

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 Springs Roads beginning at 9:00 a.m. Wednesday, March 23, 2016.
4

Members Present: Mr. C. W. Archer, C.P.C., Chair (Fairfield)
Ms. Bonnie-Leigh Jones, C.P.C., Vice-Chair (Tuckahoe)
Mr. Eric Leabough, C.P.C., (Varina)
Mrs. Sandra M. Marshall (Three Chopt)
Mr. Robert H. Witte, Jr., Chairman (Brookland)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mr. Frank J. Thornton,
Board of Supervisors' Representative

Others Present: Ms. Jean Moore, Assistant Director of Planning
Ms. Leslie A. News, PLA, Senior Principal Planner
Mr. 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, AICP, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Aimee B. Crady, AICP, County Planner
Ms. Sharon Smidler, P.E., Traffic Engineer
Mr. Gary A. DuVal, P.E., Traffic Engineer
Ms. Kim Vann, Division of Police
Mr. Ross Lewis, Division of Police
Ms. Latrice Gordon, Division of Police
Ms. Kate Teator, County Planner/Recording Secretary

5
6 **Mr. Frank J. Thornton, the Board of Supervisors' representative, abstains on all**
7 **cases unless otherwise noted.**
8

9 Mr. Archer - Let us come to order, please. Welcome to the March 23rd
10 meeting of the Henrico County Planning Commission. I don't see anybody—yes I do. How
11 are you, Mr. Robinson, I believe, from the *Times-Dispatch*? Good to see you, sir. With that,
12 will everyone please silence or mute their telephones or turn them off and stand as we
13 salute the flag.
14

15 Okay, moving right along. With that, I will turn the meeting over to our secretary,
16 Mr. Emerson. He will conduct things from here. Mr. Emerson.
17

18 Mr. Emerson - Thank you, Mr. Chairman. First on your agenda this morning
19 are the Requests for Deferrals and Withdrawals. Those will be presented by Ms. Leslie
20 News.

21 Mr. Archer - Good morning, Ms. News.

22
23
24 Ms. News - Good morning, Mr. Chairman, members of the Commission.
25 We have three requests for deferrals this morning. The first is found on page 6 of your
26 agenda and is located in the Three Chopt District. This is POD2015-00322, Corner Bakery
27 at Car Care Shopping Center. The applicant has requested a deferral to the April 27, 2016
28 meeting.

29
30 *(Deferred from the February 24, 2016 Meeting)*

31 **PLAN OF DEVELOPMENT**

32
POD2015-00322
Corner Bakery at Car Care
Shopping Center – 11000
West Broad Street (U.S.
Route 250)

Parker Design Group for Global General Properties, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing vacant car service station and construct a one-story, 4,052 square foot restaurant with drive-through facilities in an existing shopping center. The 1.06-acre site is located on the northwest corner of the intersection of W. Broad Street (U.S. Route 250) and Dominion Boulevard, on parcel 747-760-3077 and part of parcel 747-760-1291. The zoning is B-3C, Business District (Conditional). County water and sewer.
(Three Chopt)

33
34 Mr. Archer - Thank you. Is there anyone here who is opposed to the
35 deferment of POD2015-00322, Corner Bakery at Car Care Shopping Center? I see none.
36 Mrs. Marshall.

37
38 Mrs. Marshall - I move POD2015-00322, Corner Bakery at Car Care Shopping
39 Center, be deferred to the April 27, 2016 meeting, per the applicant's request.

40
41 Mr. Leabough - Second.

42
43 Mr. Archer - Motion by Mrs. Marshall and seconded by Mr. Leabough. All in
44 favor say aye. All opposed say no. The ayes have it; the deferment passes.

45
46 At the request of the applicant, the Planning Commission deferred POD2015-00322,
47 Corner Bakery at Car Care Shopping Center, to its April 27, 2016 meeting.

48
49 Ms. News - The next item is on page 8 of your agenda and located in the
50 Three Chopt District. This is POD2016-00014, Bon Secours Short Pump at Broad Hill
51 Centre - Revised. The applicant has requested a deferral to the April 27, 2016 meeting.

(Deferred from the February 24, 2016 Meeting)

PLAN OF DEVELOPMENT

POD2016-00014

Bon Secours Short Pump
at Broad Hill Centre -
Revised - 12320 West
Broad Street (U.S. Route
250)

Timmons Group for Bon Secours Richmond Health System and PETRA: Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story 49,750 square foot medical office building and a five-story 125,000 square foot medical office building. The 18.9-acre site is located on the north line of West Broad Street (U.S. Route 250), approximately 3,000 feet west of North Gayton Road, on parcel 731-766-2002. The zoning is O-3C, Office District (Conditional), R-6C, General Residential District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Archer - Okay. Is there anyone here who opposed this deferment, POD2016-00014, Bon Secours Short Pump at Broad Hill Centre - Revised? Mrs. Marshall again.

Mrs. Marshall - I move POD2016-00014, Bon Secours Short Pump at Broad Hill Centre, be deferred to the April 27, 2016 meeting, at the request of the applicant.

Ms. Jones - Second.

Mr. Archer - Motion by Mrs. Marshall and seconded by Ms. Jones. All in favor say aye. All opposed say no. The ayes have it; the deferment is granted.

At the request of the applicant, the Planning Commission deferred POD2016-00014, Bon Secours Short Pump at Broad Hill Centre – Revised, to its April 27, 2016 meeting.

Ms. News - The next item is on page 10 of your agenda and located in the Varina District. This is POD2016-00040, Rocketts Landing - Phase IV, Architecturals. The applicant has requested a deferral to the April 27, 2016 meeting.

(Deferred from the February 24, 2016 Meeting)

PLAN OF DEVELOPMENT - ARCHITECTURALS ONLY

POD2016-00040

Rocketts Landing - Phase
IV - 5300 Old Osborne
Turnpike

Timmons Group for Central Virginia Investments/ Rocketts Landing, LLC: Request for approval of architectural plans for a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 28 three and four-story single-family residential townhomes for sale on Block 19 of the Village of Rocketts Landing. The 1.91-acre site is located west of Old Osborne Turnpike (State Route 5) along the west line of Old Main

Street (private) between Old Delaware Street extended (private) and Old Charles Street (private), on part of parcel 797-712-4340. The zoning is UMUC, Urban Mixed Use District (Conditional). City of Richmond water and sewer. (Varina)

Mr. Archer - Okay. Is there opposition to this deferment, POD2016-00040, Rocketts Landing - Phase IV? No opposition. Mr. Leabough.

Mr. Leabough - There being no opposition, Mr. Chair, I move that POD2016-00040, Rocketts Landing - Phase IV, Architecturals, be deferred at the applicant's request to the April 27th meeting.

Mr. Witte - Second.

Mr. Archer - Motion by Mr. Leabough and seconded by Mr. Witte. 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 POD2016-00040, Rocketts Landing - Phase IV, Architecturals, to its April 27, 2016 meeting.

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

Mr. Archer - All right, thank you, Ms. News.

Mr. Emerson - Mr. Chairman, if the Commission has no further deferrals to add to the list this morning, we'll move on to the expedited agenda, which will also be presented by Ms. Leslie News.

Mr. Archer - Ms. News.

Ms. News - We have one item on our expedited agenda this morning, and that can be found on page 3. It's located in the Brookland District. This is a transfer of approval for POD-55-75 – it's a portion of a POD – and POD-46-94, Brookfield Commons. Staff recommends approval.

TRANSFER OF APPROVAL

POD-55-75 (part) and
POD-46-94
POD2014-00439 and
POD2014-00463
Brookfield Commons -
6600 West Broad Street
(U.S. Route 250)

Adena Patterson for DMARC 2006-CD2 Office 6600, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Direct Invest – Brookfield Commons, LLC to DMARC 2006-CD2 Office 6600, LLC. The 6.82-acre site is located on the northeast corner of the intersection of West Broad Street (U. S. Route 250) and Dickens Road, on parcel 768-

743-7194. The zoning is O-3, Office District. County water and sewer. **(Brookland)**

Mr. Archer - Is there anybody here who is opposed to transfer for POD-55-75 (part) and POD-46-94 (POD2014-00439 and POD2014-00463), Brookfield Commons? I see no opposition.

Mr. Witte - Mr. Chairman, I move approval of TOA for POD-55-75 (part) and POD-46-94 (POD2014-00439 and POD2014-00463), Brookfield Commons, 6600 West Broad Street, as presented, subject to the previously approved conditions, on the expedited agenda.

Ms. Jones - Second.

Mr. Archer - All right. Motion by Mr. Witte and seconded by Ms. 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-55-75 (part) and POD-46-94 (POD2014-00439 and POD2014-00463), Brookfield Commons, from Direct Invest – Brookfield Commons, LLC to DMARC 2006-CD2 Office 6600, LLC, subject to the standard and added conditions previously approved.

Ms. News - That completes our expedited agenda.

Mr. Archer - Thank you, ma'am.

Mr. Emerson - Mr. Chairman, we now move on to Subdivision Extensions and Withdrawals of Conditional Approval. Those will be presented by Mr. Lee Pambid.

SUBDIVISION EXTENSIONS AND WITHDRAWALS OF CONDITIONAL APPROVAL

There are no conditional extensions for this month.

SUBDIVISION WITHDRAWAL REQUESTS

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District
SUB2008-00156 (SUB-045-06) Greenwood Manor (September 2006 Plan)	8	8	4	Fairfield

Mr. Archer - Good morning, Mr. Pambid.

150 Mr. Pambid Good morning. This map indicates the location of Greenwood
151 Manor, September 2006 plan, which is presented for a withdrawal of conditional approval.
152 It's located in the Fairfield District. This extension requires Commission action.

153
154 This concludes my presentation. I can now field any questions you have regarding this
155 matter.

156
157 Mr. Archer - All right. Any questions from the Commission. All right. Since
158 we require a motion, I move that the request for withdrawal be approved.

159
160 Mr. Witte - Second.

161
162 Mr. Archer - Motion by Mr. Archer and seconded by Mr. Witte. All in favor
163 say aye. All opposed say no. The ayes have it, and the withdrawal is granted.

164
165 At the request of the applicant, the Planning Commission withdrew SUB2008-00156
166 (SUB-045-06), Greenwood Manor (September 2006 Plan), from further consideration by
167 the Commission.

168
169 Mr. Emerson - Mr. Chairman, we now move into your regular agenda page 4
170 and page 1 of your amended agenda for POD2015-00334, BCWH Architects for Second
171 Baptist Church Trustees. Mr. Greg Garrison will present the case.

172
173 **LANDSCAPE PLAN**

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POD2015-00334
Second Baptist Church -
Family Life Center
Addition – 9614 River
Road

BCWH Architects for Second Baptist Church Trustees:
Request for approval of a landscape plan, as required by
Chapter 24, Sections 24-106 and 24-106.2 of the Henrico
County Code. The 10.56-acre site is located on the
northeast corner of the intersection of River Road and
Gaskin Road, on parcels 743-737-0432 and 743-737-1972.
The zoning is R-1, One-Family Residential District. County
water and sewer. **(Tuckahoe)**

175
176 Mr. Archer - Good morning, Mr. Garrison. Is there anyone here who is
177 opposed to POD2015-00334, Second Baptist Church – Family Life Center Addition? No
178 opposition. Mr. Garrison.

179
180 Mr. Garrison - Good morning. The applicant is requesting approval of a
181 landscape plan for Second Baptist Church. The revised plan in your addendum addresses
182 staff concerns regarding alternate evergreen plant material on the north property line,
183 which is right here, that will better mitigate views into the site.

184
185 Residents from George's Bluff neighborhood reviewed the plan and have requested that
186 the remaining section of existing Wax Myrtles be replaced with a similar species as
187 proposed in the revised plan. That would be this area right in here where these existing

188 Wax Myrtles were to remain, but now will be replaced with a similar species that will exceed
189 the height of the fence. This will provide better consistency and better screening. The
190 applicant has agreed to provide this material.

191
192 Staff can now recommend approval subject to the annotations on the plan and the
193 standard conditions for landscape plans. Staff is available to answer any questions that
194 you may have.

195
196 Mr. Archer - Thank you, Mr. Garrison. Ms. Jones, do you have questions or
197 does any other member of the Commission have questions?

198
199 Ms. Jones - No. Mr. Garrison and I have worked with this for a number of
200 months as these plans have come through. There are a lot of changes going on at the
201 corner of River and Gaskins. The landscape plan was integral to fitting this into the general
202 site and the community. George's Bluff has been very active in this and has been active
203 in community meetings. The plant material was important, and I thank the church for being
204 willing to make those concessions to the neighbors' request. And I thank Mr. Garrison for
205 being the clearinghouse for that information. So I have no more concerns. I think
206 everything that was brought up at the community meetings and certainly the things that
207 have come up since the site's been under construction have been answered. We have a
208 beautiful site in the making, and I wish the church well with the rest of the construction.

209
210 I'm ready for a motion unless there are other questions.

211
212 Mr. Archer - All right. Go ahead, Ms. Jones. Any other questions? Okay.

213
214 Ms. Jones - Okay? So I move approval of the landscape plan for POD2015-
215 00334, Second Baptist Church – Family Life Center Addition, at 9614 River Road. This
216 would be subject to the annotations that are on the plan, standard conditions for landscape
217 plans, the reference to the revised plan and the revised recommendation on the
218 addendum, and the revised plan you have before you this morning.

219
220 Mr. Leabough - Second.

221
222 Mr. Archer - Motion by Ms. Jones and seconded by Mr. Leabough. All in
223 favor say aye. All opposed say no. The ayes have it; the motion passes.

224
225 The Planning Commission approved the landscape plan for POD2015-00334, Second
226 Baptist Church – Family Life Center Addition, subject to the standard conditions attached
227 to these minutes for landscape plans.

228
229 Mr. Emerson - Mr. Chairman, we now move on to page 5 of your regular
230 agenda and page 2 of your amended agenda for POD2016-00061, Kimley-Horn and
231 Associates for Rebkee Replacement LLC. The staff report will be presented by Mr. Mike
232 Kennedy.

234 **LANDSCAPE PLAN**

235 POD2016-00061
Shire Walk – 11901
Church Road

Kimley-Horn and Associates for Rebkee Replacement, LLC: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 5.745-acre site is located on the north line of John Rolfe Parkway and the south line of Church Road, approximately 775 feet west of the intersection of Pump Road and John Rolfe Parkway, on parcel 739-754-2243 and part of parcel 738-753-9783. The zoning is RTHC, Residential Townhouse District (Conditional), R-3AC, One-Family Residential District, and C-1C, Conservation District. County water and sewer. (Tuckahoe)

236
237
238 Mr. Archer - Thank you. Good morning, Mr. Kennedy. Is there anyone here
239 opposed to this landscape plan for POD2016-00061, Shire Walk, on Church Road? No
240 opposition. Mr. Kennedy.

241
242 Mr. Kennedy - Since the preparation of the agenda, staff has received a
243 revised plan, which is included in the addendum. This addresses staff's previous concerns.
244 The revised plan relocates trees shown on the original plan that would have encroached
245 into utility easements or conflicted with future maintenance of the BMP stormwater
246 management pond. The revised plan also provides substitution of several trees that were
247 specified in the original plan to species more tolerant of the clay soil conditions. Basically,
248 they replaced the white pines with arborvitaes, which provides a much better selection.

249
250 Staff can now recommend approval of the plan subject to the annotations on the plan and
251 the standard conditions for landscape plans.

252
253 Representatives of the developer are here, if you have any questions.

254
255 Mr. Archer - All right. Ms. Jones, do you want to hear from the
256 representative first?

257
258 Ms. Jones - I really don't. I think the concerns of staff have been answered.
259 And for that I thank the applicant. There are certainly many things that had to be worked
260 through, but they've done that, and I'm satisfied.

261
262 Mr. Archer - Okay. Anybody have questions?

263
264 Ms. Jones - Okay.

265
266 Mr. Archer - I think we're ready.
267

Ms. Jones - With that I will move approval of the landscape plan POD2016-00061 for Shire Walk at 11901 Church Road. This is approval subject to the annotations that are on the plan, standard conditions for landscape plans, the revised plan, and the revised recommendation that's noted in the addendum.

Mr. Witte - Second.

Mr. Archer - Okay. Motion by Ms. Jones, seconded by Mr. Witte. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved the landscape plan for POD2016-00061, Shire Walk, subject to the standard conditions attached to these minutes for landscape plans.

Ms. Jones - And I thank Mr. Kennedy, certainly, for his work on this case.

Mr. Emerson - Mr. Chairman, we now move along to page 11 of your regular agenda and page 2 of your amended agenda for POD2016-00048, GBC Design Incorporated for Colonial Heights Land Company and Chick-fil-A Incorporated. The staff report will be presented by Mr. Greg Garrison.

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2016-00048
Willow Lawn Chick-Fil-A –
4920 West Broad Street
(U.S. Route 250)

GBC Design, Inc. for Colonial Heights Land Company and Chick-fil-A, Inc.: 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 one-story 4,958 square foot restaurant with drive-through facilities. The 1.52-acre site is located on the north line of West Broad Street (U.S. Route 250), approximately 300 feet east of Willow Lawn Drive, on parcel 774-737-0662. The zoning is M-1, Light Industrial District. County water and sewer. **(Brookland)**

Mr. Archer - Good morning again, Mr. Garrison. Is there anyone here who objects to POD2016-00048, Willow Lawn Chick-Fil-A? No opposition. Mr. Garrison.

Mr. Garrison - Good morning. The applicant is requesting approval to construct a one-story, 4,958-square-foot drive-through restaurant and lighting plan. The elevations submitted show primarily a red brick building with earth-tone accents. And the revised plan in your addendum removes the underground stormwater detention facility. That would be this area here, and removes it from the landscape islands, and clarifies that the second drive aisle from West Marshall Street will not be constructed with this phase. That's this area right in here. It will come in at a later date.

302 Staff can now recommend approval subject to the annotations on the plans, the standard
 303 conditions for developments of this type, and added conditions 11B and 29 through 35,
 304 Representatives of the applicant are available to answer any questions that you may have.
 305

306 Mr. Archer - All right, thank you. Any questions from the Commission?
 307

308 Mr. Witte - I do not have any questions.
 309

310 Mr. Archer - All right. Do you want to hear from the applicant, Mr. Witte?
 311

312 Mr. Witte - I don't really need to. Would anyone else like to question the
 313 applicant?
 314

315 Mr. Archer - Don't believe so.
 316

317 Mr. Witte - Okay. Thank you. With that I'd like to say that I think this
 318 continues to enhance the Willow Lawn area by replacing an old vacant building. It's going
 319 to be a vast improvement to what was there. So I move approval of the lighting plan and
 320 POD2016-00048, Willow Lawn Chick-fil-A, as presented, subject to the annotations on the
 321 plan, standard conditions applicable to lighting plans, and additional conditions 11B and
 322 29 through 36 as shown on the agenda.
 323

324 Ms. Jones - Thirty-five?
 325

326 Mr. Witte - Wait a minute.
 327

328 Ms. Jones - Is it 35?
 329

330 Mr. Emerson - It's 35.
 331

332 Mr. Witte - I have 36. Do we have 35 or 36?
 333

334 Mr. Archer - I see 35 on the agenda.
 335

336 Mr. Witte - I had 36 in my notes.
 337

338 Mr. Garrison - It's 35.
 339

340 Mr. Witte - I stand corrected. Let's make it 35. I guess I had one of my
 341 own.
 342

343 Mr. Archer - We can deal with that.
 344

345 Mr. Leabough - That's fine too.
 346

347 Mr. Archer - All right, is there a second?

348
349 Mr. Leabough - Second.

350
351 Mr. Archer - Motion by Mr. Witte, seconded by Mr. Leabough. All in favor
352 say aye. All opposed say no. The ayes have it. That motion with the 35 conditions passes.

353
354 The Planning Commission approved the POD and lighting plan for POD2016-00048,
355 Willow Lawn Chick-fil-A, subject to the annotations on the plans, the standard conditions
356 attached to these minutes for developments of this type, and the following additional
357 conditions:

- 358
359 11B. Prior to the approval of an electrical permit application and installation of the site
360 lighting equipment, a plan including light spread and intensity diagrams, and fixture
361 specifications and mounting heights details shall be revised as annotated on the
362 staff plan and included with the construction plans for final signature.
- 363 29. The entrances and drainage facilities on West Broad Street (U.S. Route 250) shall
364 be approved by the Virginia Department of Transportation and the County.
- 365 30. A notice of completion form, certifying that the requirements of the Virginia
366 Department of Transportation entrances permit have been completed, shall be
367 submitted to the Department of Planning prior to any occupancy permits being
368 issued.
- 369 31. Approval of the construction plans by the Department of Public Works does not
370 establish the curb and gutter elevations along the Virginia Department of
371 Transportation maintained right-of-way. The elevations will be set by the contractor
372 and approved by the Virginia Department of Transportation.
- 373 32. The owner or manager on duty shall be responsible for temporarily closing the drive
374 through facility when the on-site stacking space is inadequate to serve customer
375 demand to prevent a backup of vehicles onto the public right-of-way.
- 376 33. The developer shall install an adequate restaurant ventilating and exhaust system
377 to minimize smoke, odors, and grease vapors. The plans and specifications shall
378 be included with the building permit application for review and approval. If, in the
379 opinion of the County, the type system provided is not effective, the Commission
380 retains the rights to review and direct the type of system to be used.
- 381 34. The location of all existing and proposed utility and mechanical equipment
382 (including HVAC units, electric meters, junctions and accessory boxes,
383 transformers, and generators) shall be identified on the landscape plan. All building
384 mounted equipment shall be painted to match the building, and all equipment shall
385 be screened by such measures as determined appropriate by the Director of
386 Planning or the Planning Commission at the time of plan approval.
- 387 35. Evidence of a joint ingress/egress and maintenance agreement must be submitted
388 to the Department of Planning and approved prior to issuance of a certificate of
389 occupancy for this development.

390
391 Mr. Emerson - Mr. Chairman, we now move along to page 13 of your regular
392 agenda for POD2016-00056, Silvercore for Gayton Properties LLC. The staff report will be
393 presented by Mr. Lee Pambid.

394
395 **PLAN OF DEVELOPMENT**
396

POD2016-00056
Manorhouse Assisted
Living Amended – 13500
N. Gayton Road
(POD2015-00134 Rev.)

Silvercore for Gayton Properties, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 2, one-story buildings containing 10 independent-living units. The 9.99-acre site is located on the west line of N. Gayton Road, approximately 350 feet north of Favero Road, on parcel 732-760-0494. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Three Chopt)**

397
398 Mr. Archer - Good morning, Mr. Pambid.
399

400 Mr. Pambid - Good morning, sir.
401

402 Mr. Archer - Is there anyone present who is opposed POD2016-00056,
403 Manorhouse Assisted Living Amended? No opposition. Mr. Pambid, go right ahead, sir.
404

405 Mr. Pambid - Yes sir. This plan proposes an amendment to a previously
406 approved POD, which included construction of a two-story, 98-unit assisted living facility
407 and two single-story buildings containing four independent living units for a total of eight
408 units. The applicants wish to reallocate two of the assisted living units as independent
409 living units. The new unit count will include 96 assisted living units in the main building and
410 10 independent living units in two single-story buildings containing five units each. There
411 are nine individual single-family detached units. The proffered maximum is nine, and no
412 increase is proposed or permitted. In total, the number of units remains the same as the
413 original proposal at 115.
414

415 As a result of the increase in the attached independent living units, each building has
416 increased in length, and the layout has changed from a side-by-side to a V configuration.
417

418 The independent living building elevations feature stacked stone facades with a watertable
419 sill, cementitious shakes on the gable ends, and dark grey dimensional shingles. The
420 developer has also provided some material sample boards for us, if you want to see those.
421

422 The plan is in substantial compliance with the proffers of zoning case REZ2014-00051 All
423 proffered tree-save and buffer areas are in place, and the elevations are in compliance
424 with the proffered exhibits.
425

426 Staff recommends approval of the plan of development subject to the annotations on the
427 plan, standard conditions for developments of this type, and the additional conditions 29
428 through 35 in your agenda.
429

430 This concludes my presentation. Staff can now field any questions you have regarding
431 this. Ken Newell with Manorhouse; Andrew Bowman with Silvercore, the project engineer;
432 and architect Gene Sykes with Red Eye Designs are also here.

433

434 Mrs. Marshall - I would love to hear from them and go over the boards a little
435 bit.

436

437 Mr. Pambid - Okay.

438

439 Mr. Archer - Sure, Mrs. Marshall. Will you come forward, please? Any
440 volunteers?

441

442 Mr. Newell - The design and—

443

444 Mr. Archer - Excuse me, sir. I need your name for the record, if you don't
445 mind.

446

447 Mr. Newell - Ken Newell. I'm the president of Manorhouse Management
448 Inc.

449

450 Mr. Archer - Thank you, sir.

451

452 Mr. Newell - The intent of the exterior design of the two independent living
453 buildings was to match the exterior elevations of the assisted living buildings, which will be
454 right next door to it. Both buildings are using this product here, a stacked stone material
455 that will match both buildings. As Lee has pointed out, we have a watertable that is shown
456 here. I think overall this is the roofing material. I think we have a very attractive, very
457 residential-looking product here. Any specific questions that I can answer/

458

459 Mrs. Marshall - No, I just appreciate you bringing the board. When you see
460 different prints, it's hard to get an idea of what it's going to look like. So I think it's a great
461 choice and it's going to fit in well with the neighborhood.

462

463 Mr. Newell - Well thank you very much.

464

465 Mrs. Marshall - Thank you.

466

467 Mr. Archer - All right, any other Commission members have a question? Mr.
468 Leabough, you have a question?

469

470 Mr. Leabough - No sir.

471

472 Mr. Archer - Anybody want to see the packet before we vote?

473

474 Mr. Emerson - Materials.

475

Mr. Archer - All right, the materials have made their rounds.

Mrs. Marshall - I move that POD2016-00056, Manorhouse Assisted Living Amended, be approved subject to the annotations on the plan, the standard conditions for developments of this type, and additional conditions 29 through 35 in the agenda.

Ms. Jones - Second.

Mr. Archer - Motion by Mrs. Marshall and seconded by Ms. Jones. All in favor say aye. All opposed say no. The ayes have it; Manorhouse is approved.

The Planning Commission approved POD2016-00056, Manorhouse Assisted Living Amended, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

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.
31. The right-of-way for widening of North Gayton Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
32. A concrete sidewalk meeting County standards shall be provided along the west side of North Gayton Road.
33. Outside storage shall not be permitted.
34. The proffers approved as a part of zoning case REZ2014-00051 shall be incorporated in this approval.
35. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

Mr. Emerson - Mr. Chair, we now move on to page 15 of your regular agenda and page 3 of your amended agenda for POD2016-00065, Sekiv Solutions for KHUSHAL, LLC. The staff report will be presented by Ms. Christina Goggin

522 **PLAN OF DEVELOPMENT, LIGHTING PLAN, AND SPECIAL EXCEPTION**
523

524
525 POD2016-00065
526 Fairfield Inn and Suites –
527 Richmond Airport – 5252
528 Airport Square Lane

Sekiv Solutions for KHUSHAL, LLC: Request for approval of a plan of development, lighting plan, and special exception, as required by Chapter 24, Sections 24-2, 24-94(b), and 24-106 of the Henrico County Code, to construct a four-story, 95-room hotel with a height of 54 feet. The special exception would authorize a building exceeding a height of 45 feet. The 3.73-acre site is located on the north line of Airport Square Lane, approximately 250 feet north of Williamsburg Road (U.S. Route 60), on parcel 818-714-9682. The zoning is B-3, Business District and ASO, Airport Safety Overlay District. County water and sewer. (Varina)

529
530 Mr. Archer - Thank you. Good morning, Ms. Goggin. Is there anyone
531 present who is opposed to POD2016-00065 Fairfield Inn and Suites – Richmond Airport?
532

533 Ms. Goggin - I wouldn't say we have opposition, but we do have an
534 interested party here today.
535

536 Mr. Archer - Okay. Thank you.
537

538 Ms. Goggin - Good morning. This proposal is for a four-story 54-foot-tall
539 Fairfield Inn and Suites on Airport Square Lane just north of Williamsburg Road. The
540 location was previously the site for the Legacy Inn which has been demolished.
541

542 It's kind of covered up with the yellow line here, but the applicant is retaining the 25 feet
543 width of existing trees and vegetation at the rear of the site that were retained with the
544 construction of the original hotel in the late 1980's. They are also providing a six-foot white
545 vinyl privacy fence to replace the existing wooden fence that is not in good condition to
546 discourage foot traffic from cutting through the neighborhood. They have agreed to tie the
547 fence into the adjacent fences, to either side of them, if their neighbors agree to do that
548 with them.
549

550 The footprint for this hotel, as you can see—well, it's kind of hard to see on this one. I'll go
551 back to this one. The footprint of this hotel will be 12 feet further away from the
552 neighborhood at its closest point on the first floor and 23 feet away at its closest point from
553 where the original building was from the previous hotel.
554

555 Staff requested, and the applicant has provided brick on all four side of the building,
556 especially on the front pilaster of the building up to the top of the second floor to break up
557 the EIFS that is provided on the building.
558

559 The applicant has submitted a lighting plan that consists of full cut-off LED fixtures on 24-
560 foot-tall poles and provides house-side shields at the rear of the site to alleviate light spill
561 into the neighborhood that may not be blocked by the existing trees. The revised lighting
562

plan is in your packet that shows the modified entrance that was agreed to by Public Works. The building will also have wall wash architectural lighting to provide additional detail as well as lighting over all entryways.

This Plan of Development includes a request for a special exception for height to allow construction of a building exceeding 45 feet in height. As is normal procedure, staff makes no recommendation regarding the special exception. It is the applicant's responsibility to present evidence to the Commission to support the request. There are two conditions in the agenda, requiring approval from the FAA for the height within the Airport Overlay District prior to building permit approval, and certification of the height for compliance prior to certificate of occupancy.

Mr. Ben Ward, an adjacent property owner, has contacted staff concerning this development. And we have met and discussed this project, and he is here to speak to the Commission this morning. Mr. Ward lives back here.

Should the Commission approve the applicant's request, staff recommends approval of the POD subject to the annotations on the plan, the standard conditions for developments of this type, and the additional conditions 11B and 29 through 36 in your agenda. Chris Thompson, the applicant's engineer, is here to present the request for the special exception for the height and answer any engineering questions the Commission or Mr. Ward may have. Mr. Patel, the developer, as well as the architect is here. And I am here also.

Mr. Archer - Thank you, Ms. Goggin. Are there questions for Ms. Goggin from the Commission? Ms. Jones?

Ms. Jones - Just a question. Thinking about the special exception, I realize the applicant will have to make their case for that. But I was wondering do you happen to know how—the height of the previous hotel, the Legacy Inn.

Ms. Goggin - It was one story.

Ms. Jones - One story.

Ms. Goggin - Yes ma'am.

Ms. Jones - Are there other buildings within the general radius that have requested and received height exceptions?

Ms. Goggin - Yes ma'am. The Best Western right here received a special exception back in 1986 for a four-story hotel. At that time, the ordinance looked at height as in stories versus feet. So it was approval for four stories, whereas this is for 9 feet over 45 feet.

Ms. Jones - Okay. So there's at least one in the general vicinity.

603
604 Ms. Goggin - Yes. And there are many, many more, especially by the airport
605 64 interchange. Up to 6 stories, 71 feet with the same FAA and height conditions
606 requiring—
607
608 Ms. Jones - And the FAA is generally agreeable to that if certain conditions
609 are met.
610
611 Ms. Goggin - Yes. They verify the height. There are things they require,
612 lights on top of the building if they're in the flight path. Things beyond our control.
613
614 Mr. Leabough - So they regulate that.
615
616 Ms. Goggin - They regulate that, yes sir.
617
618 Mr. Leabough - Ms. Goggin, is that the Courtyard there that's to the bottom
619 right of the proposed site?
620
621 Ms. Goggin - Yes sir.
622
623 Mr. Leabough - How tall is that building, do you know?
624
625 Ms. Goggin - Two stories.
626
627 Mr. Leabough - It's two stories. Okay. One other question. Could you go back
628 to the site plan, please? It says "future building"? What is that?
629
630 Ms. Goggin - If at such time the operation gets going, they have the idea of
631 having a future pad site for a mom and pop restaurant. If at such time that comes to fruition,
632 that could come back to Commission.
633
634 Mr. Leabough - It would have to come back to POD.
635
636 Ms. Goggin - Yes. And that is a condition of approval in the packet.
637
638 Mr. Leabough - Thank you.
639
640 Ms. Goggin - They're just showing you how it could fit.
641
642 Mr. Leabough - Got you. Thank you so much.
643
644 Ms. Goggin - You're welcome.
645
646 Mr. Archer - All right, Mr. Leabough, we have to deal with the special
647 exception, and the case itself, and Mr. Ward is here. Who do you want to hear from first?
648 Or would you rather hear from the applicant?

649
650 Mr. Leabough - I think that someone is here to raise some questions, so I prefer
651 to hear from them first and then have the applicant address those questions afterwards.
652
653 Mr. Archer - Okay. Is that you, Mr. Ward?
654
655 Mr. Ward - [Off microphone.] That's me.
656
657 Mr. Archer - All right.
658
659 Mr. Ward - Benjamin Ward—W-a-r-d—for the record. I guess the only
660 question I had - at the entrance here. Is there going to be any kind of landscaping here?
661 This is probably asphalt. Are we going to have like a split lane with a median down the
662 strip? Are we going to have just a total asphalt one or two ways? That's the only question
663 I had at the moment.
664
665 Mr. Archer - Good question.
666
667 Mr. Leabough - Good question. Thank you.
668
669 Mr. Archer - Was that your only concern, Mr. Ward?
670
671 Mr. Ward - At this time, yes sir.
672
673 Mr. Archer - Okay. All right.
674
675 Ms. Goggin - Just looking at this quickly, I would say reviewing the
676 landscape plan, we would require 2-1/2 trees per 100 linear feet on each side of the
677 entryway. Obviously, the ones where the parking spaces could be would have to be
678 relocated at such time in the future and the landscaping reworked. But otherwise,
679 unfortunately, it's not wide enough for a median. If a median was put in, it would probably
680 have to be torn out for this development in the future to work as proposed.
681
682 Mr. Leabough - How long is that drive aisle? Do you know? Maybe the
683 applicant can address that. I'm just trying to get a sense of how many trees we're talking
684 about.
685
686 Mr. Thompson - Good morning, Mr. Chairman, members of the Planning
687 Commission. My name's Chris Thompson. I'm with Sekiv Solutions. We're the civil
688 engineer on the project, and I'm here on behalf of the applicant.
689
690 That driveway, I'll measure it real quick. Just by looking at it, I would say 200 feet. The
691 width of the property itself is 290 feet, so that'll give a good feel for about how long the
692 drive is. It may be closer to 300. Just real quick. I don't want to tell you something that's
693 not accurate.
694

695 Mr. Leabough - Just roughly. You don't have to be exact.
696
697 Mr. Thompson - We're about 250 feet, approximately. We'll meet all County
698 landscaping requirements along that drive aisle. There will be some landscaping at the
699 entry that's not required by the County, at the entry off of Airport Square Lane. More
700 decorative style landscaping around the signage for the property. I'm sure Marriott will
701 require that as well.
702
703 Mr. Ward - [Off microphone.] Mr. Chairman, I did have one other question.
704
705 Mr. Archer - Okay. You'll have to come up, sir.
706
707 Mr. Ward - Is there going to be any lighting along the drive?
708
709 Mr. Leabough - Could you step up to the microphone, please?
710
711 Mr. Ward - Yes sir. Is there going to be any lighting along that drive from
712 about that area down to here? I mean there's probably going to be lighting in the parking
713 lot. I'm just wondering how the lighting plan will affect—since we have a dark area, this is
714 going to be a light area.
715
716 Ms. Jones - While you're at the podium, could you kindly put the cursor on
717 where you home is?
718
719 Mr. Ward - Approximately between 7 and 8.
720
721 Ms. Jones - Your home is between 7 and 8?
722
723 Mr. Ward - I don't know which number exactly without looking at the
724 property layout. But it's going to be either 7 or 8.
725
726 Ms. Jones - Okay. All right, thank you.
727
728 Mr. Archer - All right. Anybody care to answer that question?
729
730 Mr. Leabough - Mr. Thompson, can you answer that question?
731
732 Mr. Thompson - Yes sir. There will be lighting proposed along the entryway. In
733 accordance with County standards, we'll have to light all drive aisles and parking lots to a
734 certain food candle. So we will be proposing lighting along the entry way. Christina has it
735 there. I believe it's three different—three light poles along the entrance.
736
737 And then just back to the landscaping question also. You'll see there are some symbols
738 for existing trees. We'll be keeping whatever existing trees in the front along that drive aisle
739 that we can. Anything that's healthy, we'll keep it.
740

741 Mr. Archer - Okay.

742

743 Mr. Witte - I may have missed it, but did we answer whether there's going
744 to be a median in there?

745

746 Mr. Archer - Yes, he did.

747

748 Mr. Thompson - No sir, there's not a median proposed.

749

750 Mr. Witte - Okay.

751

752 Mr. Archer - All right, any further questions?

753

754 Mr. Leabough - I think it would be appropriate for Mr. Thompson to speak to
755 the special exception request.

756

757 Mr. Thompson - Yes sir, yes sir. For the special exception above 45 feet in
758 height, I'll give you a little background of how we arrived at the building, a four-story
759 building, and then some research we did in the surrounding neighborhood to other hotels
760 that are above the 45-foot height.

761

762 We started with the project looking at a three-story building for Marriott. To get the number
763 of rooms that are needed for the feasibility of the development, there's a certain room
764 count needed to make the numbers work to make it a good investment. That building was
765 much longer than the one that you see on the site plan now.

766

767 Mr. Leabough - Could you scroll down so we can see the building that you're
768 talking about?

769

770 Mr. Thompson - Let's see.

771

772 Mr. Leabough - Thank you.

773

774 Mr. Thompson - There you go. So when we laid the three-story building out on
775 the property with the front of the building facing Airport Square Lane so the building
776 presents itself well, that building encroached very closely to the existing property lines and
777 the existing setbacks. So much so that we didn't have enough room to have drive aisles
778 go around to the back of the building. We need that access around the building for the
779 operations of the hotel. And for emergency access it's required. That was the main driving
780 force to try to narrow that building up.

781

782 As I had mentioned, the property itself is only 290 feet wide. It's a longer property, but as
783 far as the width of the parcel, it's not very wide. So from that, knowing the three-story
784 building wouldn't work, we took the rooms off the end of it, put it on top of the building
785 creating a fourth floor, which gets us to the building that's proposed. That gives us enough
786 room to have the adequate amount of room count that we need and also have space

787 around the building for emergency access. So that covers how we got to the footprint and
788 the height itself.

789
790 Looking at the surrounding area for existing hotels that are above that 45-foot requirement,
791 I've got a document. I actually pulled it off the County webpage. It's very useful. It's a hotel
792 and motel directory document. It was put out by the Henrico County Planning Department,
793 September of 2014. I'll just quickly go down and run through some of the hotels in the
794 area. These are specific to the Varina District, and all of them are within about a one-mile
795 radius of the proposed site.

796
797 Going through these—I won't go through all of them. I have seven of them that I've
798 highlighted here. The first is Candlewood Suites. It's at 5400 Audubon Drive. It's a four-
799 story hotel, 55 feet in height. It's about a half mile from our subject property. That hotel
800 was built in 2009.

801
802 The next one is Comfort Suites at Laburnum Station. This is a POD that was approved,
803 but the hotel was not built. It was POD-73-08. Four-story hotel, special exception for 56
804 feet in height. It's 1.2 miles from our subject property.

805
806 The next three that I'll reference are all at International Center Drive. It's a cluster of hotels
807 that are a little less than a mile from our subject property. That's the Hampton Inn at
808 International Airport Center. It's five stories, 65 feet in height. Built again in 2009. The
809 Hilton Garden Inn, five stories, 57 feet in height, built in 2009. And the Holiday Inn
810 Millennium at International Airport, five stories, 59 feet, built in 2009. Again, all of those
811 are a little less than a mile—.84 miles from our site.

812
813 The next is Homewood Suites. That's a six-story hotel, 67 feet. It's on Audubon Drive
814 about .9 miles from our property. That one was built in 2002. That's the oldest one that
815 I've referenced.

816
817 The last one is the Hyatt Place at 4401 South Laburnum Avenue. That's a seven-story
818 building, 71 feet tall, and it's 1.2 miles from our subject property.

819
820 Interesting enough on this directory—and there may have been some hotels built after this
821 was put in 2014. But each of the hotels listed that was built in 2009—those were the most
822 recent ones—they all received a special exception in the Varina District. So looking at that,
823 we felt comfortable making the request and going to the 52-foot height of our proposed
824 building. Again, ours will be less than all the ones I've referenced on the sheet. Looking at
825 the existing community and how our building could fit it, it seems there are some hotels in
826 place now that it would fit in with the nature of that surrounding area. And then given the
827 narrow site, we felt like we were justified making the special exception for the height
828 request.

829
830 I'd be happy to answer any other questions you guys have about the project.

831
832 Mr. Leabough - One quick clarification. It's 54 feet, correct?

833
834 Mr. Thompson - Yes, it's 54 feet, 2 inches, I think, to be exact. Yes sir, 54 feet.
835
836 Mr. Leabough - Thank you.
837
838 Mr. Archer - All right, anybody else with questions? Mr. Ward? Come up to
839 the microphone, please.
840
841 Mr. Ward - A correction for the record. I asked Ms. Goggin to pull the
842 record for me. I am at property #9, it turns out.
843
844 Ms. Jones - Thank you.
845
846 Mr. Ward - I had to see the property layout. Thank you.
847
848 Mr. Archer - All right. Did you have any questions for Mr. Thompson that
849 didn't cover what you were asking?
850
851 Mr. Ward - No sir.
852
853 Mr. Archer - Okay.
854
855 Mr. Leabough - Unless someone else has any questions, I'm okay.
856
857 Mr. Archer - Okay. All right, Mr. Leabough. I think we'll probably be able to
858 address the exception first.
859
860 Mr. Leabough - Yes.
861
862 Mr. Emerson - You can combine your motion.
863
864 Mr. Leabough - I can?
865
866 Mr. Emerson - Yes you can.
867
868 Mr. Archer - Oh, okay, great.
869
870 Mr. Leabough - All right. So I move that the lighting plan and special exception
871 for the height for POD2016-00065, Fairfield Inn and Suites – Richmond Airport, be
872 approved subject to standard conditions for developments of this type, annotations on the
873 plans with the revised plan as noted on the addendum, as well as I want to go ahead and
874 amend 9 for the landscaping plan to come back to us because of the concerns of Mr.
875 Ward. And also 11B and conditions 29 through 36 as noted on the agenda. But I do move
876 for approval of the POD.
877
878 Ms. Jones - Second.

879
880 Mr. Archer - Motion by Mr. Leabough and seconded by Ms. Jones. All in
881 favor say aye. All opposed say no. The ayes have it; the motion passes with the conditions
882 and with 9 amended.

883
884 Mr. Witte - I want to go on record as saying that was 36.

885
886 Mr. Leabough - You're in the Brookland District.

887
888 Mr. Archer - You're on the record, sir.

889
890 The Planning Commission approved the POD, lighting plan, and special exception for
891 POD2016-00065, Fairfield Inn and Suites – Richmond Airport, subject to the annotations
892 on the plans, the standard conditions attached to these minutes for developments of this
893 type, and the following additional conditions:

- 894
895 **9. ADDED – AMENDED – A detailed landscaping plan shall be submitted to the**
896 **Department of Planning for review and Planning Commission approval prior**
897 **to the issuance of any occupancy permits.**
898 11B. Prior to the approval of an electrical permit application and installation of the site
899 lighting equipment, a plan including light spread and intensity diagrams, and fixture
900 specifications and mounting heights details shall be revised as annotated on the
901 staff plan and included with the construction plans for final signature.
902 29. There shall be no outdoor storage in moveable storage containers including, but
903 not limited to, cargo containers and portable on demand storage containers.
904 30. Federal Aviation Administration (FAA), Form 7460-1 shall be submitted to the FAA
905 and proof of such approval shall be provided to the Planning Department prior to
906 approval of any building permit application.
907 31. Evidence that an engineer has certified the height of the building shall be provided
908 to the Director of Planning prior to the issuance of a Certificate of Occupancy.
909 32. The developer shall install an adequate restaurant ventilating and exhaust system
910 to minimize smoke, odors, and grease vapors. The plans and specifications shall
911 be included with the building permit application for review and approval. If, in the
912 opinion of the County, the type system provided is not effective, the Commission
913 retains the rights to review and direct the type of system to be used.
914 33. Approval of the construction plans by the Department of Public Works does not
915 establish the curb and gutter elevations along the Henrico County maintained right-
916 of-way. The elevations will be set by Henrico County.
917 34. The conceptual master plan, as submitted with this application, is for planning and
918 information purposes only.
919 35. The location of all existing and proposed utility and mechanical equipment
920 (including HVAC units, electric meters, junctions and accessory boxes,
921 transformers, and generators) shall be identified on the landscape plan. All building
922 mounted equipment shall be painted to match the building, and all equipment shall
923 be screened by such measures as determined appropriate by the Director of
924 Planning or the Planning Commission at the time of plan approval.

925 36. Except for junction boxes, meters, and existing overhead utility lines, and for
926 technical or environmental reasons, all utility lines shall be underground.

927
928 Mr. Emerson - Mr. Chairman, we now move on to page 17 of your regular
929 agenda for POD2016-00062, Sekiv Solutions for Earl Thompson Incorporated. The staff
930 report will be presented by Mr. Matt Ward.

931
932 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

933
POD2016-00062
Tech Park Distribution
Center – 5801 Techpark
Way

Sekiv Solutions for Earl Thompson, Inc.: 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 one-story, 185,000 square foot office and warehouse building. The 15.0-acre site is located on the south line of future Techpark Way, approximately 410 feet west of its intersection with Techpark Place, on part of parcel 842-706-9406. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. (Varina)

934
935 Mr. Archer - All right, thank you, Mr. Secretary. Good morning, Mr. Ward.

936
937 Mr. Ward - Good morning.

938
939 Mr. Archer - Is there anyone present who is opposed to POD2016-00062,
940 Tech Park Distribution Center, in the Varina District? We do have opposition. Thank you,
941 we'll get to you.

942
943 Ms. Steed - [Off microphone.] We have a couple of questions. We own the
944 property at 3096 Portugee Road.

945
946 Mr. Archer - Okay, we'll get to you. All right. Mr. Ward.

947
948 Mr. Ward - This plan of development proposal does request approval of
949 the office warehouse facility for a future user, as well as a lighting plan. A 50-foot
950 transitional buffer will be provided here along the western property line that abuts the O-3
951 zoning district. That will help minimize the visual impacts of the loading areas back here in
952 the back of the building.

953
954 Proffered conditions related to rezoning case C-47C-00 and the M-1 zoning standards in
955 the Henrico Zoning Ordinance have been satisfied with this case and the lighting plan. As
956 you can see on the roadway plan, the overall road does show the future Techpark Way
957 that's technically only been built on this side of the post office. And it will be connecting
958 Techpark Way to Technology Boulevard. This was required per the original conditional
959 subdivision, which states that a second point of vehicular access will be required when the
960 development exceeds 500,000 square feet of floor area.

962 Before you here is the master plan shown for informational purposes only. To date, we've
963 got 35,738 square feet of office warehouse that has been constructed. This is separate of
964 the U. S. Postal facility. With this approval, a total of 310,738 square feet of office
965 warehouse will have Planning Commission approval in the industrial park.
966

967 As for the building elevations, we do have a 40-foot-tall building with brown brick and
968 windows around the office component of the building that will be facing the new future
969 Techpark Way. The remaining walls associated with the warehouse component will be tilt-
970 up concrete panels.
971

972 Finally, the lighting plan before you shows 32 building-mounted fixtures. They're all LED
973 full cutoff. And then you have six single-headed fixtures in the drive aisles and back in the
974 loading area, and then three double-headed fixture poles in the parking lot. They're not
975 allowed to exceed 30 feet in height, and they will be concealed source as laid out in the
976 proffers.
977

978 Staff can recommend approval of this proposal. Should the Commission act on the
979 request, staff can approve it based on the annotations on the plan, the standard conditions
980 for developments of this type, the following conditions 11B for the lighting plan and then
981 29 through 38 on page 17 and 18 of your agenda.
982

983 I'm happy to answer any questions. We also have Stig Owens with Sekiv Solutions, and
984 Earl Thompson, the owner, should you have any questions of them.
985

986 Mr. Archer - All right. Thank you, Mr. Ward. Are there questions from the
987 Commission?
988

989 Mr. Leabough - I have a question related to outdoor storage. There will be no
990 outdoor storage allowed on this parcel, correct?
991

992 Mr. Ward - That's correct.
993

994 Mr. Leabough - Okay. And I do have a question for the applicant.
995

996 Mr. Archer - Will the applicant come forward please?
997

998 Mr. Leabough - I think there were some concerns or questions.
999

1000 Mr. Archer - There were, yes.
1001

1002 Mr. Leabough - Yes. Could they come forward first, Mr. Chair?
1003

1004 Mr. Archer - Sure.
1005

1006 Mr. Leabough - And then we'll hear from the applicant afterwards?
1007

1008 Mr. Archer - Sure. Come on up, folks. Please state your name for the
 1009 record, please, when you reach the microphone.
 1010
 1011 Mr. Steed - Certainly. My name is Sean Steed.
 1012
 1013 Ms. Steed - Mine's Erica Steed. We own the property that you can see—
 1014 okay. Right to the corner. Yes. Our driveway—
 1015
 1016 Mr. Steed - Right there.
 1017
 1018 Ms. Steed - Yes. Our driveway goes through the middle and is the property
 1019 that is attached to the corner right there. The only questions and concerns we have are
 1020 lighting issues. Obviously, in the winter we lose all of the leaves on the trees, and it does
 1021 become quite open. If it's going to be a 24-hour operation, we're going to get a lot of noise
 1022 and light coming through the property at that time. I guess the question was what are the
 1023 hours of operation on the building.
 1024
 1025 Mr. Steed - And noise concerns.
 1026
 1027 Ms. Steed - And noise concerns, yeah.
 1028
 1029 Mr. Archer - Okay. And no evergreens? All deciduous trees?
 1030
 1031 Ms. Steed - It is white oaks and pine trees. And actually the part where it is
 1032 attaching to our property is currently swamp. So I'm also curious how far that swampland
 1033 goes back and any environmental impact that would have on the water source back there.
 1034
 1035 Mr. Archer - Okay. Were those your only questions?
 1036
 1037 Ms. Steed - I think that's all we had.
 1038
 1039 Mr. Archer - Very good. Thank you. We'll get some answers for you. Thank
 1040 you.
 1041
 1042 Mr. Owens - Good morning. My name is Stig Owens with Sekiv Solutions.
 1043 We're the civil engineers representing the owner for the particular case. Currently, we do
 1044 not have a specific owner for the building. We are diligently working with brokers to find a
 1045 tenant for the building, so we do not know the specific hours of operation at this point in
 1046 time.
 1047
 1048 With regard to the water, the swamp surrounding, we do have to comply with all Virginia
 1049 stormwater management regulations and Public Works' requirements, of course.
 1050
 1051 And then with regard to the lighting aspect, we have to comply with the lighting ordinance.
 1052 All the wall packs associated with the lights on the building will be full cutoff. I think we
 1053 have six lights in the loading area that will have to meet the County ordinance as well.

1054

1055 Mr. Leabough - For folks that may not be as familiar with the County ordinance
1056 or requirements around the stormwater, can you kind of speak to how stormwater is
1057 handled on site, and treated, and then released into the community?
1058

1059 Mr. Owens - Yes. It's our intention to build a basin in the back of the loading
1060 area that will be used for treatment for phosphorous removal from the site and also be
1061 utilized for the quantity aspects for the site in terms of detention aspects. So basically what
1062 we're going to do is utilize that basin along with some other features on the site, maybe
1063 some bioretention or what have you, to meet the water quality and water quantity aspects
1064 of the site.
1065

1066 Ms. Jones - I have a question, if I could.
1067

1068 Mr. Archer - Go ahead, Ms. Jones.
1069

1070 Ms. Jones - I am curious as to the way in which this is coming about.
1071 Normally, there is a user for which the site is designed. Here we have no user; therefore,
1072 we're not sure if there will be specific requests and requirements for—it seems to be
1073 working backwards. Can you just run me through the thinking for that?
1074

1075 Mr. Owens - Yes, let me touch on that. One thing I did forget to mention with
1076 regard to their question, with regard to some of the environmental aspects is—
1077

1078 Ms. Jones - Excuse me, could you come a little closer to that microphone?
1079

1080 Mr. Owens - I'm sorry. One thing I forgot to mention with regard to the
1081 environmental aspects is we are not impacting any wetlands whatsoever on the site. There
1082 are some wetlands on the site, and we're staying out of all the wetlands on the site.
1083

1084 We've had some detailed discussions with the brokers that we are utilizing for this site and
1085 the project. We feel like the market is ripe for a user in the very, very near future. So
1086 although it may be somewhat a little backwards according to you, we do feel like the time
1087 is perfect for such a facility, and we're preparing for such.
1088

1089 Ms. Jones - With the full realization that, obviously, if a user comes forward
1090 that needs to have some different site requirements, we'll be back at all this again.
1091

1092 Mr. Owens - We have coordinated with staff in terms of—it is our desire not
1093 to change this site significantly.
1094

1095 Ms. Jones - I'm sure.
1096

1097 Mr. Owens - We want to find a user that can fulfill the requirements of what
1098 we have, and we've coordinated the site with staff. That could be an administrative type
1099 decision. But if it does fully change, we could be back here. But we don't anticipate that.

1100
 1101 Ms. Jones - Well, it's certainly your decision, not mine. But I did want to
 1102 understand the thinking behind it. It seemed a little backwards. Thank you.
 1103
 1104 Mr. Owens - Sure. I appreciate the question.
 1105
 1106 Mr. Witte - It seems to me along those same lines that if you don't have a
 1107 set purchaser or user for the property and the adjoining property owners have concerns
 1108 for the lighting, there's a good possibility that the lighting could change depending on the
 1109 purchaser. Would it be prudent to come back at a later time when you have one for the
 1110 lighting plan? To address the concerns of the—
 1111
 1112 Mr. Owens - My preference would be not to. I think we have shown a pretty
 1113 detailed lighting plan that shows a good use of the lighting aspects—the wall packs on the
 1114 building that are full cutoff. I'm not sure what's going to be that different about it, but it's
 1115 something we could entertain.
 1116
 1117 Mr. Witte - I had trouble finding the place when I rode down there. I'll be
 1118 honest with you.
 1119
 1120 Mr. Owens - You had trouble finding it.
 1121
 1122 Mr. Witte - I tried to get a better look at the property from—
 1123
 1124 Mr. Owens - The stub road beside—
 1125
 1126 [Mr. Witte and Mr. Owens talking at the same time.]
 1127
 1128 Mr. Witte - —and Portugee Road, it's pretty far back there, and it's well
 1129 hidden.
 1130
 1131 Mr. Owens - Enviroscape was recently constructed on the corner. That
 1132 right-of-way has been dedicated. That'll be utilized for our access. It is back there.
 1133
 1134 Mr. Witte - It's back there somewhere.
 1135
 1136 Mr. Owens - Within the industrial park. And we are obligated to build that
 1137 road, which we will. We'll put a temporary cul-de-sac there. We're not crossing the
 1138 wetlands at this point in time because that road will eventually cross the wetlands. Putting
 1139 a temporary turnaround there. We've enlarged the temporary turn around there to meet
 1140 Fire Department requirements for a 48-foot radius. So we feel like we fully comply with all
 1141 of staff's comments.
 1142
 1143 Mrs. Marshall - I have a question.
 1144
 1145 Mr. Witte - Thank you.

1146
1147 Mr. Owens - Yes ma'am.
1148
1149 Mr. Archer - Go ahead, Mrs. Marshall.
1150
1151 Mrs. Marshall - Concerning the lighting. So there are going to be 32, is that
1152 correct, lights on the outside of the building?
1153
1154 Mr. Owens - That's all the way around.
1155
1156 Mrs. Marshall - All the way around.
1157
1158 Mr. Owens - All the way around the building.
1159
1160 Mrs. Marshall - All the way around the building.
1161
1162 Mr. Owens - So you'll have—see the boxes? Those represent the wall
1163 packs. Lighting on the building on the loading dock side. Lighting on the building on the
1164 other side, above the doorways, etc. So a pretty large footprint.
1165
1166 Mrs. Marshall - Now my question is, not knowing the hours that it's going to be
1167 operational, for consideration for the neighbors, any consideration from your group as in
1168 having motion detector lights?
1169
1170 Mr. Owens - Sure. I think we can do that, absolutely.
1171
1172 Mrs. Marshall - Okay.
1173
1174 Mr. Leabough - We've been down this road before with uses in this area,
1175 especially these type uses, and have run into a number of challenges related to noise,
1176 truck traffic, back-up beepers on trucks, and setting down trailers. I'm just struggling with
1177 this case because here we have an adjacent property owner that has legitimate concerns,
1178 and we're at a point where we can't answer many of those concerns because we don't
1179 know who's going to be operating out of that building.
1180
1181 They talk about noise; they talk about an enhanced buffer or something so that they don't
1182 have that light spillover. Are you all willing to work with them related to some of their
1183 concerns?
1184
1185 Mr. Owens - Yes sir. Keep in mind the postal service is right next door.
1186 That's a half-million-square-foot facility.
1187
1188 Mr. Leabough - It's not next door to them, though, right?
1189
1190 Mr. Owens - That is correct. It's right next door to us. They have a
1191 tremendous volume of truck traffic going through there. I'm not a scientist in that regard,

1192 but I'm not so sure that the difference in the noise volume could be that significant from
 1193 that point to our point. But it's certainly something we could work with them on in terms of
 1194 hours of operation. It is an industrial park. It's zoned for what we're utilizing the property
 1195 for. We're willing to work with them down the road in terms of the lighting, perhaps the
 1196 hours of operation. But again, I won't know that—we won't know that until a tenant has
 1197 been attained.
 1198
 1199 Ms. Jones - Has there been conversation about bringing the landscape
 1200 plan back to the Commission?
 1201
 1202 Mr. Owens - That will come back to the Commission.
 1203
 1204 Ms. Jones - Simply because that can be one very effective way to mitigate
 1205 effects.
 1206
 1207 Mr. Owens - We'll be happy to bring that back.
 1208
 1209 Ms. Jones - Okay.
 1210
 1211 Mr. Leabough - What was that, Mr. Emerson?
 1212
 1213 Mr. Archer - They'll bring the landscape plan back.
 1214
 1215 Mr. Emerson - 9 and 11 amended.
 1216
 1217 Ms. Jones - Thank you.
 1218
 1219 Mr. Leabough - I was going to go ahead and defer those anyway. I think that
 1220 was pretty much – the outdoor storage. So you all are not proposing any outdoor storage.
 1221
 1222 Mr. Owens - No sir.
 1223
 1224 Mr. Leabough - That's been a big concern in this area, hence the reason that
 1225 Enviroscope has the significant berming around their site. I just want to make sure that it's
 1226 on the record that you're agreeing that there will be no outdoor storage. I know the
 1227 proffered conditions do not allow it, but I just don't know – when you get that operator in
 1228 place, I want to make sure that they're aware of it as well. So you're in agreement with
 1229 that, correct?
 1230
 1231 Mr. Owens - Let me check with the owner and see if he wants—
 1232
 1233 Mr. Leabough - Well I'm going to tell you there's no allowance of outdoor
 1234 storage, so I'm hoping they agree.
 1235
 1236 Mr. Owens - You're right. For the M-2 there is none.
 1237

1238 Mr. Leabough - You're not allowed outdoor storage.
1239
1240 Mr. Owens - So the answer would be yes.
1241
1242 Mr. Leabough - I just wanted to make sure —
1243
1244 Mr. Owens - I got my M-1 and M-2 confused. I'm sorry.
1245
1246 Mr. Leabough - And you will communicate that to your end user.
1247
1248 Mr. Owens - Yes.
1249
1250 Mr. Leabough - Okay. Are there any other questions from my colleagues? No?
1251 All right.
1252
1253 Mr. Archer - Mr. and Ms. Steed, are you all on board with what you're
1254 hearing?
1255
1256 Mr. Leabough - What I'm going to propose is that the lighting plan and the
1257 landscaping plan be deferred to come back to the Commission so that some of your
1258 concerns can be addressed related to vegetation and lighting.
1259
1260 So with that, Mr. Chair, I move that POD2016-00062, Sekiv Solutions for Earl Thompson
1261 Incorporated (Tech Park Distribution Center) be approved subject the conditions 9
1262 amended, 11 amended, and 29 through 38 as shown in the agenda, as well as standard
1263 conditions for developments of this type, and any annotations on the plans. Again, 9
1264 amended defers the landscaping plan and 11 amended defers the lighting plan, just for
1265 the record.
1266
1267 Mr. Witte - Second.
1268
1269 Mr. Archer - Okay. Motion by Mr. Leabough and seconded by Mr. Witte. All
1270 in favor say aye. All opposed say no. The ayes have it; the motion passes.
1271
1272 The Planning Commission approved POD2016-00062, Tech Park Distribution Center,
1273 subject to the annotations on the plans, the standard conditions attached to these minutes
1274 for developments of this type, and the following additional conditions:
1275
1276 **9. AMENDED – ADDED – A detailed landscaping plan shall be submitted to the**
1277 **Department of Planning for review and Planning Commission approval prior**
1278 **to the issuance of any occupancy permits.**
1279 **11. AMENDED – ADDED – Prior to the approval of an electrical permit application**
1280 **and installation of the site lighting equipment, a plan including light spread**
1281 **and intensity diagrams, and fixture specifications and mounting height**
1282 **details shall be submitted for Department of Planning review and Planning**
1283 **Commission approval.**

11B. ~~DELETED 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. The subdivision plat for Techpark Way Section C shall be recorded before any occupancy permits are issued.

30. Outside storage shall not be permitted.

31. The proffers approved as a part of zoning case C-47C-00 shall be incorporated in this approval.

32. 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.

33. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.

34. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

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

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

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

38. The limits and elevations of the Special Flood Hazard Area shall be conspicuously noted on the plan and labeled "Limits of Special Flood Hazard Area." In addition, the delineated Special Flood Hazard Area must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.

Mr. Archer - *Field of Dreams*. If you build it, they will come.

Mr. Emerson - There you go. Mr. Chairman, we now move on to page 19 of your regular agenda for POD2016-00072, Balzer and Associates, Inc. for Towne Center West, LLC, Short Pump Dental Associates LLC and Gilbert L. Roberts Jr. The staff report will be presented by Mr. Kevin Wilhite.

1330 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

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POD2016-00072
Virginia Family Dentistry at
Towne Center West –
12040 West Broad Street
(U.S. Route 250)
(POD2010-00010 Rev.)

Balzer and Associates, Inc. for Towne Center West, LLC, Short Pump Dental Associates, LLC and Gilbert L. Roberts, Jr.: 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 one-story, 12,250 square foot medical office building in an existing shopping center. The 1.83-acre portion of the 4.86-acre site is located along the north line of Towne Center West Way (private), approximately 280 feet north of West Broad Street (U.S. Route 250), on part of parcel 734-764-9340. The zoning is B-3C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Archer - All right, thank you, sir. Is there anybody here who is opposed to this case, POD2016-00072, Virginia Family Dentistry at Towne Center West? Nobody. Good morning, Mr. Wilhite.

Mr. Wilhite - Good morning, Mr. Chairman. Back in 2010, the Planning Commission approved a plan of development for two retail/restaurant buildings in Towne Center West. The first one, which is located in this area here, was constructed. The second building was shown as a Phase 2 in the development. Both of these buildings together were to total 31,000 square feet.

With this plan of development, the retail restaurant building at Phase 2 would be replaced by a medical office building. This property is actually being divided with this plan of development whereas the original plan showed two buildings on one parcel.

There is very little change to the site plan. The building is a little bit smaller, the Phase 2 building. The Phase 1 approval was just over 16,000 square feet. This one here is 12,250, so there's a reduction in square footage. The only major change to the site is that the access drive around the west side of the building has been removed.

These are the architectural elevations that were submitted. This is a revision to the original submittal. Staff finds it acceptable with one additional annotation, and that is the design of the cornice on the building. The applicant has agreed to provide a stronger profile, an angled profile more similar to the cornice on the Phase 1 building. With that annotation, staff can recommend approval of the revised architectural plans, the site plans with the annotations, and conditions as they appear on your agenda, 11B and 29 through 34.

I'll be happy to answer any questions that you have. Chris Shust, the engineer, is here to address any questions as well.

Mr. Archer - Thank you, sir. Questions for Mr. Wilhite from the Commission. There seem to be none. Who would you like to hear from, Mrs. Marshall?

1364
1365 Mrs. Marshall - Actually, I talked with both gentlemen on the phone yesterday,
1366 so I have no further questions.

1367
1368 Mr. Archer - All right. Go right ahead.

1369
1370 Mrs. Marshall - I move POD2016-00072, including the lighting plan, for Virginia
1371 Family Dentistry at Towne Center West, be approved subject to the annotations on the
1372 plan, the standards conditions for developments of this type, additional conditions 11B and
1373 29 through 34 in the agenda.

1374
1375 Mr. Leabough - Second.

1376
1377 Mr. Archer - Motion by Mrs. Marshall and seconded by Mr. Leabough. All in
1378 favor say aye. All opposed say no. The ayes have it; the motion passes.

1379
1380 The Planning Commission approved POD2016-00072, Virginia Family Dentistry at Towne
1381 Center West, subject to the annotations on the plans, the standard conditions attached to
1382 these minutes for developments of this type, and the following additional conditions:

- 1383
1384 11B. Prior to the approval of an electrical permit application and installation of the site
1385 lighting equipment, a plan including light spread and intensity diagrams, and fixture
1386 specifications and mounting heights details shall be revised as annotated on the
1387 staff plan and included with the construction plans for final signature.
- 1388 29. Outside storage shall not be permitted.
- 1389 30. The proffers approved as a part of zoning case C-28C-09, C-27C-09, C-49C-04
1390 shall be incorporated in this approval.
- 1391 31. The location of all existing and proposed utility and mechanical equipment
1392 (including HVAC units, electric meters, junction and accessory boxes, transformers,
1393 and generators) shall be identified on the landscape plans. All equipment shall be
1394 screened by such measures as determined appropriate by the Director of Planning
1395 or the Planning Commission at the time of plan approval.
- 1396 32. Only retail business establishments permitted in a B-3 zone may be located in this
1397 center.
- 1398 33. The ground area covered by all the buildings shall not exceed in the aggregate 25
1399 percent of the total site area.
- 1400 34. No merchandise shall be displayed or stored outside of the building(s) or on
1401 sidewalk(s).

1402
1403 **MS. JONES LEFT THE MEETING AFTER VOTING ON THIS CASE (POD2016-00072)**
1404 **AND DID NOT RETURN.**

1405
1406 Mr. Emerson - Mr. Chairman, if you'll bear with me, we are going to call three
1407 cases together. They will require separate motions at the end of the hearing, but they are
1408 all dealing with the Libbie Mill Urban-Mixed Use development and are very similar. So I
1409 will read those three descriptions. They appear on pages 21, 22, and 25 of your regular

agenda. First you have SUB2016-00023, E. D. Lewis & Associates for Midtown Land Partners LLC.

SUBDIVISION

SUB2016-00023
Libbie Mill Townhomes
(March 2016 Plan) –
Staples Mill Road (U.S.
Route 33)

E. D. Lewis & Associates for Midtown Land Partners, LLC: The 4.28-acre portion of the 85-acre Libbie Mill urban mixed-use site proposed for a subdivision of 63 townhomes for sale is located on the east line of Spencer Road, north of Libbie Mill West Boulevard (private), on part of parcel 773-740-5043. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**
63 Lots

Mr. Emerson - Moving on to page 22, you have POD2016-00057, E. D. Lewis & Associates for Midtown Land Partners, LLC.

PLAN OF DEVELOPMENT

POD2016-00057
Libbie Mill Townhomes
Section 3, Clubhouse, and
Condo Buildings 2 - 4 –
Staples Mill Road (U.S.
Route 33)

E. D. Lewis & Associates for Midtown Land Partners, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 63 three-story residential townhomes for sale, 3 four-story residential condominium buildings totaling 32 units, a one-story 2,636 square foot clubhouse, a one-story 390 square foot bathhouse, and a one-story 1,120 square foot pavilion. The 7.6-acre portion of the 85-acre site is located on the east line of Spencer Road, north of Libbie Mill West Boulevard (private), on part of parcel 773-740-5043. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

Mr. Emerson - Then moving on to page 25, you have a landscape and lighting plan, POD2016-00058 and POD2016-00059. In this case, the engineer land design firm changes to Cite Design for Midtown Land Partners, LLC.

LANDSCAPE AND LIGHTING PLAN

POD2016-00058 &
POD2016-00059
Libbie Mill Townhomes
Section 3, Clubhouse, and
Condo Buildings 2 - 4 –
Staples Mill Road (U.S.
Route 33)

Cite Design for Midtown Land Partners, LLC: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 7.6-acre portion of the 85-acre site is located on the east line of Spencer Road, north of Libbie Mill West Boulevard (private), on part of parcel 773-740-

5043. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

1428
1429 Mr. Emerson - The staff report for these three cases will be presented by Ms.
1430 Aimee Crady.
1431
1432 Mr. Archer - All right, thank you, Mr. Secretary. Is there anyone present who
1433 is opposed to any, all, or part of any of these cases?
1434
1435 Mr. Ward - [Off microphone.] Mr. Chairman, I have a question for the
1436 Commission.
1437
1438 Mr. Archer - A question?
1439
1440 Mr. Ward - [Off microphone.] Yes sir.
1441
1442 Mr. Archer - Do you want to ask it before we start?
1443
1444 Mr. Ward - [Off microphone.] No.
1445
1446 Mr. Archer - Go to the microphone. And your name again, please.
1447
1448 Mr. Ward - I'm sorry. Ben Ward—W-a-r-d—for the record. Is this the
1449 location of the Libbie Mill Library as well?
1450
1451 Mr. Emerson - Yes sir, it is.
1452
1453 Mr. Ward - It is. If that is the case, the library is proposed to have a third
1454 story finished off. I know the third story is already there in the library. Is that going to affect
1455 the traffic in any manner with the additional—I don't know—
1456
1457 Mr. Emerson - This development is an Urban Mixed-Use planned
1458 development and the traffic impact studies have been done considering the impact of the
1459 entire development. So it should have no unanticipated impact on the traffic for the library.
1460
1461 Mr. Ward - And that's in addition to the third story of the library?
1462
1463 Mr. Emerson - Yes, yes. Yes sir.
1464
1465 Mr. Ward - Okay. Thank you.
1466
1467 Mr. Archer - Thank you, Mr. Ward. All right. Mr. Witte, how would you like
1468 to proceed? Oh, I'm sorry. Ms. Crady.
1469
1470 Ms. Crady - I can skip it; that's fine. All right.
1471

1472 Mr. Archer - I'll blame Mr. Ward for that. You go ahead.

1473
1474 Ms. Crady - Oh, that's fine. I'm going to take you through each one. The
1475 cases that were just announced, they're on pages 21 through 25 in your agenda. And they
1476 cover the conditional subdivision, the POD, and the landscape and lighting components
1477 associated with section 3. That includes the townhomes; the condo buildings 2, 3, and 4;
1478 and the clubhouse complex with multiple buildings that are located in this phase. And that's
1479 in this general area here in the overall plan. This is going to be at the current westernmost
1480 border of the UMU district as you see it. With that, I'll dive into the conditional.

1481
1482 The conditional approval is for 63 additional residential townhouse units for sale. That's on
1483 page 21. That's listed as Libbie Mill Townhomes, March 2016 plan. Townhome
1484 developments over 50 units require action by the Commission for both the conditional
1485 subdivision and the POD. That's why you're hearing this twice on this agenda. As you will
1486 see by the architectural elevations that I'll show in the POD, this will be a continuation of
1487 the three-story units that were previous approved with phases 1 and 2 of the townhomes.

1488
1489 Staff recommends conditional approval to the townhome portion of this development
1490 subject to the annotations on the plans, the standard conditions for residential townhomes,
1491 and condition #15 in your agenda.

1492
1493 Next with the plan of development, in addition to those 63 townhomes in here, with the
1494 continuation of those types of units there will be four-story-tall condominium buildings
1495 along Libbie Lake West Street, which are the same as you saw in section 1 here. So this
1496 is building 1, 2, 3, 4. This will be 2 through 4 of the condominium buildings with this phase.

1497
1498 I'll show you those elevations. These are the townhomes that are subject to the conditional
1499 and POD approval. The condominiums are here. So those are, like I said, previously
1500 approved with sections 1 and 2. They're the same design, materials, heights, stories. All
1501 units contain finished square footage, exclusive of garages, exceeding the minimum
1502 requirements outlines in the pattern book and representing a range between 1500 and
1503 3,000 square feet per unit.

1504
1505 As part of the POD, there's also the community complex, which is going to be located right
1506 along Spencer Road. Here's an elevation of the main community center clubhouse
1507 building. I'll take you around the building. Fiber cement and composite siding elements;
1508 standing seam metal roof; wooden timbers and posts and beams; and a masonry fireplace.
1509 The clubhouse is designed to open into the pool area with some rollup doors towards the
1510 pool. There's a great room, a serving kitchen, business office for the site, the folks that are
1511 overseeing the community center. There's also an exercise pavilion. They call this the
1512 *yoga pavilion*. It can be used for any open format exercise activities.

1513
1514 This community center is for the benefit of just the townhome and condominium building
1515 owners, not for the apartment complex. The apartment complex has its own facility.

1516
1517 This is the pool house with the restrooms, pump house, and changing areas.

1518
1519 Then here are some samples. I believe the architect has brought a beige siding sample. I
1520 think your elevations in your packet came out a little bit yellow.

1521
1522 With that, the clubhouse complex is a mixture of materials including stained exterior timber
1523 posts and beams; beige fiber cement siding; a masonry fireplace; composite trim; and
1524 zinc-colored metal roof.

1525
1526 Staff can recommend approval of the plan of development subject to the annotations on
1527 the plans, the standard conditions for developments of this type, and conditions 29 through
1528 38 in your agenda.

1529
1530 Finally, moving on to the landscape and lighting plans associated with this phase, as
1531 landscape and lighting is required to be submitted with the plan of development. We have
1532 the overall streetscape tree plan. The UMU ordinance requires that the street trees be
1533 consistent and the street lighting be consistent throughout the development. The lighting
1534 plan provided incorporates lighting to meet the standards of the UMU ordinance and
1535 continues to implement the residential style and scale street poles that are being used
1536 throughout the development. And those are shown here. These are 14-foot-high posts,
1537 and these are the building-mounted fixtures here.

1538
1539 Some bollards were added in one location of the development for more of a tricky area to
1540 try to get lighting in there adjacent to residential buildings. There's a corridor here with a
1541 sidewalk where it was hard to get the pole lights that wouldn't be right outside somebody's
1542 window. So there are two little bollards there. That's representative of the applicant's
1543 commitment to providing a safe and functional pedestrian community.

1544
1545 Within the landscape plans there are also details for prototypical foundation plantings.
1546 Hardscape details are included to show brick-lined tree wells, as well as hardscape around
1547 the common area elements. Not only the pool house areas, but also areas such as mailbox
1548 landings.

1549
1550 With that, the proposal is in compliance with all applicable proffers and provisional use
1551 permits, the Urban Mixed-Use District Ordinance, and the UMU pattern book for Libbie
1552 Mill. There are several representatives here for the development. Shane Finnegan is here
1553 representing Midtown Land Partners. Monte Lewis, the civil engineer, is here and can
1554 speak to the subdivision and plan of development. Steven L'Heureux is the architect from
1555 Commonwealth Architects. And also we have Andrew Bleckley and Liz Crim with Cite
1556 Design representing the landscape and lighting plans.

1557
1558 With that, I can answer any questions the Commission may have. Just to remind you, the
1559 Commission will need to make three motions.

1560
1561 Mr. Archer - All right. Thank you, Ms. Crady. Are there questions for
1562 Ms. Crady on the subdivision, the POD, or the landscape and lighting plan?
1563

1564 Mr. Ward - [Off microphone.] Mr. Chairman, [inaudible].
1565
1566 Mr. Archer - I'm sorry?
1567
1568 Mr. Ward - [Off microphone; inaudible.]
1569
1570 Mr. Archer - Yes sir.
1571
1572 Mr. Ward - [Off microphone.] The applicant—on the top of page 22—
1573
1574 Mr. Emerson - Please identify yourself again, sir.
1575
1576 Mr. Ward - I'm sorry. Ben Ward—W-a-r-d—for the record. In the agenda,
1577 it mentions a 390-square-foot bath house. But down at the bottom, it mentions nothing
1578 about a bathhouse; it does mention a pool house that's not mentioned at the top. Can
1579 someone clarify that for me?
1580
1581 Mr. Archer - Ms. Crady?
1582
1583 Ms. Crady - The bathhouse is the pool house.
1584
1585 Mr. Ward - The bathhouse is the pool house.
1586
1587 Ms. Crady - Yes.
1588
1589 Mr. Archer - All right. Thank you, Mr. Ward. Any further questions from the
1590 Commission?
1591
1592 Mrs. Marshall - I have a question.
1593
1594 Mr. Archer - Go ahead, Mrs. Marshall.
1595
1596 Mrs. Marshall - Looking at the pictures that you had of the residential, the
1597 townhouses, the condos, it seemed to me that the pool house did not go with them at all.
1598 Is it any way to look at those side by side?
1599
1600 Mr. Leabough - I thought that exact same thing.
1601
1602 Mrs. Marshall - When you showed this, I looked at them and I'm like wow, I like
1603 that, that's great. Then the pool house looks so different. Maybe it's the way that it's drawn.
1604
1605 Ms. Crady - I think it is a different style of rendering. But also it is a different
1606 style of architecture. And I can let the architect come up and speak to that. There are some
1607 compatible materials. The most contrasting material would be the roof, of course. This is
1608 the only standing seam roof so far that I can recall in the development. I would note that
1609 these buildings are at least a story if not two stories lower than the condo and townhome

1610 buildings. They won't be as visible to the public. I couldn't speak for the style that the
1611 developer is going for here. As far as scale, these are at a much—the scale is a little
1612 different. I'll let the architect speak to that.

1613

1614 Mr. Witte - Mrs. Marshall, I had the same concerns, and I spoke to the
1615 people at Gumenick about it. Their intention is to implement or incorporate the mill look
1616 into the Staples Mill facility. So that's the purpose. Mr. Chasen told me that they were very
1617 excited to incorporate this look. They think it will be very successful. It's an aspect I haven't
1618 come up against before, but they seem to be very excited about it.

1619

1620 Mrs. Marshall - It almost seems like, then, you would want some of the mill
1621 aspect in the architecture of the units also so it would go together.

1622

1623 Mr. Witte - Sometimes I guess the shock aspect has benefits.

1624

1625 Ms. Crady - Well you won't mistake this building for the condo.

1626

1627 Mrs. Marshall - You're right about that.

1628

1629 Mr. Witte - But we can have the architect come down and speak to that.

1630

1631 Ms. Crady - Okay. One other thing I forgot to mention is that the entire
1632 community center complex is surrounded by a brick wall as well. It's all controlled access.
1633 It's for the benefit of the owners.

1634

1635 Mr. Archer - All right, thank you, Ms. Crady. Any further questions for
1636 Ms. Crady? All right.

1637

1638 Mr. Witte - Can we have the architect come down?

1639

1640 Mr. Archer - I suspect the applicant should come down.

1641

1642 Mr. L'Heureux - Good morning, my name is Steve L'Heureux. I'm the architect
1643 with Commonwealth Architects, and I represent the applicant.

1644

1645 The clubhouse facility is meant to be somewhat more contemporary from the traditional
1646 aspects of the townhouse architecture. We presented it to Wayne Chasen and Gumenick
1647 Properties as more of an open, social atmosphere that has a more contemporary feel,
1648 where people would gather, socialize. There would be activities and classes and things
1649 like that. So we're looking for a building that's very open to the pool, deck, the pool house
1650 itself so that it can be used interior and exterior.

1651

1652 The materials that are proposed are complementary to the ones already used on the
1653 townhouses and condominium buildings. They're meant to be neutral colors that
1654 complement the natural materials, the natural timbers. The zinc-coated roof is exemplary
1655 of this kind of architectural style. It's also meant to be a long-term strategy that's low

1656 maintenance. It's not meant to be shiny. It actually patinas to a dull gray color, so it is just
1657 a kind of neutral, but it fits the style of architecture.

1658
1659 Mrs. Marshall - I guess I'm going to ask you the same question. If you want to
1660 tie in the mill aspect, I understand that. That's great. I think it's good. I just don't see the
1661 tie-in between the buildings and the pool house as far as looking—if you look at one and
1662 you look at the other it's like apples and oranges. I don't see any connection between the
1663 two.

1664
1665 Mr. L'Heureux - If you look at the overall development also, the Urban Mixed-
1666 Use development, there's a lot of different strategies going on, and they're meant to be
1667 one cohesive development. We have the Henrico library; we have the traditional office
1668 retail structures. Also down by the pool we have steel structures for the pool deck area.
1669 We have standing seam metal roof on the swim pavilions, as well as the kiosk there. So
1670 the whole idea is that it is a complimentary development.

1671
1672 Mr. Leabough - Do you have a sample or something showing the brick wall that
1673 Ms. Crady mentioned?

1674
1675 Mr. L'Heureux - Yes.

1676
1677 Mr. Leabough - Is that in your presentation?

1678
1679 Mr. L'Heureux - It is. It is, correct. I think it was the last page. We're using the
1680 same brick that we've used elsewhere.

1681
1682 Mr. Leabough - Within the site?

1683
1684 Mr. L'Heureux - Within the site, correct. And that would also be used for the
1685 fireplace as well.

1686
1687 Mr. Archer - All right, any further questions from anybody?

1688
1689 Mr. Witte - We had a gentleman coming down. Do you have something to
1690 add?

1691
1692 Mr. Finnegan - [Off microphone.] Steve actually did it. I was just going to
1693 express that the social areas of the site—

1694
1695 Mr. Archer - Can you come up to the microphone? We need your name.

1696
1697 Mr. Finnegan - Shane Finnegan with Gumenick Properties. Steve actually got
1698 to it as I was on my way. But the swim pavilion up here, the social areas of the site, actually
1699 all have very similar architectural elements in them. The kiosk has a standing seam metal
1700 roof. The swim pavilions have the stand seam metal roof. And other buildings that we have
1701 planned long term will have also similar elements.

1702
 1703 So this is here. It's intended to be a beacon for the community itself. The social areas that
 1704 you'll see throughout the site will all have similar architectural elements as we develop
 1705 through.
 1706
 1707 So thank you.
 1708
 1709 Mrs. Marshall - Thank you.
 1710
 1711 Mr. Archer - Thank you. Anybody else?
 1712
 1713 Mr. Witte - I'm good.
 1714
 1715 Mr. Archer - All right, Mr. Witte, we're back to you.
 1716
 1717 Mr. Witte - Let's go back to page 21.
 1718
 1719 Mr. Archer - All right.
 1720
 1721 Mr. Witte - Conditional subdivision.
 1722
 1723 Mr. Archer - Which would be the subdivision, Libbie Mill Townhomes.
 1724
 1725 Mr. Witte - All right, Mr. Chairman, I move that SUB2016-00023, Libbie
 1726 Mill Townhomes (March 2016 plan), be approved subject to the annotations on the plans,
 1727 standard conditions for residential townhomes, and condition number 15 in the agenda.
 1728
 1729 Mr. Leabough - Second.
 1730
 1731 Mr. Archer - All right. Motion by Mr. Witte and seconded by Mr. Leabough.
 1732 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
 1733
 1734 The vote was as follows:
 1735
 1736 Mr. Archer - Yes
 1737 Ms. Jones - Absent
 1738 Mr. Leabough - Yes
 1739 Mrs. Marshall - Yes
 1740 Mr. Witte - Yes
 1741
 1742 The Planning Commission granted conditional approval to SUB2016-00023, Libbie Mill
 1743 Townhomes (March 2016 plan), subject to the standard conditions attached to these
 1744 minutes for residential townhouses, the annotations on the plans, and the following
 1745 additional condition:
 1746

1747 15. The proffers approved as part of zoning cases REZ2015-00018 and PUP2015-
1748 00006 shall be incorporated in this approval.
1749

1750 Mr. Witte - All right. Now POD2016-00057. Mr. Chairman, I move that
1751 POD2016-00057, Libbie Mill Townhomes, Section 3, Clubhouse, and Condo Buildings 2-
1752 4, be approved subject to the annotations on the plan, standard conditions for
1753 developments of this type, and additional conditions 29 through 38 as shown on the
1754 agenda.
1755

1756 Mrs. Marshall - Second.
1757

1758 Mr. Archer - Motion by Mr. Witte and seconded by Mrs. Marshall. All in favor
1759 say aye. All opposed say no. The ayes have it, and that POD passes.
1760

1761 The vote was as follows:
1762

1763 Mr. Archer - Yes
1764 Ms. Jones - Absent
1765 Mr. Leabough - Yes
1766 Mrs. Marshall - Yes
1767 Mr. Witte - Yes
1768

1769 The Planning Commission approved POD2016-00057, Libbie Mill Townhomes, Section 3,
1770 Clubhouse, and Condo Buildings 2-4, subject to the annotations on the plans, the standard
1771 conditions attached to these minutes for developments of this type, and the following
1772 additional conditions:
1773

1774 29. The unit house numbers shall be visible from the parking areas and drives.
1775

1776 30. The names of streets, drives, courts and parking areas shall be approved by the
1777 Richmond Regional Planning District Commission and such names shall be
1778 included on the construction plans prior to their approval. The standard street name
signs shall be installed prior to any occupancy permit approval.

1779 31. The subdivision plat for Libbie Mill Townhomes Section 3 shall be recorded before
1780 any building permits are issued.

1781 32. Prior to issuance of a certificate of occupancy for any building in this development,
1782 the engineer of record shall certify that the site has been graded in accordance with
1783 the approved grading plans.

1784 33. Outside storage shall not be permitted.

1785 34. The proffers approved as a part of zoning cases REZ2015-00018 and PUP2015-
1786 00006 shall be incorporated in this approval.

1787 35. A construction staging plan which includes details for traffic control, fire protection,
1788 stockpile locations, construction fencing and hours of construction shall be
1789 submitted for County review and prior to the approval of any final construction plans.

1790 36. A note in bold lettering shall be provided on the erosion control plan indicating that
1791 sediment basins or traps located within buildable areas or building pads shall be
1792 reclaimed with engineered fill. All materials shall be deposited and compacted in

1793 accordance with the applicable sections of the state building code and geotechnical
1794 guidelines established by the engineer. An engineer's report certifying the suitability
1795 of the fill materials and its compaction shall be submitted for review and approval
1796 by the Director of Planning and Director of Public Works and the Building Official
1797 prior to the issuance of any building permit(s) on the affected sites.

1798 37. The pavement shall be of an SM-2A type and shall be constructed in accordance
1799 with County standard and specifications. The developer shall post a defect bond for
1800 all pavement with the Department of Planning - the exact type, amount and
1801 implementation shall be determined by the Director of Planning, to protect the
1802 interest of the members of the Homeowners Association. The defect bond shall
1803 remain in effect for a period of three years from the date of the issuance of the final
1804 occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a
1805 professional engineer must certify that the roads have been designed and
1806 constructed in accordance with County standards.

1807 38. The location of all existing and proposed utility and mechanical equipment
1808 (including HVAC units, electric meters, junction and accessory boxes, transformers,
1809 and generators) shall be identified on the landscape plans. All equipment shall be
1810 screened by such measures as determined appropriate by the Director of Planning
1811 or the Planning Commission at the time of plan approval.

1812
1813 Mr. Witte - All right. Now the landscape and lighting plan. Mr. Chairman, I
1814 move POD2016-00058 & POD2016-00059, Libbie Mill Townhomes Section 3, Clubhouse,
1815 and Condo Buildings 2 - 4, landscape and lighting plan, be approved subject to the
1816 annotations on the plans and standard conditions for landscape and lighting plans.

1817
1818 Mr. Leabough - Second.

1819
1820 Mr. Archer - Motion by Mr. Witte, seconded by Mr. Leabough. All in favor
1821 say aye. All opposed say no. The ayes have it; the motion passes.

1822
1823 The vote was as follows:

1824
1825 Mr. Archer - Yes
1826 Ms. Jones - Absent
1827 Mr. Leabough - Yes
1828 Mrs. Marshall - Yes
1829 Mr. Witte - Yes

1830
1831 The Planning Commission approved the landscape and lighting plan for POD2016-00058
1832 & POD2016-00059, Libbie Mill Townhomes Section 3, Clubhouse, and Condo Buildings
1833 2-4, subject to the standard conditions attached to these minutes for landscape and
1834 lighting plans.

1835
1836 Mr. Witte - Ms. Crady, thank you for your help.

1837

1838 Mr. Emerson - Mr. Chairman, we now move on to page 26 of your agenda for
1839 SUB2015-00152, Townes Site Engineering, P.C. for Ross Run, LLC. The staff report will
1840 be presented by Mr. Mike Kennedy.

1841
1842 **SUBDIVISION AND EXCEPTION**
1843

SUB2015-00152
Castleton (November
2015 Plan) - Macallan
Parkway

Townes Site Engineering, P.C. for Ross Run, LLC: The
139.66-acre site proposed for 325 zero lot line single-family
lots with an exception for double frontage lots. The site is
located between the south line of Darbytown Road at its
intersection with Macallan Parkway and the east line of
Doran Road at its intersection with Macallan Parkway, on
parcel 824-694-2155 and part of parcel 824-689-0488. The
zoning is R-5AC, General Residential District (Conditional).
County water and sewer. **(Varina) 325 Lots**

1844
1845 Mr. Archer - All right. Is there anyone present who is opposed to this
1846 subdivision and exception, SUB2015-00152, Castleton (November 2015 plan)? I see no
1847 opposition. Mr. Kennedy. Good morning again, sir.

1848
1849 Mr. Kennedy - Good morning again.

1850
1851 The proposed conditional plat would replace the undeveloped portion of the previously
1852 approved conditional plat for Castleton from February 2005, located north of Four Mile
1853 Creek. This section here is what's being replaced. [referring to the plan] This is a lower
1854 section east of the creek adjacent to 295. It's already been recorded. They're constructing
1855 homes at this time.

1856
1857 The revised plat would also add another seven-acre parcel to the overall development in
1858 this area here. When the Planning Commission approved the previous conditional plat,
1859 the residual Castleton property was zoned R-2AC Single-Family Residential District
1860 (conditional), and the additional property was zoned A-1 Agricultural District. Since that
1861 time, both parcels were rezoned R-5AC General Residence District by the Board of
1862 Supervisors in July of last year, pursuant to rezoning case REZ2014-00016.

1863
1864 The developer proposes to construct single-family detached zero-lot-line dwellings. The
1865 revised layout would increase the number of authorized lots from 178 to 325, of which 12
1866 lots would be located on the additional land. This development is consistent with the
1867 proffered plan in the zoning case I previously mentioned. The proposed layout satisfies
1868 both the development standards of the zoning code pertaining to zero-lot-line
1869 development, as well as the applicable proffers, and is consistent with the proffered layout.

1870
1871 The proffered layout also anticipates the next issue, which is the prior subdivision requires
1872 an exception from subdivision design standards for through lots on local roads. Those lots
1873 include lots 31 through 34 in block B; 263 to 266 in block C, which is across in this area
1874 here; and lots 124 through 131, and lot 196, and lots 198 through 206 in block G in this

1875 area here. They're all along Macallan Parkway. And Macallan Parkway is not listed as a
1876 major thoroughfare road in the MTP plan, but actually functions as a collector road for this
1877 development. So it's the major road looping through the development. It actually comes
1878 out here, comes back here, and goes out to between Darbytown and Doran Roads. So it
1879 functions like a Major Thoroughfare Plan road.

1880

1881 As I previously mentioned, it was anticipated in the zoning case that these through lots
1882 would be part of the development. And it is consistent with the proffered layout plan
1883 approved by the Board of Supervisors.

1884

1885 The proffers require a minimum 20-foot-wide buffer planted to the standard of a 10-foot
1886 transitional buffer along the backside of any lot that fronts on two streets but not on corner
1887 lots. A landscape plan for the buffers must be submitted for administrative review prior to
1888 recordation of the applicable lots. In addition, the plans will come back—the construction
1889 plans will come back for POD review because they are zero-lot-lines. At that time, you'll
1890 see more of the construction plans for each section. You'll also be able to see the
1891 architectural plans for the buildings, which are substantially proffered.

1892

1893 No exceptions are required where a common area separates the rear lot line from an
1894 adjoining street. It may look like there are additional lots that require the exception, but
1895 they actually have a common area that separates them. Like in this block here.

1896

1897 Given that this is proffered plan, staff can recommend approval of the exception to
1898 subdivision design standards. The staff recommends conditional approval of the
1899 conditional plat subject to the annotations on the plans, standards conditions for
1900 subdivisions served by public utilities, and additional conditions 13 through 20 on the
1901 agenda.

1902

1903 The Planning Commission must approve the exception so they're designated either
1904 concurrently or prior to approval of the conditional subdivision plat.

1905

1906 Representatives of the developer are here to answer questions.

1907

1908 Mr. Archer - All right, thank you, Mr. Kennedy. Are there questions from the
1909 Commission for Mr. Kennedy?

1910

1911 Mr. Leabough - Yes, Mr. Chair.

1912

1913 Mr. Archer - Go right ahead.

1914

1915 Mr. Leabough - I have a couple of quick questions, if you don't mind.

1916

1917 Mr. Archer - Go right ahead.

1918

1919 Mr. Leabough - Mr. Kennedy, so the double frontage lots require additional
1920 buffering?

1921
1922 Mr. Kennedy - Yes sir.
1923
1924 Mr. Leabough - Than typical lots would that don't have double frontage. Can
1925 you speak to what that is again? It's an additional how many feet?
1926
1927 Mr. Kennedy - A 20-foot easement, landscape easement, which prevents
1928 access to the street to the rear lot. It also has to be planted at 10-foot transitional buffer
1929 requirements. So we'll have a continuous hedge row and we'll have trees. In addition,
1930 there is a tree-planting requirement along the roads, which is part of the proffers. There is
1931 also a lighting plan that is a part of the proffers.
1932
1933 We have preliminary plans for those here in the presentation. This shows the amount of
1934 street trees that they intend to install. It's almost every 150 feet that will have street trees.
1935 In addition, they also proffered lighting. Here are the light poles. The light poles will be
1936 every 60 feet. So substantially proffered development. It does increase density from the
1937 previous plan, but it has extensive proffers, which apparently the Board of Supervisors felt
1938 was warranted.
1939
1940 Mr. Leabough - And what would happen if a homeowner decided to use the
1941 other side of their lot for egress and ingress?
1942
1943 Mr. Kennedy - The easement prevents them from doing that, so it would not
1944 be permitted. There's a homeowners' association which would regulate it as well. There is
1945 a pool house and a pool already, but the proffers also require additional enhancements to
1946 the common area improvements.
1947
1948 Mr. Leabough - Thank you. I have no further questions.
1949
1950 Mr. Archer - Okay. Anybody else with questions?
1951
1952 Mr. Witte - Just for curiosity, is lot 156 considered an exception since it
1953 only has three sides? It's in the upper left-hand corner there.
1954
1955 Mr. Leabough - That wouldn't be considered a frontage.
1956
1957 Mr. Emerson - It has to have frontage on two roads.
1958
1959 Mr. Kennedy - It fronts on a major collector road that's already permitted by
1960 right. It doesn't need an exception. The lots that face on—that front on—that have a rear
1961 yard adjacent to a major road like Darbytown—
1962
1963 Mr. Witte - So it has to be the rear yard, not that it goes around the curve.
1964 Okay.
1965
1966 Mr. Leabough - It's just a corner lot.

1967
1968 Mr. Witte - Thank you.
1969
1970 Mr. Archer - Good question, Mr. Witte. All right, any further questions?
1971
1972 Mr. Leabough - All the other conditions of the rezoning case are met,
1973 Mr. Kennedy?
1974
1975 Mr. Kennedy - Yes, sir. All proffers are satisfied.
1976
1977 Mr. Leabough - Thank you.
1978
1979 Mr. Archer - Do you need to hear from anybody else?
1980
1981 Mr. Leabough - No, unless anyone else would like to hear from the applicant.
1982
1983 Mr. Archer - All right. We have another special exception, but I think that
1984 can be included in the motion.
1985
1986 Mr. Emerson - Yes sir, it can be combined.
1987
1988 Mr. Kennedy - It's a subdivision exception, so not technically a special
1989 exception.
1990
1991 Mr. Emerson - Right. But it can be combined in one motion.
1992
1993 Mr. Leabough - Okay. With that, I move that SUB2015-00152, Castleton,
1994 Macallan Parkway, be approved, and the subdivision exception allowing the double
1995 frontage lots be approved as well, subject to standard conditions for subdivisions served
1996 by public utilities, annotations on the plans, and the additional conditions 13 through 20 as
1997 noted in the agenda.
1998
1999 Mr. Witte - Second.
2000
2001 Mr. Archer - Okay. Motion by Mr. Leabough, seconded by Mr. Witte. All in
2002 favor say aye. All opposed say no. The ayes have it; the motion passes.
2003
2004 The vote was as follows:
2005
2006 Mr. Archer - Yes
2007 Ms. Jones - Absent
2008 Mr. Leabough - Yes
2009 Mrs. Marshall - Yes
2010 Mr. Witte - Yes
2011

2012 The Planning Commission granted conditional approval to SUB2015-00152, Castleton
2013 (November 2015 plan), subject to the standard conditions attached to these minutes for
2014 subdivisions served by public utilities, the annotations on the plans, and the following
2015 additional conditions:
2016

- 2017 13. The limits and elevation of the Special Flood Hazard Area shall be conspicuously
2018 noted on the plat and construction plans and labeled "Limits of Special Flood
2019 Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width
2020 Drainage & Utilities Easement."
2021 14. Prior to requesting the final approval, a draft of the covenants and deed restrictions
2022 for the maintenance of the common area by a homeowners association shall be
2023 submitted to the Department of Planning for review. Such covenants and
2024 restrictions shall be in a form and substance satisfactory to the County Attorney and
2025 shall be recorded prior to recordation of the subdivision plat.
2026 15. Prior to requesting construction plan approval, the developer must furnish a letter
2027 from Colonial Pipeline, stating that this proposed development does not conflict with
2028 its facilities.
2029 16. A County standard sidewalk shall be constructed along the east side of Doran
2030 Road.
2031 17. Any necessary offsite drainage easements must be obtained prior to final approval
2032 of the construction plan by the Department of Public Works.
2033 18. The proffers approved as part of zoning case REZ2014-00016 shall be incorporated
2034 in this approval.
2035 19. Any future building lot containing a BMP, sediment basin or trap and located within
2036 the buildable area for a principal structure or accessory structure, may be
2037 developed with engineered fill. All material shall be deposited and compacted in
2038 accordance with the Virginia Uniform Statewide Building Code and geotechnical
2039 guidelines established by a professional engineer. A detailed engineering report
2040 shall be submitted for the review and approval by the Building Official prior to the
2041 issuance of a building permit on the affected lot. A copy of the report and
2042 recommendations shall be furnished to the Directors of Planning and Public Works.
2043 20. A Plan of Development must be submitted for Planning Commission review and
2044 approval concurrent with the final plat submitted for administrative review and
2045 approval for each section of the subdivision.
2046

2047 Mr. Leabough - We'll have to Mrs. Marshall's microphone up.
2048

2049 Mr. Archer - I was waiting to hear a second.
2050

2051 Mr. Emerson - You had a second.
2052

2053 Mr. Leabough - She said it, but she didn't say it very loud.
2054

2055 Mr. Archer - Oh. I keep getting mail from people wanting to check my
2056 hearing.
2057

2058 Mr. Leabough - No, it's not you. I can't hear and I'm sitting next to her.
 2059
 2060 Mr. Emerson - Mr. Chairman, that takes us to the final item on your agenda or
 2061 the next final item, approval of your minutes from your February 24, 2016 meeting. There
 2062 is an errata sheet.
 2063
 2064 APPROVAL OF MINUTES: February 24, 2016
 2065
 2066 Mr. Archer - All right. Everybody have the errata sheet, I assume? Any
 2067 further corrections to the minutes?
 2068
 2069 Mr. Leabough - No sir.
 2070
 2071 Mr. Archer - All right. Is there a motion for approval?
 2072
 2073 Mr. Witte - So moved.
 2074
 2075 Mr. Leabough - I second.
 2076
 2077 Mr. Archer - All right. Motion by Mr. Witte, seconded by Mr. Leabough that
 2078 the minutes be approved. All in favor say aye. All opposed say no. The minutes stand
 2079 approved.
 2080
 2081 The vote was as follows:
 2082
 2083 Mr. Archer - Yes
 2084 Ms. Jones - Absent
 2085 Mr. Leabough - Yes
 2086 Mrs. Marshall - Yes
 2087 Mr. Witte - Yes
 2088
 2089 The Planning Commission approved the February 24, 2016 minutes as corrected.
 2090
 2091 Mr. Emerson - Mr. Chairman, I have nothing further for the Commission this
 2092 morning.
 2093
 2094 Mr. Archer - All right. Anything further from the Commission members? Mr.
 2095 Thornton, did you have something you wanted to say?
 2096
 2097 Mr. Thornton - Yes. Mr. Chairman, I'm honored by being a party to this Board
 2098 every four or five years. I know that my colleagues on this Board do an excellent job. So
 2099 what I like to do sometimes is I like to bring information to you and give you something to
 2100 think about if it has merit.
 2101
 2102 I've been part of this establishment since 1996. What I'm always sensitive to and want to
 2103 share with Board is that over the years when we look at the planning—since 1996, and

2104 this is 2016—I just want us to make sure that we’re using twenty-first-century tools. I’ve
2105 been talking about that with my colleagues on the Board of Supervisors, and I think we
2106 have something coming down the pike where we’re going to take a look at zoning and
2107 ordinances. So I’m just sharing with each of you that we want to make sure that as
2108 members of this Planning Commission, we need to also start looking at—that we’re very
2109 sensitive to the type of planning we’re going to need for the twenty-first century.
2110 Sometimes we’ve been doing things in the past; we don’t want to be locked into that.

2111
2112 Here’s something that comes up that I’ve been hearing for about 20 years. A lot of the
2113 citizens’ comments say why do you have to knock down all the trees. And then the
2114 developers will say well, hey, we need to do that. But you know, we need to start taking a
2115 better look at some of those things now. We need to even take a look at what people do
2116 in other countries. Some people think—some people suggest that maybe in Europe they
2117 do planning better. I won’t make any judgment about that. But all I’m suggesting to us is
2118 that we’re sensitive to the planning tools that we’re going to need for the twenty-first
2119 century. That might mean that we have to change some attitudes about some things when
2120 people bring cases to us.

2121
2122 And I’ll conclude with this. The way it happens is someone comes to us asking for
2123 permission to do something. And let’s just take building a house, a subdivision. We give
2124 them that permission. But whenever they have completed that initiative, that house, guess
2125 what, they got what they wanted. But the locality is stuck with it forever. So that’s why we
2126 have to make sure that the citizens are getting the very best. Nothing wrong with being a
2127 little tough on making sure that our tools are in place to make sure that all those in a new
2128 subdivision today—it’s going to get old later on. It’s going to require some tooling.

2129
2130 So we want to make sure that as we make these decisions on the Planning Commission,
2131 and the Board of Supervisors, that we look at the long-range picture. I’m not suggesting
2132 that we don’t do that. I’m just saying let’s be a little bit more sensitive to—let’s be a little bit
2133 tough with some of these things here, because some of these people, they look to us to
2134 have the best insight.

2135
2136 And I do meet people who are so disenchanting after their house is built, some things they
2137 think that maybe the locality should have looked at before it was approved. Sometimes
2138 after it leaves it us, we have no idea about some of those things.

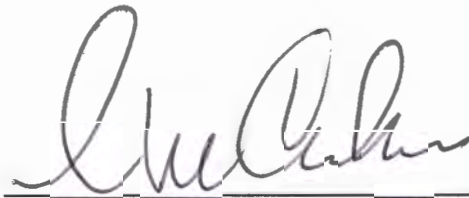
2139
2140 Just a thought, Mr. Chairman.

2141
2142 Mr. Archer - Well thank you for that astute observation, Mr. Thornton.
2143 Appreciate it.

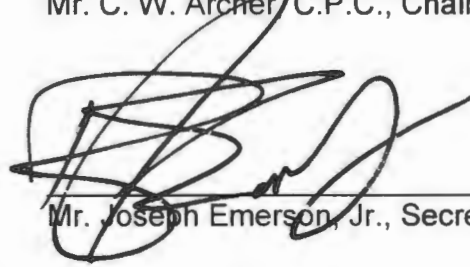
2144
2145 All right. Anything further to bring before the Commission? Then we stand adjourned at
2146 10:41 a.m.

2147
2148 Mrs. Marshall - Second.
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Mr. C. W. Archer C.P.C., Chairman



Mr. Joseph Emerson, Jr., Secretary

PLANS OF DEVELOPMENT STANDARD CONDITIONS

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **March 23, 2016**, which shall be as much a part of this approval as if details were fully described herein. Nine (9) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised October 2015)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.

11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature. **(For POD which includes lighting plan approval)**.
12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. **(Revised January 2008)**
17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the POD.
20. The approved Plan of Development is granted by the Planning Commission only to the owners(s)/applicant(s) listed on the Plan of Development application on file for this project. Upon written notification to the Director of Planning, the Plan of Development approval may be transferred to subsequent owner(s) subject to approval by this Commission. **(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 23, 2016**, which shall be as much a part of this approval as if all details were fully described herein. Four (4) sets of prints of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Conventional Single-Family Subdivisions Served By Public Utilities

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of sixteen (16) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on-site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **March 23, 2016**, 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 22, 2017**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Conventional Single-Family Subdivisions Not Served By Public Utilities

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of eleven (11) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **March 23, 2016**, 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 22, 2017**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Residential Townhouse for Sale (RTH) Subdivisions

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **March 23, 2016**, 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 22, 2017**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Zero Lot Line Subdivisions

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **March 23, 2016**, 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 22, 2017**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Road Dedication with No Lots

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of sixteen (16) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **March 23, 2016**, 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 22, 2017**, 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.