 St. Mary's Hospital – Maple Avenue Parking Lot – 6203 Monument Avenue	**J. Sargeant Reynolds for Maple Avenue Holdings, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from St. Mary's Hospital of Richmond and Sisters of Bon Secours to Maple Avenue Holdings, LLC. The 1.84-acre site is located on the southwest corner of Monument and Maple Avenues, north of W. Franklin Street, on parcel 768-738-2447. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to POD-50-06, St. Mary's Hospital – Maple Avenue Parking Lot? No opposition, Mr. Branin.

Mr. Branin - Mr. Chairman, I'd like to move that transfer of approval POD-50-06, St. Mary's Hospital – Maple Avenue Parking Lot, be approved 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-50-06, St. Mary's Hospital – Maple Avenue Parking Lot, from St. Mary's Hospital of Richmond and Sisters of Bon Secours to Maple Avenue Holdings, LLC, subject to the standard and added conditions previously approved.

Ms. News - The final item is found on page 6 of the agenda and is located in the Brookland District. This is SUB-02-10, Hungary Creek (March 2010 Plan). There is an addendum item on page 2 of your addendum indicating that staff has received a revised plan providing the required 65-foot front yard setback in addition to the 25-foot planting strip easement along Francistown Road and demonstrating lot width and area for all lots as requested. The common area has been relocated to an area that is accessible, and the layout is substantially similar to the layout that was presented at the time of rezoning. Staff recommends approval subject to the conditions listed in the agenda.

SUBDIVISION

SUB-02-10 SUB2010-00007 Hungary Creek (March 2010 Plan) - Francistown Road	**Parker Consulting for David R. Gibbs and Dominion Land & Development:** The 6.107-acre site proposed for a subdivision of 14 single-family homes is located on the east line of Francistown Road, opposite from its intersection with Nuckols Road, on parcels 759-765-7424, 7456, and 8939. The zoning is R-3C, One Family Residence District (Conditional). County water and sewer. **(Brookland) 14 Lots**

Mr. Vanarsdall - Is there any opposition to case SUB-02-10, Hungary Creek (March 2010 Plan), in the Brookland District? No opposition. I move SUB-02-10, Hungary Creek (March 2010 Plan), be approved on the expedited agenda with the standard conditions for subdivisions served by public utilities and the following additional conditions recommended #13, #14, #15, #16, and #17, and the addendum gives the approval of staff.

Mrs. Jones - Second.

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

The Planning Commission granted conditional approval to SUB-02-10, Hungary Creek (March 2010 Plan), subject to the standard conditions attached to these minutes for subdivisions served by public utilities, the annotations on the plans, and the following additional conditions:

13. Each lot shall contain at least 11,000 square feet.
14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
15. The details for the landscaping to be provided within the 20-foot wide planting strip easement along Francistown Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
16. A County standard sidewalk shall be constructed along the east side of Francistown Road.
17. The proffers approved as part of zoning case C-20C-09 shall be incorporated in this approval.

Ms. News - That concludes our expedited agenda.

Mr. Emerson - Mr. Chairman, we probably should mention what you told me earlier regarding Mr. Jernigan not being here this morning. He had a business conflict, I believe.

Mr. Vanarsdall - Right.

Mr. Emerson - He won't be with us today. The next item on our agenda is Subdivision Extensions of Conditional Approval. Those will be presented by Mr. Lee Pambid.

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL

FOR INFORMATIONAL PURPOSES ONLY – SUBDIVISION EXTENSIONS

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2008-00184 (SUB-001-98) Effinger Drive – A Dedication of a portion of Effinger Drive (June 1998 Plan)	0	0	10	Fairfield	7/01/2014
SUB2008-00141 (SUB-021-06) Mansfield Woods (March 2006 Plan)	105	41	3	Varina	7/01/2014
SUB2008-00062 (SUB-053-07) Staples Mill Centre Reconsideration (September 2007 Plan)	33	33	1	Brookland	7/01/2014

Mr. Vanarsdall - Good morning, Mr. Pambid.

Mr. Pambid - Good morning. This map indicates the location of the subdivisions that are presented for extensions of approval. Three subdivision extensions of conditional approval are entitled to be extended to July 1, 2014, per the new legislation. These are for informational purposes only and do not require Commission action at this time. I can now field any questions that you have regarding these.

Mr. Vanarsdall - Any questions by Commission members for Mr. Pambid? No questions. Thank you, Mr. Pambid.

Mr. Pambid - Thank you.

Mr. Emerson - Mr. Chairman, that now takes us to page 5 of your agenda and also page 1 of your amended agenda.

PLAN OF DEVELOPMENT

POD-08-10 POD2010-00035 Wyndham Swim and Racquet Club Expansion – 6401 Old Wyndham Drive (POD-95-93 Rev.)	**Higgins and Gerstenmaier for The Wyndham Foundation:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct an additional swimming pool, a tennis court, restroom facilities, and a pump house on the site of an existing private swim and racquet club. The 4.40-acre site is located south of Old Wyndham Drive, approximately 1,500 feet west of Wyndham Lake Drive, on parcel 737-779-0577. The zoning is R-3C, One Family Residential District (Conditional) and R-4C, One Family Residential District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to POD-08-10, Wyndham Swim and Racquet Club Expansion? All right. We have opposition.

Mr. Garrison - Good morning. The applicant is requesting approval to add a tennis court, swimming pool, bathrooms, and a pump house to an existing private swim and racquet club. The revised plan is in your addendum with an annotation requiring the pool to meet the required 40-foot rear yard setback. This morning, staff received a sketch confirming that this setback can be met. Staff has received approximately 6 e-mails in opposition from adjacent and nearby Wyndham residents regarding funding and location of these amenities. However, the plans at this stage meet the technical requirements for staff to recommend approval subject to the annotations on the plans and the standard conditions for developments of this type. Randy Biltz with Higgins and Gerstenmaier, Dennis Berman, president of the Wyndham Board of Directors, and staff are available to answer any questions that you may have.

Mr. Vanarsdall - Any questions for Mr. Garrison?

Mr. Branin - None.

Mr. Vanarsdall - Thank you, Mr. Garrison. Mr. Branin, do you want to hear from the opposition first?

Mr. Branin - I would prefer to hear from the opposition first before I hear from the applicant.

Mr. Vanarsdall - Will one of you ladies come down or choose who's going to be first?

Ms. Hutcheson - Good morning. My name is Patricia Hutcheson, and I'm from Wyndham. I didn't know I was going to be speaking. This situation with the expansion of the swim and racquet club has been on everybody's mind for a long time. I don't know that the Board is aware there are many people in Wyndham who do not support the further expansion of the Wyndham Swim and Racquet Club. There are several points.

In December, we polled all of our residents of Kelston Green. We have 58 homes. The total condominium membership at Wyndham is somewhere in excess of 290 or 300 households, so we're not talking an insignificant number of people. We feel that in the light of the real estate market right now, any further expansion adds an extra burden to the assessment that people already carry. We carry both an assessment for an individual neighborhood and a Wyndham assessment. This does have an impact on resale in the area. I guarantee you of that. I am not alone. There are many, many people who object to this plan. In December, Wyndham put out a survey that did not say in any way do you object to this program. It only said these are the amenities we wish to add. Rate them. No place on the form did it ever say do you object, are you absolutely against. I feel that in the light of the current real estate market, any further burden on homeowners is both irresponsible and frivolous. I thank you very much for your time.

Mr. Vanarsdall - Ms. Hutcheson, you say the Board did not want this, or did I misunderstand you?

Ms. Hutcheson - I'm sorry. The Wyndham Board, the Board of Directors of Wyndham, of which we all participate, put out a survey in December asking residents what they thought about this plan and invited them to respond. The survey, I feel, was flawed. It said these are the things; please rate them in the importance that you put on them.

Mr. Vanarsdall - But it didn't ask if you objected?

Ms. Hutcheson - That's right. There was no place to object. Because of that, our association of the 58 homes, we surveyed our residents, and we put together a signature sheet. With the voting majority of our members, we copied that sheet and gave it to Wyndham saying we absolutely are opposed. I think that before anything else is considered, they should try again. If we're going to have another hearing, I assure you there will probably be many homeowners here. We were told this morning that this was just some preliminary meeting, but two of us decided maybe we better come, so we did.

Mr. Kaechele - Did the survey indicate a new assessment and additional fees would be required?

Ms. Hutcheson - I don't remember whether it did or not. But the reality is each of us who lives in Wyndham pays an assessment to the Wyndham Foundation for the

upkeep, the swimming pool, tennis courts. There are many people who never use those facilities. I will be a resident of Wyndham 15 years in December. I do not use that. I belong to a different club completely. Even though I've since resigned, I am no longer able to participate in anything like that. So that is just a frivolous expense that I bear along with many other people, many people who are retired, many people who moved to condo units because they wanted the freedom from yard work and all that. It's been a very delightful place to live, I will say that. And I can't say enough good things about it. But to go ahead and expand something that just doesn't—we have people who do not use those facilities at all.

Mr. Kaechele - I understand.

Ms. Hutcheson - There's no out. There's no reduction, there's nothing.

Mr. Branin - Ms. Hutcheson, If you don't mind, I have 3 or 4 questions. Who told you that this was not an important meeting?

Ms. Hutcheson - Oh, at the last minute someone said something that this was just an informational meeting rather than—it might just be informational rather than an action taken.

Mr. Branin - Who told you that? Robert Murphy? He's just a homeowner?

Ms. Hutcheson - Yes.

Mr. Branin - Okay. Well, he was mistaken.

Ms. Hutcheson - And believe me, I'm not making any reference to—I'm very much aware of how important Commissions are and the work that you all do.

Mr. Branin - More important, I just wanted to make sure you weren't being misled by the Board or by anyone else.

Ms. Hutcheson - Oh, absolutely not. Absolutely not.

Mr. Branin - Okay. Ms. Hutcheson, I need to explain to you that this meets all of the criteria for this piece of land. They can build this by right. The only thing that we can do is ensure quality and make sure that the landscaping is proper.

Ms. Hutcheson - Right, right.

Ms. Hutcheson - So our decision to move it forward is saying we agree that this is quality, but we don't have the right to say, "You can't build this pool." You as a homeowner, a member of the association, have full right to get everyone in Wyndham to go to your Board and say, "We don't want this pool."

Ms. Hutcheson - Right.

Mr. Branin - But the Commission here will also remember when we did a case with HHHunt recently, one of the key factors with—we had, I think 5 or 6 neighborhood meetings where we had 100 to 200 people. They were literally lined up around the elementary school to get in there. One of the key factors that they kept telling HHHunt was we need more pools; we need more amenities. We want this pool. One of the things HHHunt gave to the Board and the people was the money to build this pool. I was there during that whole deal being made, that they were going to give the money to the association to build a pool. So although you may not use the pool and there are several others in your neighborhood that don't use these amenities, there are a huge number in your development that do, and they were screaming a year or year and a half ago that they wanted another pool. I understand how you feel, but a lot of what you have and what you desire and what you don't want needs to be taken up with your association Board.

Ms. Hutcheson - I appreciate that.

Mr. Branin - Yes, ma'am.

Ms. Hutcheson - And I appreciate your comments. The people who were circling the block and asking for the amenities, that was Wyndham?

Mr. Branin - Yes, ma'am.

Ms. Hutcheson - Okay, okay. All right. I certainly do understand that. The builder, however, in the case of expanding these facilities, I don't believe there's any provision for the builder to provide all the funding for the construction. Am I right?

Mr. Branin - I know that HHHunt is providing $250,000 for the building of this pool.

Ms. Hutcheson - Do they have the final costs of the plan?

Mr. Branin - Again, this Commission here will look at the quality of this. The finance, the politics, and so forth of Wyndham we're not allowed to get involved in.

Ms. Hutcheson - Okay. All right, all right. I thank you very much. I guess the homeowners of Wyndham will have to be more diligent.

Mr. Branin - More diligent with your own Board, yes, ma'am.

Ms. Hutcheson - But I thank you all for your service, and I thank you for everything you do for Henrico County.

Mr. Branin - Thank you.

Mr. Vanarsdall - Thank you for coming, Ms. Hutcheson. I assure you it wasn't a waste of time.

Mr. Branin - Any others? Can we hear from the applicant please?

Mr. Vanarsdall - Good morning.

Mr. Berman - Good morning. Thank you very much for your time. My name is Dennis Berman. I'm the president of the Wyndham Foundation Board of Directors. First, I want to thank everybody who has submitted their comments. We listen to them. We've had multiple public meetings. We live in the same community, and we appreciate all the amenities that we have.

I can speak to a couple of things, but again, I'm going to limit my comments to things that this Commission really doesn't care about—I know they care about, but it's mostly political and financial.

The survey that we put out used industry standard statistical analysis, and it was correct. We did not have a checkbox that says, "You don't want any of this at all." Instead, we gave them ten items and said rank them. Tell us the lesser of the evils, so to speak. We had a very, very good response rate. Hundreds and hundreds of people responded to this survey out of the 1,650 homes. At the very, very top of the list was we want a pool. Near the bottom was a tennis court. So even if everybody opposed it and didn't want the pool at all, it would have floated to the bottom of these ten items. Again, we employed statistical analysis which is very industry accepted.

As Mr. Branin stated, we are just fulfilling on what we started 2 years ago with HHHunt to provide additional amenities that are needed. The pool is crowded. With a diverse population of 1,650 homes, we're not going to please everybody with the amenities we add. There are many amenities that I don't use but am willing to pay for because it makes up what is Wyndham, the Wyndham community. It helps the value of my home to know that other people who move in after me are going to be able to use these amenities, whether I use them or not.

Again, I don't want to take any more time, but if you have any more questions—

Mr. Branin - I do. You said your last name is?

Mr. Berman - Berman. B-e-r-m-a-n.

Mr. Branin - Mr. Berman, I'm going to ask it because she asked. It really is none of this Commission's business. Is the reassessment going up?

Mr. Berman - We have not approved any increase in fees or assessments. We don't leave out the possibility that we will, but our goal stated in public is that we want to raise the money from HHHunt. They are providing us—with the approval that the Commission hopefully gives us—$50,000. If the 3 HHHunt communities that are planned for the Cosby tract are approved by this Commission, we will receive an additional $250,000 for a total of $300,000. We have also been financing a line item in our budget each year for, I believe, $10,000 for the last several years. So when you add it up together, admittedly, it probably won't hit the cost of the pool and certainly not the cost of the pool plus the tennis court. So the actuality of building the tennis court is in jeopardy. There has been no approval for any release of funds beyond the initial study that we've commissioned with H & G. They're sitting here today. No construction will begin; no assessments will be made until we receive funds—if at all—until we receive funds from HHHunt to help pay for this.

Mr. Branin - One more. Mr. Berman, how many meetings did you have?

Mr. Berman - We reviewed this for the past year at every Board meeting, which is public, so that would be 6 Board meetings. Plus, we had an additional 3 public meetings where we invited the public in, especially the 27 homes that are along the fence line, the adjacent properties to the proposed build site.

Mr. Branin - So you had 3, basically, to discuss this?

Mr. Berman - In addition to the Board meetings. Plus we publicized our results in our newsletter and on our website.

Mr. Branin - How long have you been on the Board?

Mr. Berman - It'll be 2 years this June, plus I'd been a neighborhood rep for 4 years prior.

Mr. Branin - Okay. I'm going to make a formal request to you and for you to pass it on to future Board members. Mr. Kaechele and I both have worked very, very closely with Wyndham, Twin Hickory, Wellesley—all of our planned communities. Anytime there is any case that comes up that will affect the community, although your meetings are right, I'm sure you had a nice time, we weren't involved in them. So to say we had meeting and there was opposition or there wasn't any opposition, we have no knowledge of that. The community, Wellesley, makes a point of asking us always to come any time there's any case that affects their neighborhood and expects us to bring them in and discuss anything that's changed, such as the Kroger that's going in. That shopping center, we've had, what, 10 meetings over the course of that? But that community is in touch with what's going on there, and we're in touch with what the community feels about it. That coexistence and working together is crucial to both Mr. Kaechele and I to work with the people we represent. So I'm asking you in the future that you make sure—we don't need to be at every meeting, but when you sit down with something that's going to affect people's lives, that's going to affect someone that is

used to having woods is now going to have a pool closer to their house, we need to be part of that so we understand and we can start working with the developer in preventing or helping to lessen that impact.

Mr. Berman - I respect that, and we will certainly go forward and involve you more. Our apologies if we didn't invite you. The reason why we didn't was that it was not a request for rezoning, as was the HHHunt development. Therefore, we're using the land as stated.

Mr. Branin - Correct, but—

Mr. Berman - The Commission was already aware of the fact that we were going to—

Mr. Berman - But you still need to come in front of this Board. As soon as you get us involved, we want to be involved.

Mr. Berman - More so than you were with the proceedings with H & G engaging your group? Or that was just through Greg's group?

Mr. Branin - Yes.

Mr. Berman - Okay. Then indeed, we will invite you going forward for any similar matter.

Mr. Branin - So you have another opportunity and we have another opportunity, I'm going to pull the landscaping out of this today. Your project is going to move forward. You can continue to go further with your development, but I'm going to pull #9 and #11 out, which is your landscaping, so I can get some input from your residents and get a feel for those people that this will be affecting and how we can address it. Do you understand why I'm so interested in that?

Mr. Berman - Not quite. I'm not an expert in that area.

Mr. Branin - I need to know what the people of Wyndham are thinking.

Mr. Berman - Absolutely.

Mr. Branin - By pulling #9 and #11 out, it's going to allow me to have a neighborhood meeting. It's not going to slow down this case because I know there are also factors. You can build this by right, but this will allow us to get in with people and get some input.

Mr. Berman - Absolutely. I have comments, if the Commission wants to be copied on them. I've sent some stuff to Greg prior. So we have all positive and negative

stuff out there on the website; we'll be glad to provide it. Will your office get in touch with our Board and let us know how to engage your group?

Mr. Branin - Mr. Garrison will definitely do that today.

Mr. Berman - Great. I appreciate it.

Mr. Kaechele - One other question, Mr. Berman. You've been on there for 2 years. That was about the time the Cosby property was added to Wyndham?

Mr. Berman - I stood in front of this group opposing the Cosby expansion.

Mr. Kaechele - Oh, you did?

Mr. Berman - For the reason that I love the Wyndham community, like the people behind me who have commented on their concerns. Yes.

Mr. Kaechele - The Wyndham Foundation really ended up supporting that zoning at that time, I believe. A part of that case was the addition of new amenities. I think that was supported by the broader community at that time, right?

Mr. Berman - Yes, sir, it was.

Mr. Kaechele - This is just a follow-up to that.

Mr. Berman - Directly related.

Mr. Kaechele - Thank you.

Mr. Branin - I forgot, Mr. Berman, that you were in opposition to that.

Mr. Berman - Yes, I was.

Mr. Branin - So you can appreciate our position.

Mr. Berman - I respect it. That's why I joined the Board.

Mr. Branin - Okay, good. All right. I have nothing further, Mr. Chairman.

Mr. Vanarsdall - Any other questions? Thank you.

Mr. Berman - Thank you.

Mr. Branin - Mr. Secretary, how would you like me to state moving this forward, adding #9 and #11. Just state it that way?

Mr. Emerson - Just state it that way.

Mr. Branin - Okay. Mr. Chairman, I'd like to move that POD-08-10, Wyndham Swim and Racquet Club Expansion, move forward with an approval, with additional conditions #29, # 9 amended, and #11 amended, with the understanding that there will be a landscape and lighting meeting in the community.

Mrs. Jones - Second.

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

The Planning Commission approved POD-08-10, Wyndham Swim and Racquet Club Expansion, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

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.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
29. The proffers approved as a part of zoning case C-48C-90 shall be incorporated in this approval.

Mr. Vanarsdall - I thank everyone for coming on this case.

PLAN OF DEVELOPMENT – ARCHITECTURALS

POD-76-05 POD2010-00031 Reconsideration: Architecturals – St. Claire Ridge Condominiums – Elkridge Lane and 20th Street	**Style Craft Homes Development Corporation for Saint Claire Ridge Development Company:** Request for approval of revised architectural plans for 37 two-story, detached condominiums, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 6.98-acre site is located at the north intersection of Elkridge Lane and 20th Street, adjoining the northwest property line of Oak Hill Subdivision, on parcel 800-730-7438. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Fairfield)**

Mr. Vanarsdall - Is anyone in the audience in opposition to POD-76-05, Reconsideration: Architecturals – St. Claire Ridge Condominiums? No opposition. Good morning.

Ms. Goggin - Good morning. The request by the developer, Style Craft Homes, is to substitute the previously-approved architectural elevations with new elevations. Previous approval was for 3 units, and staff has included these elevations in the packet that was delivered to you last week. The request is for 4 units with 2 passable front elevations on each. The options will allow for many architectural styles and elevations within the neighborhood. The original developer for Saint Claire Ridge Condos submitted the original elevations in late 2005, and they were approved by the Planning Commission in January 2006. As mentioned, the approval was for 3 different building styles in a 37-unit detached condo development. So, here is one of those styles, and there's another one. The third one is right here. The units were what the public wanted at that time, according to Style Craft Homes' marketing study. Since that time, the market has changed. Style Craft homes is the sole developer in Saint Claire Ridge. Their marketing studies now show that prospective buyers want more options and variety when shopping for new homes, thus requesting Planning Commission's approval for new elevations.

The first one, the Laurel, offers an all-siding front or a partial brick front. The siding is on this side, and the brick is on this side. In conjunction with that option, prospective buyers can choose a roofline and the style of windows they would prefer on the second floor.

The Burton offers a choice of vinyl or brick, a covered stoop, a different front door treatment, and even dormers on the second floor, as shown on this example. You could have a mix of vinyl and dormers, or brick and dormers, covered stoop/not covered stoop. The dormers allow for a little extra square footage on the second floor that wouldn't be there otherwise.

The Morris also offers a brick option, a full porch or a covered stoop, different window styles on the first and second floors, and a different roofline, which is also visible from the rear elevation.

The Piedmont offers a brick option, different window styles on the first and second floors, and a different roofline, which is also visible on the rear elevation. You can tell there is a variety of different architectural styles and options, even though it's only 4 units.

In addition to the 4 basic models and the number of exterior options the applicant is offering—16 choices for the siding and 20 color options for the shutters, which I passed around to you a little bit earlier—all colors are available for the prospective purchaser to select. They are subject to the architectural review board for approval. For example, no 2 houses right next to each other can have the same color options, and the ARB can also deny color options such as wheat siding and wheat shutters.

Staff recommends approval of the revised architecturals, subject to the conditions previously approved for POD-76-05 by the Planning Commission at its January 25, 2006 meeting. I would be happy to answer any questions from the Commission. Larry Horton from Style Craft Homes is here to answer any questions you may have of him.

Mr. Vanarsdall - Any questions for Ms. Goggin from the Commission?

Mr. Archer - No questions, but I would like to speak to the applicant.

Mr. Vanarsdall - Thank you, Ms. Goggin. Now, we'll hear from Mr. Horton.

Mr. Horton - Good morning. I'm Larry Horton from Style Craft Homes.

Mr. Archer - Good morning, Mr. Horton. How are you, sir? As you know, we met on this several times to discuss it.

Mr. Horton - Yes, sir, we did.

Mr. Archer - For the benefit of my fellow Commission members, there were some things that Mr. Horton was trying to accomplish that we weren't able to do. I think adding this additional style will add some benefit for the consumer. Mr. Horton takes a lot of pride in what Style Craft Homes builds. They'll invite you at any time to go and look at what his products have been.

Mr. Horton - Thank you very much.

Mr. Archer - Mr. Horton, are you squared away about all the things we discussed previously?

Mr. Horton - Yes, sir. I'm sorry I couldn't increase my density, but I do need to change my product because this is what the consumer wants.

Mr. Archer - We tried, but we couldn't figure out a way to do it.

Mr. Horton - And I appreciate working with Mr. Archer, as always.

Mr. Archer - Okay, that's all I have, unless somebody else has a question.

Mr. Vanarsdall - Anymore questions for Mr. Horton?

Mr. Horton - Thank you.

Mr. Archer - Mr. Chairman, with that I will move for approval of POD-76-05, Reconsideration: Architecturals – St. Claire Ridge Condominiums, subject to the conditions previously approved for POD-76-05, at the January 25, 2006 meeting.

Mrs. Jones - Second.

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

The Planning Commission approved POD-76-05, Reconsideration: Architecturals – St. Claire Ridge Condominiums, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type and the conditions previously approved.

Mr. Emerson - Mr. Chairman, that takes us to the discussion item on your agenda, which you should have available to you or we should have ready to hand out. I don't see Mr. Sehl. A copy of the Innsbrook study, do you have it? Okay, good; it was handed out.

As you're aware, the Board directed us to study Innsbrook and determine what uses might occur in the future. We had been working with the property owners in that area over the last several months, developing a study and some land use suggestions for future use. We would like to have a work session with the Commission on April 15, 2010, to review with you the findings of our study and also tell you what our schedule will be going forth in regards to public input, your public hearing schedule, and then, of course, subsequent recommendations to the Board. If it meets with the Commission's liking, I would suggest an April 15, 2010 work session prior to your regular meeting. Certainly, we can bring in some sandwiches for dinner if you'd like. I was looking for possibly 6:00 p.m. I think if you'd like to eat, we could do 5:45 p.m. Six o'clock probably gives us enough time, but it is a little more in-depth than our normal study. Knowing you have the study in front of you, I'll leave it up to you if you want to come in at 5:45 p.m. versus 6:00 p.m. You may have more questions; you may have fewer questions. It is approximately 1,200 acres of land that we're talking about.

Mrs. Jones - Mr. Secretary, I think we need to at least give ourselves enough time to make sure that we cover this in depth. I'd suggest 5:30 p.m. If we're coming in, let's come on in at 5:30 p.m.

Mr. Vanarsdall - Okay. Mr. Archer?

Mr. Archer - That's fine with me.

Mr. Vanarsdall - Mr. Branin, is that all right with you?

Mr. Branin - I'm good with that, Mr. Chairman.

Mr. Vanarsdall - Mr. Kaechele, can you make 5:30 p.m.?

Mr. Vanarsdall - Then, I'll entertain a motion for 5:30 p.m.

Mrs. Jones - I so move.

Mr. Branin - Second.

Mr. Vanarsdall - Motion made and seconded. Thank you, Mr. Secretary.

Mr. Emerson - Thank you, Mr. Chairman. The next item on your agenda is the approval of minutes from your February 24, 2010 meeting.

APPROVAL OF MINUTES: February 24, 2010 Minutes

Mr. Vanarsdall - Did anybody read them this time?

Mr. Branin - I did, and I didn't see anything right off.

Mrs. Jones - I read them. There is something I said that honestly doesn't make sense as I reread it.

Mr. Vanarsdall - Are you denying what you said, Mrs. Jones?

Mrs. Jones - I will have to accept it as printed. I have no idea. Just wanted you to know.

Mr. Vanarsdall - Would you point it out to us?

Mrs. Jones - No.

Mr. Archer - You're going to make us read them and figure it out.

Mrs. Jones - Exactly. So I will move that the minutes be accepted as presented.

Mr. Branin - Second.

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

The Planning Commission approved the February 24, 2010 minutes as submitted.

Mr. Emerson - Mr. Chairman, before you adjourn, I would like to note to you that we have 2 staff members present with us today that recently successfully completed the first level of their career development program. They would be Ms. Aimee Berndt and Mr. Greg Garrison. As of March 27, 2010, their status will change from Planner I to Planner II.

Mr. Vanarsdall - Wonderful.

Mr. Emerson - I would like to congratulate them. With that, Mr. Chairman, I have nothing more for the Commission today.

Mr. Vanarsdall - Does anyone else have anything? All right, I'll adjourn the meeting if there's nothing else.

The meeting is adjourned.

Mr. Ernest B. Vanarsdall, Chairman

R. Joseph Emerson, Jr., Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

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

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

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

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

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

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

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

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

7. The plan of development plan shall be revised as annotated on the staff plan dated **March 24, 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 **March 24, 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 **March 24, 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 **March 23, 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 **March 24, 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 **March 23, 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 **March 24, 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 **March 23, 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 **March 24, 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 **March 23, 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 **March 24, 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 **March 23, 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.