

Minutes of the regular monthly meeting of the Planning Commission of Henrico County, held in the Board Room of the County Administration Building in the Government Center at Parham and Hungary Spring Roads, beginning at 9:00 a.m. Wednesday, May 23, 2007.

Members Present: Mr. Tommy Branin, Chairperson (Three Chopt)
Mr. E. Ray Jernigan, C.P.C., Vice Chairperson (Varina)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)
Mrs. Bonnie-Leigh Jones (Tuckahoe)
Mr. Frank Thornton (Fairfield)
Board of Supervisors Representative
Mr. Randall R. Silber, Director of Planning, Secretary

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning
Ms. Leslie A. News, CLA, Principal Planner
Mr. James P. Strauss, CLA, County Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, County Planner
Lee Pambid, C.P.C., County Planner
Aimee Berndt, County Planner
Jonathan W. Steele, G.I.S. Manager
Mr. Michael Jennings, Traffic Engineer
Ms. Diana B. Carver, Recording Secretary
Ann B. Cleary, Office Assistant

Mr. Frank J. Thornton, the Board of Supervisors representative, abstains from voting on all cases unless otherwise noted.

Mr. Branin - Good morning and welcome to the May 23, 2007 Subdivision and Plan of Development meeting for Henrico County. Good morning, Mr. Thornton. Mr. Thornton is our Board of Supervisors representative on our Commission. Good morning to staff and everyone in the room. Mr. Silber, I'll let you take over.

Mr. Silber - Yes sir. Thank you, Mr. Chairman, Members of the Commission. Chris Archer called and is running about 10 or 15 minutes late, so he should be here in a few minutes. We do have a quorum and we can conduct business. I presume we can move forward. The first item on the agenda would be consideration of deferrals and withdrawals, and we have several deferrals this morning. Ms. News, can you tell us about those, please?

Ms. News - Yes sir. Good morning Members of the Commission. We have three requests for deferrals and withdrawals this morning. The first item is on page 16 of your agenda and is located in the Varina District. This is SUB-14-07, Village @ Olde Colony, February 2007 Plan for six lots. The applicant is requesting a deferral to the October 24, 2007 meeting.

SUBDIVISION (Deferred from the April 25, 2007 Meeting)

SUB-14-07
Village @ Olde Colony
(February 2007 Plan) -
Harmony Avenue

Bay Design Group, P.C. for Shurm Construction, Inc. and Sydney and Sydney Development, LLC: The 3.673-acre site proposed for a subdivision of 6 single-family homes is located along the south line of Harmony Avenue and the northern terminus of Woodside Street on parcel 803-696-9576. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. **(Varina) 6 Lots**

Mr. Branin - Is anyone in opposition to the deferral of SUB-14-07, Village @ Olde Colony (February 2007 Plan)? No one?

Mr. Jernigan - Mr. Chairman, with that, I will move for deferral of SUB-14-07, Village @ Olde Colony (February 2007 Plan) to the October 24, 2007 meeting by request of the applicant.

Mr. Vanarsdall - Second.

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

At the request of the applicant, the Planning Commission deferred SUB-14-07, Village @ Olde Colony (February 2007 Plan) to its October 24, 2007 meeting.

Ms. News - The next item is on page 32 of your agenda and located in the Varina District. This is POD-34-06 or POD-83-97 Revised, the Gillies Creek Recycling Center Office Area. The applicant is requesting a deferral to the September 26, 2007 meeting.

PLAN OF DEVELOPMENT (Deferred from the November 15, 2006 Meeting)

POD-34-06
Gillies Creek Recycling –
Office Area – Masonic
Lane and I-64
(POD-83-97 Revised)

Engineering Design Associates for Gillies Creek Industrial Recycling: Request for approval of a plan of development as required by Chapter 24, Section, 24-106 of the Henrico County Code, to construct a one-story, 6,000 square foot office/repair shop and two equipment sheds for an existing recycling center on the landfill property. The 3.57-acre site is located at 4200 Masonic Lane on parcel 806-719-8851. The zoning is M-2, General Industrial District. Individual well and septic tank/drainfield.
(Varina)

Mr. Branin - Is anyone in opposition to the deferral of POD-34-06 (POD-83-97 Revised), Gillies Creek Recycling-Office Area? No one?

Mr. Jernigan - Mr. Chairman, with that, I'll move for deferral of POD-35-06, Gillies Creek Recycling, to September 26, 2007 by request of the applicant.

Mrs. Jones - Second.

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

At the request of the applicant, the Planning Commission deferred POD-34-06 (POD-83-97 Revised), Gillies Creek Recycling-Office Area, to its September 26, 2007 meeting.

Ms. News - The final item is on page 34 of your agenda and located in the Fairfield District. This is POD-21-07, Pizza Hut @ Glen Lea Shopping Center. The applicant is requesting a deferral to the June 27, 2007 meeting.

PLAN OF DEVELOPMENT

POD-21-07
Pizza Hut @ Glen Lea
Shopping Center
2204 E. Laburnum Avenue

Hurt & Proffitt, Inc. for Regency Centers LP and Colonial Foods, L.L.C.: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, for a 531 square foot addition and façade renovation to an existing one-story restaurant for a total area of 3,375 square feet. The .50-acre site is located on the east line of Adams Road approximately 170 feet north of Laburnum Avenue, on parcel 802-736-8028. The zoning is B-2, Business District. County water and sewer. **(Fairfield)**

Mr. Branin - Is anyone in opposition to POD-21-07, Pizza Hut @ Glen Lea Shopping Center? No one?

Mr. Archer - Mr. Chairman, I move for deferral of POD-21-07, Pizza Hut @ Glen Lea Shopping Center to the June 27, 2007 meeting per the applicant.

Mr. Jernigan - Second.

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

At the request of the applicant, the Planning Commission deferred POD-21-07, Pizza Hut @ Glen Lea Shopping Center to its June 27, 2007 meeting.

Ms. News - That's all the items we have.

Mr. Silber - Are there any deferrals on behalf of the Planning Commission members? Anyone? Okay. Hearing none, next on the agenda would be consideration of those items on the expedited agenda. These are plans that are somewhat minor in nature. Staff has reviewed the plans. There are no outstanding issues; the applicant is agreeable to the annotations on the plan and all the conditions that are recommended with that plan. The Planning Commissioner for that district is comfortable with the plan, so it was placed on the expedited agenda so it can be heard without full hearing. If there is any opposition to that plan, it would be pulled off the expedited agenda and heard in the order of the full agenda. We have a number of items on our expedited agenda this morning. Ms. News?

Ms. News - The first item is on page 3 of your agenda and is located in the Three Chopt District. This is a Transfer of Approval POD-36-88, the Chem Treat Building. Staff recommends approval.

TRANSFER OF APPROVAL (Deferred from the April 25, 2007 Meeting)

POD-36-88 Chem Treat Building – 4301 Dominion Boulevard	William Homiller for 4301 Dominion Boulevard, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Lakefront Associates, L.P. to 4301 Dominion Boulevard, LLC. The 2.457-acre site is located at 4301 Dominion Boulevard, on the west line of Dominion Boulevard, approximately 450 feet north of its intersection with Innslake Drive on parcel 747-762-9548. The zoning is O-3C, Office District (Conditional) and C-1, Conservation District. County water and sewer. (Three Chopt)
---	---

Mr. Branin - Is anyone in opposition to POD-36-88, Chem Treat Building? No one? Okay, then I would like to move that Transfer of Approval, POD-36-88, Chem Treat Building, be placed on the expedited agenda with a motion of approval.

Mr. Jernigan - Second.

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

The Planning Commission approved the transfer of approval request for POD-36-88, Chem Treat Building, subject to the standard and added conditions previously approved for developments of this type from Lakefront Associates, L.P. to 4301 Dominion Boulevard LLC and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated March 6, 2007 shall be corrected by July 1, 2007.

Ms. News - Next on page 4 in your agenda and located in the Three Chopt District is a transfer approval, POD-51-78 (part) and POD-102-78 for Honeytree Apartments. Staff recommends approval.

TRANSFER OF APPROVAL

POD-51-78 (part) and
POD-102-78
Honeytree Apartments –
1528 Honey Grove Drive

Jeff Sirkin for Intrepid Residential and Lowe Enterprises: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Honeytree Apartments, Ltd. Partnership to Intrepid Residential Lowe Enterprises. The 28.37-acre site is located at the northeastern corner of the intersection of Three Chopt Road and Forest Avenue on parcel 760-744-1845. The zoning is R-5, General Residence District, R-6, General Residence District, R-3, One-Family Residence District, and C-1, Conservation District. County water and sewer. **(Three Chopt)**

Mr. Branin - Is anyone in opposition to the transfer of approval POD-51-78 (part) and POD-102-78, Honeytree Apartments? No one? Then I'd like to move that transfer of approval POD-51-78 (part) and POD-102-78, Honeytree Apartments be placed on the expedited agenda with recommendation for approval.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-51-78 (part) and POD-102-78, Honeytree Apartments, subject to the standard and added conditions previously approved for developments of this type from Honeytree Apartments, Ltd. Partnership to Intrepid Residential Lowe Enterprises and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated January 3, 2007, shall be corrected by June 4, 2007.

Ms. News - Next on page 5 of your agenda and located in the Three Chopt District is a transfer of approval for POD-89-79, which was formally a Wendy's Restaurant and is now Horizon Home Healthcare. There is an addendum item on page 1 of your addendum that indicates that there will be a name change with this transfer of approval.

TRANSFER OF APPROVAL

POD-89-79
Horizon Home Health Care
(Formerly Wendy's Restaurant)
7925 W. Broad Street

Gary Hudson for Hudson Holdings, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from C. F. Joyner & Sons to Hudson Holdings, LLC. The .622-acre site is located on the south side of W. Broad Street (U.S. Route 250) approximately 800 feet west of Hungary Spring Road on parcel 763-752-9220. The zoning is B-3, Business District. County water and sewer. **(Three Chopt)**

Mr. Branin - Is anyone in opposition to transfer of approval POD-89-79, Wendy's Restaurant? No one? Then I would like to move that transfer of approval POD-89-79, Wendy's Restaurant be approved on the expedited agenda.

Mr. Archer - Second.

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

The Planning Commission approved the transfer of approval request for POD-89-79, Wendy's Restaurant subject to the standard and added conditions previously approved for developments of this type from C. F. Joyner 7 Sons to Hudson Holdings, LLC and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated May 14, 2007, shall be corrected by July 1, 2007

Ms. News - The next item is on page 6 of your agenda and located in the Varina District. This is a transfer of approval for POD-90-02, Airport Self Storage. Staff recommends approval.

TRANSFER OF APPROVAL

POD-90-02
Airport Self Storage –
520 Williamsburg Road

Richard Hanna for The Heron Group, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Camco, LLC to J. F. Storage Holding, LLC. The 4.5-acre site is located on the north side of Williamsburg Road, approximately 1,100 feet east of Airport Drive on parcel 823-716-6129. The zoning is M-1C, Light Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer.
(Varina)

Mr. Branin - Is anyone in opposition to transfer of approval POD-90-02, Airport Self Storage? No one?

Mr. Jernigan - Mr. Chairman, I recommend approval of transfer of approval POD-90-02, Airport Self Storage on Williamsburg Road on the expedited agenda.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-90-02, Airport Self Storage subject to the standard and added conditions previously approved for developments of this type from Camco, LLC to J. F. Storage Holding, LLC and the following additional condition:

1. The site deficiencies, as identified in the inspection report dated April 16, 2007, shall be corrected by October 1, 2007.

Ms. News - The next item is on page 10 of your agenda and located in the Tuckahoe District. This is a lighting plan, LP/POD-63-06 for the Wellness Center @ Starling. There is an addendum item on page 3 that indicates that a revised plan has been provided that satisfies the staff and police concerns regarding light levels. Staff can recommend approval.

LIGHTING PLAN (Deferred from the May 10, 2007 Meeting)

LP/POD-63-06
Wellness Center @
Starling –
Starling Drive

Chuck Meekins, Grand Metro Builders for Sliding Home LLC and Ms. Paige Beale: Request for approval of a lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The .403-acre site is located on the west line of Starling Drive, approximately 360 feet south of the intersection with Quioccasin Road on part of parcel 752-744-2461. The zoning is B-2C, Business District (Conditional). **(Tuckahoe)**

Mr. Branin - Is anyone in opposition to LP/POD-63-06, Wellness Center @ Starling? No one?

Mrs. Jones - I recommend approval on the expedited agenda of LP/POD-63-06, Wellness Center @ Starling subject to the annotations on the plan, standard conditions for lighting plans, and comments included on the addendum.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the landscape plan for LP/POD-63-06, Wellness Center @ Starling subject to the standard conditions attached to these minutes for landscape and lighting plans.

Ms. News - Next on page 21 of your agenda and located in the Varina District is POD-28-07, Tech Park Warehouse II. Staff recommends approval.

PLAN OF DEVELOPMENT

POD-28-07
Tech Park Warehouse II –
Technology Boulevard

Timmons Group for Y, Y&E: Request for approval of a plan of development as required by Chapter 24, Section, 24-106 of the Henrico County Code, to construct a one-story, 11,812 square foot warehouse. The 1.225-acre site is located approximately 250 feet south of Technology Boulevard and approximately 300 feet from the east line of Tech Park Place on part of parcel 844-704-6523. The zoning is M-2C, General Industrial District (Conditional). County water and sewer. **(Varina)**

Mr. Branin - Is anyone in opposition to POD-28-07, Tech Park Warehouse II? No one?

Mr. Jernigan - Mr. Chairman, with that, I would like to recommend approval of POD-28-07, Tech Park Warehouse II, subject to the annotations on the plan, the standard conditions for developments of this type, and the following additional conditions, #24 through 36 and on the expedited agenda.

Mr. Archer - Second.

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

The Planning Commission approved POD-28-07, Tech Park Warehouse II subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

24. 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.
25. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
26. All repair work shall be conducted entirely within the enclosed building.
27. Outside storage shall not be permitted.
28. The proffers approved as a part of zoning case C-60C-97 shall be incorporated in this approval.
29. 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.
30. 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.
31. 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.
32. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
33. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
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. All subsequent detailed plans of development will

require Planning Commission approval and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval.

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.

Ms. News - The final item is on page 30 of your agenda and located in the Varina District. This is POD-30-07, Kingsridge III. Staff recommends approval.

PLAN OF DEVELOPMENT

POD-30-07
Kingsridge III – Dabbs
House Road and East
Richmond Road

Engineering Design Associates for Kingsridge 200, LLC: Request for approval of a plan of development as required by Chapter 24, Section, 24-106 of the Henrico County Code, to construct 59, two-story, 71,980 square foot townhouse units. The 6.99-acre site is located at 501 Dabbs House Road on part of parcels 809-726-1917 and 809-725-8954. The zoning is R-5, General Residence District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Mr. Branin - Is anyone in opposition to POD-30-07, Kingsridge III? No one?

Mr. Jernigan - Mr. Chairman, with that, I will move for approval of POD-30-07, Kingsridge III on Dabbs House Road, subject to the standard conditions for developments of this type and additional conditions #9 amended, #11 amended, and added conditions Nos. 24 through 39 and on the expedited agenda.

Mrs. Jones - Second.

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

The Planning Commission approved POD-30-07, Kingsridge III subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture and

- specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
24. The right-of-way for widening of Concept Road 140-2 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.
 25. 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.
 26. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain 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.
 27. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
 28. 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.
 29. 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.
 30. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.
 31. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
 32. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
 33. 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.
 34. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development needed to implement this conceptual plan require Planning Commission approval

- and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/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.
 36. The unit house numbers shall be visible from the parking areas and drives.
 37. 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 ordered from the County and installed prior to any occupancy permit approval.
 38. Each building shall have a minimum of one unit with a brick front. Brick veneer foundations shall be provided for all buildings. Each interior end unit shall have a minimum of two double windows, and end units facing streets or drives shall have a bay window.
 39. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.

Ms. News - That concludes our expedited agenda.

Mr. Silber - Thank you, Ms. News. Next on the agenda would be consideration of Extension of Conditional Subdivision Approvals. These are plans that have tentative or conditional subdivision approval and they are up for extension. All of the items on the agenda this morning are subdivisions that can be approved or extended administratively so they're listed for informational purposes only. It requires no action by the Planning Commission. If the Commission has any questions on any of these, Ms. Goggin is here to answer your questions.

**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL
FOR INFORMATIONAL PURPOSES ONLY**

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Year(s) Extended Recommended
Glendale Heights (May 2006 Plan)	14	14	0	Brookland	1 Year 5/28/08
Kingsland Green (May 2006 Plan)	56	56	0	Varina	1 Year 5/28/08
The Ridings @ Warner Farm (April 2006 Plan)	656	656	0	Varina	1 Year 5/28/08
Wilton on The James Single Family (March 2006 Plan)	299	299	0	Varina	1 Year 5/28/08
Wilton on The James Townhouses (March 2006 Plan)	159	159	0	Varina	1 Year 5/28/08

Mr. Branin - We have none, Mr. Secretary.

Mr. Silber - Okay. Moving on to page 7 of your agenda.

FENCE PLAN (Deferred from the April 25, 2007 Meeting)

LP/POD-9-06
Staples Mill Square
Shopping Center –
Staples Mill Road

Higgins & Gerstenmaier for Staples Mill Square Association, LLC: Request for approval of a fence plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 36.71-acre site is located on the northeast corner of the intersection of Staples Mill Road (U.S. Route 33) and Hungary Spring Road on parcel 768-757-2542. The zoning is B-2C, Business District (Conditional). **(Brookland)**

Mr. Branin - Is anyone in opposition to LP/POD-9-06, Staples Mill Square? No one? Good morning, Mr. Strauss.

Mr. Strauss - Good morning, Mr. Chairman, members of the Commission. This Commission may recall that the fence plan portion of this case was deferred at last month's meeting to allow the applicant an opportunity to arrange a meeting with the neighbors of Lakeland Townes and discuss this fence. The landscape plan was approved at the last meeting, but there remained an issue with regards to the proffered

six-foot chain link fence to be constructed along the northern property line with Lakeland Towns.

The neighbors suggested that a board-on-board screen fence be substituted for the proffered chain link fence. The applicant met with the neighbors on May 15th and after much discussion, the applicant has offered to raise the chain link fence height to eight feet along the property line with the Lakeland Townes subdivision. In addition, a black screen mesh fabric will be added to the upper six-foot portion of the eight-foot chain link fence.

Additional plantings were agreed to and proposed for the selected areas on the fence landscape plan. The berm was raised several feet in height and the green, giant arborvitae in the buffer will be a minimum of eight feet in height at time of planting.

We are aware of one additional change to the plan that we've just handed out. After discussion this morning with the neighbors, it was agreed to extend the eight-foot portion of the fence to the east toward Old Staples Mill Road an additional 70 feet so that it would be parallel and the same length as the berm that's out there now. We will make that annotation on the plan.

With that, I will be happy to answer any questions you may have.

Mr. Vanarsdall - It is annotated on the plan?

Mr. Strauss - It will be. I have not added that note yet. The plan we handed out this morning shows the eight-foot fence going to the property line of Lakeland Townes. The berm extends 70 feet beyond that, so we're going to extend that eight-foot portion of the fence and the applicant is agreeable to that.

Mr. Silber - Mr. Strauss, can you just point on the screen where the eight-foot fence would run, approximately, and where you're talking about this 70-foot extension?

Mr. Strauss - Right. Starting in the northwest corner along Lakeland Townes, which this is Lakeland Townes here, Silverbush Drive. It would extend easterly. The berm extends slightly beyond this adjacent B-2 parcel here. So, 70 feet in this area would be added to the eight-foot fence length. Then it transitions to a six-foot fence.

Mr. Branin - Okay. Does anybody have any questions for Mr. Strauss? No one? Would anyone like to hear from the applicant?

Mr. Vanarsdall - I don't really need to hear from the applicant because we had a meeting since we had the last meeting. We approved everything but the fence, and we had a meeting over at the lady's neighborhood, a very nice meeting. So, I don't really need to hear from them.

Mr. Branin - Okay. Then I'll entertain a motion.

Mr. Vanarsdall - This will probably sound like an award, an Oscar award because I want to thank everybody that was involved in this. I want to first thank Jim Strauss for sticking with us and doing all he did. Bobby Marchetti is sitting in the back and Bobby went many steps beyond what he had to do to make this a nice case. This shopping center was zoned and when it was zoned, where the townhouses are now was an office zoning. Then when that was rezoned, we needed a fence, a higher fence, and he agreed to that. We needed more buffering, and he agreed to that. I want to thank Bobby for doing that, and I want to thank Bill Axselle for being here to help us with it. Randy, the architect. The ladies up front here, I want to thank Donna Reynolds, who is not here this morning, but she furnished the quarters for us to meet the other night over there. We thought she was going to serve hotdogs and things, but she didn't. We did have a good meeting. Then Lisa Banas, who is the president of the association, and Pam Furr and Cindy Morgan and Karen Baldwin. Karen Baldwin carried the ball. These ladies were very nice about it, the whole community. Instead of demanding or threatening to get an attorney over and above Bill Axselle they were very nice about it and we got everything we needed. I hope you all are happy this morning, because I am.

I will get around to the motion now, Mr. Chairman. I move that LP/POD-9-06, Staples Mill Square fence be approved with annotations on the plans and standard conditions for landscaping plans.

Mrs. Jones - Second

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

The Planning Commission approved the fence plan for LP/POD-9-06, Staples Mill Square, subject to the standard conditions attached to these minutes for landscape plans.

LANDSCAPE & LIGHTING PLAN

LP/POD-49-05 Ridgefield Commons – Ridgefield Parkway & Pump Road	Dean Hawkins, ASLA for Ridgefield Commons, 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 2.06-acre site is located at the northeast corner of Pump Road and Ridgefield Parkway on parcel 741-751-7865. The zoning is O-2C, Office District (Conditional). (Tuckahoe)
---	---

Mr. Branin - Good morning, Mr. Kennedy. Is anyone in opposition to LP-POD-49-05, Ridgefield Commons? No one? Mr. Kennedy, it's up to you now.

Mr. Kennedy - The revised plan before you, which was attached to the addendum package, addresses staff's previous concerns regarding sod and mulch and the height of light poles. The plan before you provides for a six-foot high brickcrete fence to be constructed as proffered where it abuts the property lines in Kings Grant Subdivision. The plan has extensive perimeter landscaping. It will be sodded and irrigated. Although the developer previously indicated that he wanted to amend the proffers to delete the brick wall, due to opposition of the neighborhood, he's withdrawn that request and would like to move forward with this application. Staff recommends approval of the revised plan currently before the Planning Commission.

Mr. Branin - Okay. Does anybody have any other questions?

Mrs. Jones - I want to make sure I'm clear. We discussed the Kings Grant Drive property line. Could you describe the plantings for us there, as far as their relationship to the walkway?

Mr. Kennedy - There's a requirement in the proffers that there be a continuous hedge in that area, as well as additional trees.

Mrs. Jones - So, the walkway that is currently on our plan that shows a break to the sidewalk on Kings Grant Drive, will that end prior to the berm?

Mr. Kennedy - That will end prior to the berm. There will be a three-foot high berm in that area.

Mrs. Jones - Okay. I just wanted to be clear. I have no more questions for Mr. Kennedy.

Mr. Branin - Okay. Does anybody else have any questions for Mr. Kennedy? None? Mrs. Jones, would you like to hear from the applicant?

Mrs. Jones - No, I think we're fine.

Mr. Branin - Good. Okay.

Mrs. Jones - Mr. Kennedy, thank you very much. This has been an interesting case that went long before my time. It is now coming to fruition and it's going to be, I think, a very nice complex. Thank you for working with the neighbors so closely. They appreciated it and certainly I did. I think we've worked through the bigger issues of the wall and the lights and sidewalks, and I think the neighbors are well pleased with the final result. And, of course, that makes for a better project. I really do thank you for your time. With that, I would like to move for approval of LP/POD-49-05, Ridgefield Commons. This is subject to the annotations on the plans, and the standard conditions for landscape and lighting plans.

Mr. Vanarsdall - Second

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

The Planning Commission approved the landscape and lighting plan for LP/POD-49-05, Ridgefield Commons subject to the standard conditions attached to these minutes for landscape and lighting plans.

LANDSCAPE & LIGHTING PLAN

LP/POD-16-06 **Purvis & Associates for Short Pump Place, LLC:**
Avington Townhomes – Request for approval of a landscape and lighting plan, as
Pouncey Tract Road @ required by Chapter 24, Sections 24-106 and 24-106.2 of
I-64 the Henrico County Code. The 11.76-acre site is located
 at 4501 Pouncey Tract Road on the east line of Pouncey
 Tract Road, approximately 900 feet south of its
 intersection with Twin Hickory Lake Drive on parcel 740-
 764-5065. The zoning is RTHC, Residential Townhouse
 District (Conditional). **(Three Chopt)**

Mr. Branin - Mr. Kennedy, are you still here?

Mr. Kennedy - I'm still here. I have three in a row.

Mr. Branin - Is there anyone in opposition to LP/POD-16-06, Avington
Townhomes? No one? Mr. Kennedy, you're up.

Mr. Kennedy - The revised plan addresses staff's previous concerns
described in conditions 7 and 8 in the agenda regarding the provision of a safety fence
and vehicular protection around the BMP, as well as provision of additional light poles.
Staff recommends deletion of conditions 7 and 8 as a result of that, and approval of the
plan subject the standard conditions and condition 6, which is on the agenda. The
applicant is in agreement with staff's recommendation of the additional condition, which
recommends additional landscaping be provided around the pond. The pond is
supposed to be an amenity to the community and we think that additional landscaping is
required. They have agreed to that condition. The revised plan was received Monday,
so a waiver of time limits is required as well.

Mr. Branin - Does anyone have any other questions for Mr. Kennedy?
I'm glad to see that the applicant has put the additional landscaping around that pond.
From the beginning, this has been an amenity. I would like to make two motions. I'd
like to move to waive the time limits to the lighting and landscaping plan for LP/POD-16-
06, Avington Townhomes

Mr. Jernigan - Second.

Mr. Branin - Motion by Mr. Branin, seconded by Mr. Jernigan. All in favor say aye. All opposed say no. The ayes have it, the motion carries. The time limits are waived.

The Planning Commission approved the waiver of the time limits.

Mr. Branin - I'd like to move for approval of LP/POD-16-06, Avington Townhomes, as presented, subject to standard conditions applicable to the lighting and landscaping plans, and the annotations on the plans, and additional condition 6 shown on the agenda, and conditions 7 and 8 deleted, as shown on the agenda and addendum.

Mr. Jernigan - Second.

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

The Planning Commission approved the landscape plan for LP/POD-16-06, Avington Townhomes subject to the standard conditions attached to these minutes for landscape and lighting plans, and the following additional condition:

6. A revised plan providing landscaping equal to the 10-foot transitional buffer around the detention pond shall be submitted for staff review and approval.

LANDSCAPE & LIGHTING PLAN

LP/POD-71-06
Glen Allen Service Center
– Mountain Road @
Hamilton Road

Foster & Miller, P.C. for Glen Allen Service Center, Inc.: 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 0.619-acre site is located at 3015 Mountain Road on the south line of Mountain Road, approximately 150 feet west of its intersection with Hamilton Road on parcel 770-767-2959. The zoning is B-3C, Business District (Conditional).
(Brookland)

Mr. Branin - Is anyone in opposition to LP/POD-71-06, Glen Allen Service Center? No one? Mr. Kennedy?

Mr. Kennedy - The revised plan has been received addressing staffs annotations regarding sodding and mulch limits. Some of the plant materials and quantities have been revised. Staff recommends approval of the revised plan currently before the Commission. The revised plan was received on Monday, so a waiver of time limits is required as well.

Mr. Branin - Anybody have any other questions for Mr. Kennedy? None?

Mr. Vanarsdall - Here again, we had a meeting with Mike Kennedy, and Mike, I thank you for all you did on this one. We had a meeting on the site with Randy Silber, the applicant, Mr. Glover, Harvey Hinson, and Mike. They worked it all out. We had something on the addendum here, the revised plans that you got yesterday. So, we'll annotate those. If no one else has any questions, I don't need to hear from the applicant.

Mr. Silber - Mr. Vanarsdall, I do have one comment. Mr. Kennedy and I have talked about this. The fence that runs along the back property line, I think there was going to be an effort to stagger the fence for the access to be achieved for the property owner from the rear through this property. The plan doesn't show the staggering of that fence that I believe the applicant—

Mr. Vanarsdall - Are you talking about the one foot? Is that what it is?

Mr. Kennedy - They were supposed to revise that, yes.

Mr. Vanarsdall - Okay.

Mr. Silber - There was actually going to be a break in the fence.

Mr. Vanarsdall - Okay.

Mr. Kennedy - So the lady behind could walk through to the post office.

Mr. Silber - So, the final plan would have to reflect the break in that fence to allow access through the property.

Mr. Vanarsdall - All right. I move LP/POD-71-06, Glen Allen Service Center, be approved with annotations on the plan and standard conditions for landscape and lighting plans. Then on the addendum, the revised plan addresses staff's previous annotations regarding the sod and mulch limits, and shows revisions of the planting layout and the fence in question and I also move to waive the time limit on LP/POD-71-06, Glen Allen Service Center.

Mr. Jernigan - Second.

Mr. Branin - Motion by Mr. Vanarsdall, seconded by Mr. Jernigan for the waiving of the time limits.

Mr. Vanarsdall - I finished the motion, the other motion.

Mr. Branin - As well as the motion. All in favor say aye. All opposed say no. The ayes have it, the motion carries.

The Planning Commission approved the waiver of the time limits.

The Planning Commission approved the landscape plan for LP/POD-71-06, Glen Allen Service Center, subject to the standard conditions attached to these minutes for landscape plans.

PLAN OF DEVELOPMENT & ARCHITECTURAL PLANS

POD-42-06
West Broad Village –
Townhouse Architecturals
W. Broad Street/Three
Chopt Road

Ryan Homes for West Broad Village, LLS, West Broad Village II, LLC and Unicorp National Developments, Inc.: 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 269 townhouse units for sale in an urban mixed-use development. The 115.04-acre site is located along the south line of W. Broad Street (U. S. Route 250), the north line of Three Chopt Road, and the east line of the future John Rolfe Parkway on parcel 742-760-7866. The zoning is UMUC, Urban Mixed Use District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Branin - Is there anyone in the audience in opposition to POD-42-06, West Broad Village? No one? Good morning, Mr. Wilhite.

Mr. Wilhite - Good morning. This is the first set of architectural plans we have received for the residential portion of West Broad Village. It is comprised of 269 townhouse units or brown stone units with a total of 545 proposed for the project. Ryan Homes is building half of the townhouses within West Broad Village. We are aware that two other builders will be involved for the remaining portions. We have yet to receive architectural plans for those.

The units that Ryan is constructing comprise the eastern portion of the West Broad Village site, as you can see on the map. They are using two basic unit types. That's the Fairgate unit (referring to the screen). The primary materials are brick and hardiplank on the two units. We did get additional information that staff had requested. The shingles being used are going to be 30-year dimensional shingles on the front of the other unit that they are proposing. There are two basic units. The detailing and color are going to vary from unit to unit.

The only remaining issue is that we did not receive any details on the screening of the rear mechanical and electrical equipment. The applicant has agreed to resolve that prior to approval of building permits. They will be using closets for equipment on the side of the units, but the details for the rear have not been determined at this time.

Staff can recommend approval. I'll be happy to answer any questions that you may have.

Mr. Branin - I don't have any questions for Mr. Wilhite. Does anyone else?

Mr. Thornton - Mr. Chairman. I would like to ask this question to Mr. Silber. One of my concerns is that, over the years—This is not necessarily [unintelligible] to the case, but when we have a company like this, what are some of the other safeguards we have that the Planning Commission looks at to make sure that an owner is going to get a good [unintelligible]. I've received several complaints about some of the companies, that after the homes have been built that the owners feel as if some of these companies have not been following through. So, my question for you this morning is, do we have enough safeguards to make sure that once a person assumes that home, that they can accept that home with a certain type of tranquility that things are going to be right, or are there things now where the owners or the buyers have to be a little bit more careful now? I'm just concerned that are we making sure that we're doing our part in making sure that the companies are standing by their product.

Mr. Silber - Yes sir, Mr. Thornton, you have a good point. Obviously, the County has and the State has minimum building code requirements that all buildings must be built to, and those are checked consistently by our building inspectors throughout the construction of a home or a dwelling. So, they should be meeting all those minimum building standards. Your point may be directed more towards some other aspects of home construction that meet minimum requirements but maybe don't come up to the standards expected by the homebuyer or the eventual owner of the property. Obviously, from the planning perspective, as we get into approving plans such as these, we're primarily looking at the exterior of the building, the site development aspects, and not the interior construction. I think it is incumbent, and I think it always has been incumbent on the purchaser of the home to pay special attention to the details that go into a dwelling, making sure that the quality is there and expectations are being met. The County can meet and does meet all the requirements relative to the statewide building code requirements.

Mr. Thornton - Well, I just want to make certain, though, that—I don't know. I'm just wondering, does the Planning Commission need to take a look at also having another phase of seeing that after the dwelling's [sic] **owner** is in his or her home, that all those things have been met there. I have been getting many complaints about some of these builders and some of these have been rather prestigious in the past. That's a concern to me, since [unintelligible] county, that your biggest investment is your edifice, your castle, your home. I just wanted to bring this up because—I think I'd be the only one who has this concern, but at least I wanted to put that on the table, because it's a concern of mine if I purchase a house here. I tend to think that maybe there's a role for the Planning Commission in here. I don't know that to be a fact, but I wanted to bring that up as an issue so that in future cases—And I do feel, as you have said, that homeowners have to have to [unintelligible] of caveat emptor. They have to be careful and they have to do their research. I want to make sure that we've done our part because it may reflect poorly on the County when people keep having complaints about

some of these companies. It may be happening in no other place but in the Fairfield District, but I wanted to bring it up.

Mr. Jernigan - Mr. Thornton brings up a good question, because I ask that myself. But other than sound suppression that we do hear on a lot of cases, there's nothing much you can do because that code, which is the BOCA code, which is the State code, but is also a federal code, when they set the parameters for what you have to build, that's what a lot of the builders go by. I know they have decreased since in the 70's the thickness of the flooring. I know it used to be 1-1/4 inches, I believe, and not it's either down to 7/8's or 3/4's that you have to have for your flooring. Everybody goes by that code. Now, they can upgrade it if they want to. There was a builder that actually put a product in Varina that used a single-hung window; they won't be doing that anymore. I don't think by law that we can go in and adjust the BOCA code. That's a federal code.

Mr. Thornton - That might be true. I just thought, though, that we should have our bar raised in Henrico to such a level that we may have certain expectations. I believe that many developers do that. This is an issue that for some time I've been kinda reticent about, so I just wanted to bring it up and maybe some other persons have some feelings about that. Maybe in the future, the Planning Commission might want to take another look at that.

Mr. Branin - Mr. Thornton, I think our Commission overall in the two years that I've served has strived to ensure quality, but our quality generally is in layout of the development, the amenities, the road building, and the type of materials that are used in the structure on the outside. We don't go inside. I could a homeowner coming in and being very upset with poor woodwork, poor painting, poor electrical, but so far, Mr. Silber, we can't dictate any of that by proffers, can we?

Mr. Silber - Proffers are voluntarily offered. An applicant could offer a proffer that relates to some aspect on the interior. Typically, we don't get involved with that. You're right, Mr. Branin. We have gotten involved with sound suppression that is between units, in between floors and ceilings. It's between units.

Mr. Branin - It's more structural than finish.

Mr. Silber - That's correct. I think Mr. Thornton, unless he wants to elaborate, is probably talking about flooring, walls, lighting. I think there are some aspects that go into quality construction. It raises a very good point because, as Mr. Jernigan indicated, the building code requirements are minimum. Those are minimum requirements. If the builder is meeting those minimum requirements, then he's met the test, met the law. I think in many regards, Henrico County believes that those minimum standards are, in fact, minimal and probably should be exceeded in most cases. Mr. Jernigan points out a good example of the flooring. Mr. Branin is also correct, Mr. Thornton, in that, for the most part, the Planning Commission's purview does deal more so with site design and exterior construction of buildings. Your point may be one that

needs to be dealt with more comprehensively involving other agencies such as Building Inspections, Planning, the County Manager's office, and begin to look at the quality of construction, both exterior and interior. I appreciate those comments.

Mr. Jernigan - Mr. Thornton, I will tell you that I make a personal visit to all my projects and I will express, if I see something that's not right. Actually, I went to one project and they actually pulled all the siding off a building and replaced it because it wasn't up right. They realized it. I guess they just needed to hear it. They felt better about it. We can go in and just stress for what we think we need to have.

Mr. Branin - Anybody else have any other comments? Mr. Wilhite, do you have any other comments?

Mr. Wilhite - No sir.

Mr. Branin - Okay. Then with that, I would like to move for approval of POD-42-06, West Broad Village-Townhouse Architecturals subject to the annotations on the plans.

Mr. Archer - Second.

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

The Planning Commission approved the revised architectural plans for POD-42-06, West Broad Village-Townhouse Architecturals-W. Broad Street/Three Chopt Road, Ryan Homes for West Broad Village, LLS, subject to the standard conditions attached to these minutes for developments of this type and the additional conditions on the original plan.

PLAN OF DEVELOPMENT

POD-25-07
Steeple Chase, Sections 1 and 2 – Dabbs House Road and East Richmond Road

Bay Design Group, P.C. for Steeple Land Development, LLC and Community Development Partners, Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct ~~Section 4~~ **Section 2** consisting of 18, three-story townhouse units for sale and ~~Section 2~~ **Section 1** consisting of 40-single-family detached residences on zero lot lines. The 13.49-acre site is located on the west line of N. Laburnum Avenue and the east line of E. Richmond Road, approximately 1,000 feet north of the intersection of N. Laburnum Avenue and Steeple Lane on parcel 809-724-5973. The zoning is R-5, General Residence District, R-5AC, General Residence District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina) (Fairfield)**

Mr. Branin - Is anyone in opposition to POD-25-07, Steeple Chase, Sections 1 and 2? No one?

Mr. Jernigan - This lady back here.

Mr. Branin - Okay. Ma'am, are you in opposition to this? Okay. What we're going to do is we're going to hear it and then allow you come down and introduce yourself for the record. I'll go over the rules then, okay? Mr. Kennedy?

Mr. Kennedy - Good morning again. As Mr. Silber indicated, the caption is revised to reflect the district correction from Varina to Fairfield. The revised plan has an added condition, added annotation indicating an alternate location for the stub road to the property on the north. It will be provided as an alternative to the original location, which would connect to the wetland area on that property. Due to the extensive wetlands on the adjoining property, any stub street is unfeasible. Staff has added a condition to the addendum, #42, which provides that a stub street connection to the north will be provided at the alternate location as annotated, unless a proffer revision is approved by the Board of Supervisors prior to construction plan approval. What they need to do is provide the additional information that the wetlands make it unfeasible and they don't have enough research at this time. With that, staff recommends approval of the plan of development subject to the annotations on the plan, including the one I indicated, standard conditions for developments of this type, conditions Nos. 24 through 41 on the agenda, and condition #42 on the addendum.

Mr. Branin - Thank you, Mr. Kennedy. Does anybody have any questions for Mr. Kennedy? None? Okay. Ma'am, if you'd come down and introduce yourself for the record, and voice your opposition.

Ms. Robertson - I'm Helen Robertson of 560 Dabbs House Road, which is right up the street. This is different from POD-30-07, correct?

Mr. Branin - Yes.

Mr. Silber - That will coming up on the agenda a little bit later. Oh, that was expedited, so it has already been approved.

Ms. Robertson - It's already been approved? When was that expedited?

Mr. Kennedy - That plan was approved earlier on an expedited agenda, since there was no opposition.

Ms. Robertson - Today? I missed it. So, it's a new development all around.

Mr. Kennedy - The section that was approved for Kingsridge was this section right here (pointing to map). Section 1, which was on this side of the road was previously approved. Section 2 was previously approved. Now Section 3. We're now considering this development right here.

Ms. Robertson - I see. All right. They're working on the road now, cutting through to Dabbs House. My opposition is that Dabbs House is narrow enough as it is. There are deep ditches. We did not plan for all of this extra traffic ahead with all of this new development that's going on. Dabbs House is curvy. As far as the wetlands go back there, I know that some homeowners have already complained about there being flooding in their basements because of how they built their homes already with low crawl spaces. They've been having problems with flooding already. It's not the same developer, but I know we've had problems in that area. Dabbs House and East Richmond flood at times. Supervisor Thornton brought up the fact about developers, the quality of certain homes being built. I've been in that area over 35 years and within the last 10 years, I've just seen how the houses have come up. In the last three years, with some of the new homes, as we've driven by, we've seen how the vinyl has peeled off some of the homes. When there's high wind, the singles on the roofs have blown off. And these are new homes. With the decking on the front porches, some of the railings and spindles have come out whereas they just kinda threw them up there. They look beautiful, true. The area is really being developed and the homes are beautiful when they first go up. But over a period of time—this is has been within the last three or four years—you can see some of them showing their wear already. I don't know how to advise you to build in that standard of quality, but it's like buyer beware. That's something that we need to keep in mind. Now, we're talking about bringing in even more townhomes. On Dabbs House right now, there are single-family homes. The density is becoming too much, that's what I'm trying to say. There's just a lot going on there. I'm concerned about the over-development of Dabbs House Road and East Richmond.

When we come out to East Richmond and Nine Mile, there have been many accidents there because there is no traffic control light. There is a mechanic shop that has cars parked and you can't see around that curve when you're trying to make a left onto Nine Mile Road. I believe with these townhomes, the traffic will be feeding onto East Richmond Road and trying to come out onto Nine Mile, so I'm concerned about that, too. I'm very much in opposition.

Mr. Jernigan - Ms. Robertson, please don't leave yet. Let me say something to you. You expressed first about the road being built that's between Laburnum and East Richmond. That was on the Major Thoroughfare Plan through the County. When the developer went in there, he was told by the County that he had to build that road, so that was initiated by the County, not by the developer.

Ms. Robertson - I understand. That's been on the books for about 10 years.

Mr. Jernigan - You're right. It was on there, what they call the Major Thoroughfare Plan, what they want to show in the future. So, when this property was developed, then that developer had to build that road. That road is not for traffic going to East Richmond, it's more to get it from East Richmond over to Laburnum. The second thing, when you're speaking of the townhouses on the front, this case, when it originally came through, was just single-family. Actually, that property in the front was already zoned for apartments some years ago, back in the '60's or '70's. The County wanted the developer to use that property also to finish that property up so it would also have access to Laburnum Avenue, which is does now, which it didn't have before. Rather than using East Richmond Road, that traffic will come back out on Laburnum.

Ms. Robertson - Had you all done a thorough study of the wetland area there?

Mr. Jernigan - Did we? No. That's what the developer found out. There was a stub street that was supposed to go in, but when the developer did their engineering work, they found out that the stub street actually went into the wetlands. On this change today, they're moving it up to another area. What will happen at the end of this, we'll have to bring it through for a proffer amendment because it was proffered that there would be a stub street going to that other property. The developer will have to file for a proffer amendment to get rid of that stub street altogether.

Ms. Robertson - I see.

Mr. Silber - Mr. Jernigan, if I can elaborate on some of your comments for the benefit of Ms. Robertson. Mr. Kennedy, maybe you can point to this. In the Steeple Chase subdivision, when that subdivision, ma'am, came in for rezoning, there was concern about the access onto East Richmond Road. You can see that all of this development in Steeple Chase does not have any access to East Richmond Road; it all goes out to Laburnum. That was specifically done to keep traffic off this road that has some design issues. We're aware of the flooding that's taking place in this area and the

wetlands that exist in Steeple Chase. There is a major drainage project that's underway to help improve the drainage in that area. The flooding is severe and we are aware of that. We have the traffic engineer here today and perhaps he can address this, but I believe there are plans to improve Dabbs House Road in the future, and that should also help the traffic situation and safety on Dabbs House Road. Yes, the development that's occurring will put more traffic on some of these roads, but we're also providing for access to the major roads to alleviate conditions that currently exist.

Mr. Silber - Mr. Jennings, can you help us on Dabbs House Road? Are there some plans in the County to make improvements to Dabbs House?

Mr. Jennings - Good morning. I'm Mike Jennings, Traffic Engineer for Henrico County. Yes, Mr. Silber. Currently, in the Department of Public Works, there is the Dabbs House Road widening plans in there for review. It's considered there's 70% submittal and they're under review by Public Works right now. What that will do is widen Dabbs House Road all the way from Nine Mile to Creighton Road as a three-lane road, with proper shoulder-and-ditch work and stuff like that. I'm not positive, but part of it might be curb-and-gutter. I'm thinking shoulder-and-ditch work; I'm not positive. There is a project in Public Works right now.

Mr. Silber - It would widen the road all the way from Nine Mile Road to Creighton Road.

Mr. Jennings - Yes sir.

Mr. Vanarsdall - What is the time limit on it? What's the timeframe on it, Mike?

Mr. Jennings - Probably looking at going into construction in 2008. East Richmond, there is no current plan at this time to widen that road, but as you can see from the developments that have come along, [unintelligible] the majority of the traffic feeds over to Laburnum Avenue. The one that's before you now, POD-25-07, there's no access to East Richmond. When it comes to the Kingsridge subdivision, those three phases that they have up there, the majority of that traffic is going to use Laburnum Avenue and the secondary would be Dabbs House Road in both directions. We don't feel that maybe 10% will go down East Richmond Road.

[Off mike] - [Unintelligible.]

Mr. Jennings - East Richmond is on the Major Thoroughfare Plan to be improved some day, but there are no plans at this time.

Mr. Vanarsdall - You are already aware of it and the County's making arrangements to take care of it.

Mr. Jennings - Yes sir, that will be done in the future.

Mr. Jernigan - Ms. Robertson, you also mentioned something about the visibility, the sight distance at East Richmond and Nine Mile. Nine Mile is a state road and I don't know if you were hinting around for a stoplight, but that's controlled by VDOT and not by the County.

Mr. Jennings - Yes, Mr. Jernigan. I can make VDOT aware of her concerns, ask them for a signal study, have them check the sight distance at that intersection.

[Off mike] - [Unintelligible.]

Mr. Jennings - I can make VDOT aware of your concerns, let them do an accident update there, sight distance, and also let them know that there are certain times they have vehicles that are blocking sight distance, too. They may have to restrict parking in a certain area of their parking lot if they're causing a sight distance problem.

Mr. Jernigan - Thank you.

Mr. Kennedy - Ms. Robertson also addressed issues about concerns for houses. The construction plans provide that the engineer has to certify the grading. We are aware that grading is a problem in this area and there's a drainage problem. We were very, very clear with that in the engineering plans to make sure that grading is adequate, to make sure there's adequate drainage from each building. So, there's a specific requirement on these construction plans that requires the grading to be certified prior to CO's.

Mr. Branin - Thank you, Mr. Kennedy. Does anybody else have any other questions?

Mr. Silber - Mr. Jernigan, I think it may be appropriate for the applicant to address the stub street and their intention. I understand there are some wetlands on the property to the north. I would be interested in knowing more about the extent of those wetlands.

Mr. Jernigan - We can do that, but I thought staff—We had all discussed that there's not much you can do with that property, but there was proffered a stub street. I figured they would just file for a proffer amendment to get rid of it. If you want to hear from them—

Mr. Silber - How do you envision the A-1 property being developed in the future? I don't have a feel for how extensive the wetlands are.

Mr. Jernigan - They're halfway up. Half of it's wet. Correct, Mike?

Mr. Branin - Half of it going from south to north, or from east to west?

Mr. Kennedy - If we look at this plan here, one, two, three, four. The fifth lot is where the access would potentially be. Anything south of that fifth lot on the A-1 lot is all wetlands.

Mr. Silber - So, they've done studies on the A-1 property?

Mr. Kennedy - Anything east of that Lot 5 would be wetlands.

Mr. Silber - Okay. So, I guess any value that the A-1 property has is basically to have one house on it that may front on—

Mr. Jernigan - It would probably be better to come off with two houses off East Richmond Road. In the original case, before they'd done the engineering, they proffered that they'd put the stub street in, but now the engineering has been done, there's not enough property there to do anything with. Do you still want to hear from them?

Mr. Silber - No, I just wanted to make sure—At this point in time, I think the plan is being approved with the stub street to the A-1 property. They have the ability to come back and ask for a proffer amendment, but I'm concerned about having a parcel of land that's going to be very difficult to develop in the future if it doesn't have a stub road. If, in fact, the wetlands are as extensive as they claim they are, I think that a proffer amendment could be appropriate. I just want some assurance, I think the County should have some assurance that the wetlands are as extensive as being implied. I probably would like to see some type of engineering that would prove this before we delete this stub street. The stub street's not being deleted today.

Mr. Jernigan - Right.

Mr. Silber - It's simply being moved.

Mr. Jernigan - It's being relocated because by proffer, it has to be in there.

Mr. Silber - That's correct.

Mr. Jernigan - Then they'll have to file for a proffer amendment, so I guess between what happens after this and when they file for the proffer amendment, we'll have to see documentation on the wetlands.

Mr. Silber - Right. They don't have to apply for a proffer amendment; that's entirely up to them.

Mr. Jernigan - Right.

Mr. Silber - Okay, now I'm fine.

Mr. Jernigan - They will have to file for a proffer amendment. There's no sense in running a stub street in there if they're not going to use it. You could possibly pick up maybe three lots in there, but you're going to lose one lot with the stub street. I feel that probably you'd be better just to leave it A-1. It has enough road frontage or setback to just have two driveways coming off East Richmond Road rather than going in and developing it as A-1. We can deal with that later, I guess.

Mrs. Jones - The stub street stays in place for purposes of this morning.

Mr. Jernigan - That's because it's in the proffers. It's a relocation. Rather than being in the wetlands, it's on dry land.

Mr. Kennedy - Staff is recommending it be relocated to a place outside the wetlands, so the plan has been annotated to move it to Lot 5, as opposed to where it is right now.

Mr. Jernigan - Mike, in our conversation yesterday, do you agree with me that they'd be better just to do away with the stub street.

Mr. Kennedy - If the wetlands are delineated as they have implied, then yes, I think that would be appropriate.

Mr. Jernigan - Chairman? Okay. Thank you, Mike. Are you ready for a motion, Mr. Chairman?

Mr. Branin - Absolutely.

Mr. Jernigan - All right. With that, I will move for approval of POD-25-07, Steeple Chase, Sections 1 and 2 on Dabbs House Road with annotations on the plans, the standard conditions for developments of this type, and the following additional conditions 24 through 41, and 42 added on the addendum.

Mr. Vanarsdall - Second.

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

The Planning Commission approved POD-25-07, Steeple Chase, Sections 1 and 2, subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

24. The subdivision plat for Steeple Chase shall be recorded before any building permits are issued.
25. The right-of-way for widening of Laburnum Avenue 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.
26. 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.
 27. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain 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.
 28. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
 29. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.
 30. A concrete sidewalk meeting County standards shall be provided along Laburnum Avenue.
 31. 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.
 32. The proffers approved as a part of zoning case C-20C-06 shall be incorporated in this approval.
 33. 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.
 34. 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.
 35. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
 36. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
 37. 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.
 38. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development needed to implement this conceptual plan require Planning Commission approval and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval.
 39. 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.
40. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.
 41. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards. This condition shall be applicable to Section 2 (Townhouse Units for Sale) only.
 42. **ADDED** - The stub street connection for the property to the north will be provided and constructed as annotated, unless a proffer amendment is approved by the Board of Supervisors prior to approval of final construction plans.

PLAN OF DEVELOPMENT & SPECIAL EXCEPTION

POD-26-07

The Gardens @ Virginia Center – Brook Road @ Hanover County Line (POD-22-90 Revised)

AES Consulting Engineers for Trustees of Presbyterian of James, Inc. and Central – Glen Allen Limited Partnership: Request for approval of a plan of development and special exception as required by Chapter 24, Sections 24-2 and 24-106 of the Henrico County Code, to construct two, four-story **age-restricted** apartment buildings containing 118 units and a one-story, 8,489 square foot club house. The special exception would authorize buildings exceeding 2 ½ stories in height. The 9.21-site is located at 1251 Presbytery Court, on the west line of Brook Road (U.S. Route 1) at the Hanover County line, approximately 2,400 feet north of its intersection with JEB Stuart Parkway on parcel 783-772-1148. The zoning is R-6C, General Residence District. County water and sewer. **(Fairfield)**

Mr. Branin - Is anyone in opposition to POD-26-07, The Gardens @ Virginia Center? No one? Good morning, Mr. Ward.

Mr. Ward - Good morning. Staff has received a revised site plan, and an architectural plan that does address staff's original concerns, and can now address density calculations to show net acreage outside of the right-of-way, and floodplain area. Per this new information, 118 units meet the density requirements based on 5.96 acres. Also, Traffic's concerns mentioned the southern driveway should be 24 feet wide in addition the existing turn lane will be extended from the north driveway to the south driveway. An interior sidewalk has also been included to connect to the existing sidewalk along Brook Road. Although the original annotated plan does show a five-foot wide sidewalk to be built along the west line of Brook Road, staff is not requiring that sidewalk. The architectural plans show more brick that coincides with the proffers. At this time, staff has not received comments from the Virginia Department of Transportation. A special exception is required for buildings A and B that exceed 2-1/2 stories at a height of 52 feet 1 inch at the roof midline. Since the revised plans were received this morning, a waiver of time limits is needed. Staff can recommend approval subject to standard conditions for developments of this type, the annotations on the plans, and the conditions 24 through 37 on the agenda.

Mr. Branin - Thank you, Mr. Ward. Does anybody have any questions for Mr. Ward?

Mr. Archer - So, Mr. Ward, we did work out the north and south driveway connecting?

Mr. Ward - Correct.

Mr. Archer - Okay. The only other question that I have that we talked about yesterday had to do with—Is my microphone feeding back?

Mr. Branin - You sound great, Mr. Archer.

Mr. Archer - Thank you, sir. Maybe it's my eloquent voice. The VDOT piece, is that something that we need to be concerned about, or do you think that's something that staff and the director will be able to work out without having some kind of formal meetings?

Mr. Ward - It was a concern with staff. They will do a full-blown review at time of construction plans. I know VDOT said that they would try to be here today.

Mr. Archer - Do you have any problem with that, Mr. Secretary?

Mr. Silber - No, I think I'm okay with that.

Mr. Archer - Okay. That was the major concern that I had.

Mr. Silber - That potential exists.

Mr. Archer - When you say the potential exists, do you think maybe we should have some assurance from them prior to approval?

Mr. Silber - I guess at this point in time—

Mr. Archer - Would they be able to go forward without that approval from VDOT if we approve today? We can't override VDOT's authority.

Mr. Silber - No, no we can't. I don't know if Mr. Jennings can add to this or not. Looks like he does have some information he wants to share with us.

Mr. Jennings - Hello again. The right-of-way that is proposed with the development and what's existing should accommodate any comments that VDOT would have. So basically, for Planning Commission purposes, it should be sufficient, and we could work out any details at the construction plans. It shouldn't be any additional right-of-way needed or anything which would affect your density. It should be adequate for right-of-way.

Mr. Silber - Okay.

Mr. Archer - I just wanted to make sure we were comfortable with that.
Thank you, Mr. Jennings.

Mr. Silber - I fully understand.

Mr. Archer - That's all the questions I have, unless somebody else has some.

Mr. Branin - You don't need to hear from the applicant.

Mr. Archer - I don't believe so. I just want to make sure that they heard that for the record also.

Mr. Branin - All right.

Mr. Archer - Let's see, I have three motions to make here. First I move to waive the time limits on the plans received today.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the waiver of the time limits.

Mr. Archer - Next, I move on the special exception, the buildings will exceed 2-1/2 stories in height, but are not near anything that would be affected by having this height. With that, I will move to approve the special exception with regard to height.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the special exception regarding height.

Mr. Archer - With that, I will move to approve POD-26-07, The Gardens @ Virginia Center, subject to the annotations on the plan, standard conditions for developments of this type, and conditions Nos. 24 through 37.

Mr. Vanarsdall - Second.

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

The Planning Commission approved POD-26-07, The Gardens @ Virginia Center, subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

24. 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.
25. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain 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.
26. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be approved by the Virginia Department of Transportation and the County.
27. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
28. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
29. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.

30. ~~A concrete sidewalk meeting VDOT standards shall be provided along west side of Brook Road (U.S. Route 1).~~
31. Outside storage shall not be permitted.
32. The proffers approved as a part of zoning case C-55C-06 shall be incorporated in this approval.
33. 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.
34. 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.
35. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
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. Vacation of the Presbytery Court right-of-way shall be approved by the Board of Supervisors prior to approval of the construction plans.

PLAN OF DEVELOPMENT

<p>POD-27-07 QQ Express Carwash @ Oak Hill Plaza Shopping Center - 3025 Mechanicsville Turnpike</p>	<p>Potts, Minter & Associates, P.C. for Bubble Wash III, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 3,000 square foot automatic carwash. The 0.99-acre site is located on an outparcel in the existing Oak Hill Plaza Shopping Center, on the east line of Mechanicsville Turnpike (U.S. Route 360) approximately 500 feet south of Harvie Road on parcels 801-732-2625 and 1911. The zoning is B-3C, Business District (Conditional). County water and sewer. (Fairfield)</p>
--	--

Mr. Branin - Is anyone in opposition to POD-27-07, QQ Express Carwash @ Oak Hill Plaza Shopping Center? No one? Well, good.

Mr. Vanarsdall - What does QQ stand for?

Mr. Jernigan - Quick Express?

Mr. Branin - Quick Quick.

Ms. Goggin - Quick and Quality.

Mr. Vanarsdall - They're good.

Ms. Goggin - A copy of the revised annotated plan that addresses Planning and Public Works Traffic Division comments concerning traffic circulation and drive aisle widths is in the handout addendum. Staff requested, and the applicant has agreed to provide a burgundy standing metal roof consistent with the shopping center's roof color. Staff can now recommend approval subject to the annotations on the revised plan, the standard conditions for developments of this type, as well as conditions 24 through 41 in the agenda, with conditions 26 and 31 deleted, as shown on page 5 in your handout addendum. The engineer, Thomas Cook, and the developer, Mr. Young Yu, are in attendance to answer any questions you may have of them, and I am happy to answer any questions the Commission may have of me.

Mr. Branin - Does anybody have any questions?

Mr. Archer - So Ms. Goggin, I did get the burgundy roof, then.

Ms. Goggin - Yes sir.

Mr. Archer - I don't think I have anything.

Mr. Branin - Anybody else have any questions for Ms. Goggin? No? Mr. Archer, would you like to hear from the—

Mr. Archer - I don't believe it's necessary.

Mr. Branin - Okay, then I'll entertain a motion.

Mr. Archer - All right. This plan has to be approved today, this revised plan?

Ms. Goggin - It came in on time, so there's no time limit waiver required.

Mr. Archer - With that, I will move for approval of POD-27-07, QQ Express Carwash @ Oak Hill Plaza Shopping Center, with the burgundy roof, subject to the revised layout plan and subject to the annotations on the revised plan, standard conditions for developments of this type, and the additional conditions listed in the agenda with the deletion of 26 and 31.

Mr. Vanarsdall - Second.

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

The Planning Commission approved POD-27-07, QQ Express Carwash @ Oak Hill Plaza Shopping Center subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

24. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
25. No merchandise shall be displayed or stored outside of the building or on sidewalk.
26. ~~**DELETE**—The right-of-way for widening of Mechanicsville Turnpike (U. S. Route 360) 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.~~
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. The entrances and drainage facilities on U.S. Route 360 shall be approved by the Virginia Department of Transportation and the County.
29. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
30. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
31. ~~**DELETE**- A concrete sidewalk meeting County standards shall be provided the east side of U. S. Route 360.~~
32. Outside storage shall not be permitted.
33. The proffers approved as a part of zoning case C-12C-07 shall be incorporated in this approval.
34. 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.
35. 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.
36. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
37. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.

38. The owner or manager on duty shall be responsible for temporarily closing the car 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. 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.
39. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
40. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
41. 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 building mounted equipment shall be painted to match the building and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

PLAN OF DEVELOPMENT & SPECIAL EXCEPTION

POD-31-07
Hampton Inn @
International Airport
Center –
421 International Centre
Drive (POD-4-07 Revised)

Timmons Group for P.C. Amin, Audubon Land, LLC and P.C. Amin, Shamin Hotels: Request for approval of a plan of development 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 five-story, 104 room hotel with a height of 65 feet. The special exception would authorize a building exceeding a height of 45 feet. The 1.73-acre site is located at the terminus of International Centre Drive, approximately 1,400 feet north of Audubon Drive on part of parcel 822-717-4473. The zoning is M-1, Light Industrial District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Mr. Branin - Is anyone in opposition to POD-31-07, Hampton Inn @ International Airport Center? No one? Ms. Goggin?

Ms. Goggin - As Mr. Silber stated, the POD request is for a hotel branded as a Hampton Inn. As you can see on the staff architectural elevations and the agenda, the developer has provided masonry pilasters to break up the amount of EIFS on the proposed building on the east and west elevations, which are the sides people initially see approaching from the I-64 exit ramp and International Center Drive. The applicant is also requesting approval of a special exception to allow a 65-foot tall building in the M-1 District, where 45 feet is allowed by right. Two adjacent hotels taller than the one presented this morning recently received special exceptions for additional height over 45 feet. As is customary, staff makes no recommendations on special exception requests. However, the applicant's representative is here today to present their case to the Planning

Commission for this request. Staff recommends approval subject to the annotations on the staff plans and conditions 24 through 37 in the agenda. Should the Commission choose to approve the special exception for the height, it could be a separate motion from the POD approval, should the Commission choose to do that. Tamsin Hepner from Timmons and Michael Sweeney from Shamin Hotels are here to present their request for the height exception and to answer any questions you may have. I would like to point out that this is an architectural rendering provided by the applicant, but we do have a rendering of the elevations that were presented, if the Commission would like to see them. It's more or less the same.

Mr. Branin - Thank you, Ms. Goggin.

Mr. Vanarsdall - Looks like my summer home.

Ms. Hepner - Good morning, I'm Tamsin Hepner from Timmons Group and we do ask that you do grant this exception to the height. We'd like the height to be 65 feet instead of the 45 feet. The other two hotels have been granted that exception on the same parcel and they are taller. They are 70 feet and 8 inches, so this is lower than they are.

Mr. Branin - I'm sorry, would you state your name again?

Ms. Hepner - My name is Pamsin Hefner. And the FAA has approved the height already also.

Mr. Branin - That was going to be my only question. It's off to the right of the strip, so I wouldn't think it would.

Ms. Hepner - Yes, it's further away.

Mr. Branin - Does anybody else have any questions for Tamsin? None? Okay. Thank you, Tamsin.

Mr. Jernigan - Mr. Chairman, I'm ready for a motion. Ms. Goggin and I have discussed this at length. First of all, for the special exception I'd like to move special exception for height restriction to 65 feet for POD-31-07, Hampton Inn @ International Airport Center.

Mr. Vanarsdall - Second.

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

The Planning Commission approved the special exception for height to 65 feet.

Mr. Jernigan - On POD-31-07, Hampton Inn @ International Airport Center, I move for approval with standard conditions for developments of this type and the following additional conditions #24 through 37.

Mr. Vanarsdall - Second.

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

The Planning Commission approved POD-31-07, Hampton Inn @ International Airport Center, subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

24. 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.
25. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
26. Outside storage shall not be permitted.
27. 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.
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. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
30. 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.
31. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
32. 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.
33. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
34. There shall be no exterior signage or other means of advertising that identifies the presence of food service at these facilities.

35. Federal Aviation Administration (FAA), Form 7460-1 shall be submitted to the FAA and proof of such approval shall be provided to the Planning Department prior to approval of any building permit application.
36. The location of outdoor storage containers on the site is prohibited.
37. Evidence that an engineer has certified the height of the building shall be provided to the Director of Planning prior to the issuance of a certificate of occupancy.

PLAN OF DEVELOPMENT

POD-29-07
 Sam's Club @ White Oak
 Village – I-64W and
 Laburnum Avenue
 (POD-58-06 Revised)

Vanasse Hangen Brustlin, Inc. for Forest City Commercial Group: Request for approval of a plan of development as required by Chapter 24, Section, 24-106 of the Henrico County Code, to construct a 134,912 square foot retail building with a six-pump fuel center in a shopping center. This approval is in addition to the approval granted October 25, 2006 for the shopping center. The 16.388-acre site is located at the northwest corner of Laburnum Avenue and I-64 on parcels 815-718-5710 and 816-718-0130. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Varina)**

Mr. Branin - Is anyone in opposition to POD-29-07, Sam's Club @ White Oak Village? No one? Ms. Goggin?

Mr. Vanarsdall - You don't get any opposition again Sam's, I guarantee you.

Ms. Goggin - Since the agenda has gone out, staff recommended, and the applicant has agreed that the fuel center kiosk and columns be constructed of architectural block to match the proposed Sam's Club building. The applicant has also agreed that the pallet storage, as proposed towards the front side of the building will be screened with architectural block similar to what would be required by proffers for refuse screening. Staff is sufficiently satisfied with the quality of the development now agreed upon by the applicant. Staff can now recommend approval subject to the annotated plans, standard conditions for developments of this type, conditions 9 and 11 amended, and 23 through 29 in the agenda. The engineer, Mitch Mitchell from VHB, as well as a representative from Sam's is here to address any questions you may have of them, and I am available to answer any questions the Commission may have of me.

Mr. Jernigan - Who's here from VHB?

Ms. Goggin - Mitch Mitchell.

Mr. Branin - Would you like to hear from him?

Mr. Jernigan - Yes.

Mr. Branin - Before we do that, does anybody have any questions for Ms. Goggin? No?

Mr. Mitchell - Good morning. Mitch Mitchell from VHB.

Mr. Jernigan - For the record, this has passed your architectural review board, through VHB.

Mr. Mitchell - Oh yes.

Mr. Jernigan - Okay. I just wanted to make sure. That's all I need.

Mr. Branin - Does anybody else have any other questions for Mr. Mitchell? None? Okay, thank you, sir.

Mr. Jernigan - Thank you. I do that because there is an architectural review board. I just wanted to make sure for the record that it has been approved by them before we pass this case.

Mr. Branin - I'm good with that. All right.

Mr. Jernigan - I want to thank Ms. Goggin. She worked diligently on this case. It had a few problems, but she got them worked out.

Ms. Goggin - Thank you.

Mr. Jernigan - With that, I will move for approval of POD-29-07, Sam's Club @ White Oak Village with standard conditions for developments of this type and the following additional conditions #9 amended, #11 amended, and #23 through 39.

Mr. Vanarsdall - Second.

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

The Planning Commission approved POD-29-07, Sam's Club @ White Oak Village subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture and specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.

23. Only retail business establishments permitted in a B-3 zone may be located in this center.
24. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
25. No merchandise shall be displayed or stored outside of the building or on sidewalks.
26. 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 permit.
27. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. Outside storage shall not be permitted.
29. The proffers approved as a part of zoning case C-29C-06 shall be incorporated in this approval.
30. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.
31. 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.
32. 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.
33. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
34. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up facilities, the owner/occupant shall close the drive-up facilities until a solution can be designed to prevent traffic backup.
35. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
36. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
37. 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.
38. The Master Plan, as submitted with this application, is for planning and information purposes only.

39. Outdoor display areas are not a part of this approved Plan of Development until the applicant submits details for the outdoor display areas for staff review and Planning Commission approval.

PLAN OF DEVELOPMENT REVISION

POD-58-06

J. C. Penny's @ White Oak Village Shopping Center – I-64W and Laburnum Avenue

Vanasse Hangen Brustlin, Inc. for Forest City Commercial Group: Request for approval of a revision to a previously approved plan of development and architectural plans as required by Chapter 24, Section, 24-106 of the Henrico County Code, to construct a one-story, 104,900 square foot retail building (Major Anchor D). The 136.50-acre site is located in a shopping center east of S. Laburnum Avenue, south of I-64, and north of Audubon Drive on parcel 815-718-5710. The zoning is B-3C, Business District (Conditional). County water and sewer.
(Varina)

Mr. Branin - Is there anyone in opposition to POD-58-06, J. C. Penny's @ White Oak Village Shopping Center? No one? Okay, Mr. Strauss.

Mr. Strauss - Thank you, Mr. Chairman, members of the Commission. This is an application for approval of the architectural plans for the proposed J. C. Penney. The Plan of Development and Master Plan for the entire shopping center was approved by the Commission last October. This proposal revises the former junior anchor at the western side of the shopping center, as shown in the site plan in your packet. The shopping center architecture is the subject of proffers regarding materials and finishes. At the time the agenda was prepared, staff requested additional information regarding the extent of certain building materials on the building elevations. We had previously been provided with a color rendering of the J. C. Penney's. What we are handing out this morning is an additional staff plan that annotates the extent of brick, pre-cast concrete, exterior insulating finish system, or EIFS, and the textured painted block, all materials allowed by the proffers of the rezoning case. The colors of the materials and finishes are generally indicated on the color rendering and they are predominately warm earth tones and compliment the architecture of the rest of the center. I think I do have a copy of that rendering in the presentation here. There we go. With this and the additional annotations on the staff plan we're handing out, we are recommending approval. Again, Mitch Mitchell and Brendan are here. I did speak with Mr. Jim Richardson last night and ask him if this had been approved by Forest City Development and he did indeed say that it had.

Mr. Jernigan - It had been approved, okay.

Mr. Strauss - Yes sir.

Mr. Vanarsdall - Mr. Strauss, is this going to be called Jacque Penne or J. C. Penny?

Mr. Strauss - I'll have to defer that question to the applicant.

Mr. Vanarsdall - Mr. Jernigan, if you wanted to add a little flare to the East End, you should call it Jacque Penne.

Mr. Jernigan - Mr. Strauss, one thing that we discussed, which will go along with Lowe's and everybody else, when the case came through, I told them they could put painted block on the backside of the building.

Mr. Strauss - That's correct. There was some painted block and that can be used, specifically as written in the proffers: allowed at time of Plan and Development. They do agree that the textured paint that would be used be similar to what was approved at Lowe's.

Mr. Jernigan - That's what I want to make sure, that it is an epoxy paint.

Mr. Strauss - Yes sir.

Mr. Jernigan - Because that adheres. It won't pop off like regular latex. The reason that we did that, and I don't know if you remember, Mr. Silber, that they discussed that when you buy large lots of colored block, that sometimes the color is different. That's the reason they wanted to put all the colored block on the front and use painted on the back so they wouldn't have to worry about a match. I'm okay with that.

Mr. Vanarsdall - I didn't know we allowed any painting on block. I know we don't encourage it.

Mr. Jernigan - No, we don't, but—

Mr. Vanarsdall - It must be a good kind of paint.

Mr. Jernigan - Well, that's the reason I'm specifying it has to be an epoxy paint, because the epoxy paint adheres. It's not just a coating, it adheres itself to the block. You have to pay a little more for it, but it works out better in the end.

Mr. Branin - What's the lifespan on an epoxy paint?

Mr. Jernigan - I don't know. We're probably going to see it come off. The reason we did that was because they said that when they order as many block as they do that are colored, that it varies. Each block doesn't look the same. I figured we would put the colored block on the front and have the painted block on the back.

Mr. Branin - All right. Does anybody have any other questions for Mr. Strauss? None? Mr. Jernigan, do you need to hear from the applicant?

Mr. Jernigan - No sir.

Mr. Branin - Okay.

Mr. Jernigan - Mr. Chairman, I'm ready to make a motion. With that, I'll move for approval of POD-58-06, J. C. Penny's @ White Oak Village Shopping Center and the conditions of the POD approval by the Planning Commission dated October 25, 2006 continue to apply.

Mr. Vanarsdall - Second.

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

The Planning Commission approved POD-58-06, (Revised) J. C. Penny's @ White Oak Village Shopping Center, subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the conditions of the POD approval by the Planning Commission dated October 25, 2006.

PLAN OF DEVELOPMENT

POD-32-07

Target @ Libbie Place –
Store Expansion –
5401 W. Broad Street

Vanasse Hangen Brustlin, Inc. for Sauers Properties, Inc. and Target Corporation: Request for approval of a plan of development as required by Chapter 24, Section, 24-106 of the Henrico County Code, to construct a one-story, **13,675** ~~44,026~~ square foot addition to an existing retail building. The 10.64-acre site is located in an existing shopping center, on the south line of W. Broad Street (U.S. Route 250), approximately 1,500 feet east of the intersection of W. Broad Street and Libbie Avenue on parcel 772-738-3369. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Brookland)**

Mr. Branin - Is anyone in opposition POD-32-07, Target @ Libbie Place – Store Expansion? No one? Good morning, Mr. Garrison.

Mr. Garrison - Good morning. A revised plan has been added to the addendum that shows a slight reduction in the size of the expansion, and truck maneuverability off Broad Street. The applicant is requesting approval of a 13,675-square-foot expansion to an existing Target store along West Broad Street. The elevations submitted show the building constructed mostly of split face block to match the existing building and a pergola that encroaches into the 50-foot setback that will be

removed or conform to set back requirements on revised plans. The floor plan submitted shows the dimensions and uses in the building.

The applicant has met with the residents of Monumental Floral Gardens regarding hours of street sweeping, trash in the BMP, the proffered buffer and the location of the Starbucks. All of the issues discussed have been resolved and staff can recommend approval subject to the annotations on the plans, the standard conditions for developments of this type, and the added conditions in the agenda.

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

Mr. Branin - Does anybody have any questions for Mr. Garrison? None?

Mr. Vanarsdall - I appreciate you working it out with them. I don't need to hear from the applicant, Mr. Chairman.

Mr. Branin - Okay. You do or you don't, Mr. Vanarsdall?

Mr. Vanarsdall - I don't. First of all, I'm glad to see Target expanding there. I appreciate that. I hope that means that business is good. Every time I'm in there, it looks like it's really good. I move for approval of POD-32-07, Target @ Libbie Place – Store Expansion with conditions Nos. 24 through 35, and then 36 added on the addendum. Then on the addendum it says, "The plan has been revised to adjust the configuration of the building addition to allow for truck access and circulation. The adjustment has resulted in a reduction in the building square footage." They had to do that because of the space over there on the end of it. "The plan shall be revised to show no accessory structure or building encroachment within the 50-foot setback." And the annotations on the plan, standard conditions for this type.

Mrs. Jones - Second.

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

The Planning Commission approved POD-32-07, Target @ Libbie Place – Store Expansion, subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

24. 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.
25. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall be approved by the Virginia Department of Transportation and the County.

26. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
27. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. Outside storage shall not be permitted.
29. The proffers approved as a part of zoning cases C-54C-95 and C-94C-96 shall be incorporated in this approval.
30. 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.
31. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
32. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
33. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
34. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
35. The location of outdoor storage containers on the site is prohibited.
36. **ADDED** – The plan shall be revised to show no accessory structure or building encroachment within the 50-foot setback.

SUBDIVISION

SUB-31-07
 Grayson Hill
 (May 2007 Plan)
 Derbyshire Road and
 Gaskins Road

E. D. Lewis & Associates for GGC Associates, LLC:
 The 6.02-acre site proposed for a subdivision of 17 residential townhouses for sale is located on the north line of Derbyshire Road approximately 1,120 feet east of its intersection with Gaskins Road on parcels 745-740-3611 and 4804; 745-739-5887, 7086 and 8598 and part of 744-740-9457. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer.
(Tuckahoe) 17 Lots

Mr. Branin - Is anyone in opposition to SUB-31-07, Grayson Hill (May 2007 Plan)? No one? Then Mr. Wilhite?

Mr. Wilhite - You've just been handed out a revised plan. This revision shows the changes to section 3 to permit a stub driveway to this property, which will be Grayson Hill, Section 4. It also includes Lot 4, Block YY in Section 4. The plan that you had in your packet did not show that, so there are 17 lots total for Section 4. There is only one annotation on the revised plan. That had to do with proposed road improvements to Derbyshire Road and just states that the County's comments referring to that have been retracted. Those improvements will be determined during the POD review process. There will be a POD submittal that will come back to you for approval. With that, staff can recommend approval of the revised site plan. I can try to answer any questions that you have.

Mrs. Jones - I'm fine at this point, unless someone else has some questions.

Mr. Silber - I have one question, Mrs. Jones. Mr Wilhite, the change that's been made on the number of units, did that result in fewer units in the first sections?

Mr. Wilhite - Yes. It was a rearrangement of some of townhouse lots in Section 3. Sixteen units were proffered for Section 4. That is going to be 16 units. They're just adding one lot to this subdivision and it's on the property that's already included in Section 3.

Mrs. Jones - My understanding is that the number of lots has not changed, it's just which section they're associated with.

Mr. Silber - Okay, that answers my question.

Mr. Branin - Okay.

Mrs. Jones - All right. I'd like to thank you, Mr. Wilhite. We'll be revisiting more details of this as we move along. I think this is a logical finishing of the Grayson Hill project and it's been discussed many times as we've moved through the other sections. With that, I'd like to move approval of SUB-31-07, Grayson Hill (May 2007 Plan). This would be in addition to the standard conditions for residential townhouses for sale and the additional condition #13, which incorporates proffers from the '07 and '04 cases.

Mr. Vanarsdall - Second.

Mrs. Jones - I was just looking to make sure we didn't have an addendum item. We're fine with that.

Mr. Vanarsdall - Second.

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

The Planning Commission granted conditional approval to subdivision SUB-31-07, Grayson Hill (May 2007 Plan), subject to the standard conditions attached to these minutes for residential townhouses for sale, the annotations on the plans and the following additional conditions:

13. The proffers approved as a part of zoning cases C-8C-07 and C-35C-04 shall be incorporated in this approval.

Mr. Branin - That's the first time, I believe, that we haven't had opposition on Grayson Hill.

Mrs. Jones - We're working [unintelligible].

Mr. Branin - You're doing a great job, ma'am.

SUBDIVISION

SUB-32-07
Cottage Park
(May 2007 Plan)

Hulcher & Associates, Inc. for SHS Investments, LLC:
The 1.25-acre site proposed for a subdivision of 5 single-family homes is located on the southwest corner of Hilliard Road and Cottage Street, 2614 Hilliard Road approximately 500 feet north of Lakeside Elementary School on parcel 778-749-0333. The zoning is R-4, One-Family Residence District. County water and sewer.
(Brookland) 5 Lots

Mr. Branin - Is anyone in opposition to SUB-32-07, Cottage Park (May 2007 Plan)? No one? Mr. Garrison, you're up.

Mr. Garrison - Cottage Park is a 5-lot subdivision at Hilliard Road and Cottage Street. The applicant is requesting a 45-foot front yard setback in lieu of a 70-foot front yard setback along a major thoroughfare plan road. As you know, setbacks along minor arterials are increased an additional 35 feet for a total of 70 feet. Should the Commission grant the exception to allow the reduced setback, staff can recommend approval subject to the annotations on the plan, and the standard conditions for conditional subdivisions served by public utilities.

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

Mr. Branin - Does anybody have any questions for Mr. Garrison? None?
Mr. Vanarsdall, would you like to hear from the—

Mr. Vanarsdall - Don't need to hear.

Mr. Branin - Okay.

Mr. Vanarsdall - I will explain what this is. This is an existing home on Hilliard Road and it's been there forever. With Hilliard Road being a minor thoroughfare, we would normally have to have a 70-foot setback, but we have the authority to waive that. It would look kind of funny way back behind that. With that, I recommend that we grant an exception to reduce the requirement of increased setback on Hilliard Road to a total setback of 45 feet in lieu of 70 feet. I think we should do that separate.

Mr. Archer - Second.

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

The Planning Commission approved the exception to reduce the required setback from 70 feet to 45 feet.

Mr. Vanarsdall - Second, I want to make a motion to approve SUB-32-07, Cottage Park (May 2007 Plan) subject to conditions on the agenda, the following deleted condition, and the annotations on the plan. We want to delete #12, which says a County standard sidewalk would be constructed along Cottage Street. The reason that was on there is because it's near a school, but it's not needed.

Mr. Jernigan - Second.

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

The Planning Commission granted conditional approval to subdivision SUB-32-07, Cottage Park (May 2007 Plan), subject to the standard conditions attached to these minutes for subdivisions served by public utilities, the annotations on the plans and the following additional condition(s):

12. ~~DELETE - A County standard sidewalk shall be constructed along the west side of Cottage Street.~~
13. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.

SUBDIVISION

SUB-33-07
Silver Meadows
(May 2007 Plan)

Grattan Associates for Meadow Oaks Development, LLC: The 2.70-acre site proposed for a subdivision of 2 single-family homes is located approximately 850 feet to the intersection of Meadow Road and Drybridge Road on part of parcel 836-717-2759. The zoning is A-1, Agricultural District. County water and septic tank/drainfield. **(Varina) 2 Lots**

Mr. Branin - Is anyone in opposition to SUB-33-07, Silver Meadows (May 2007 Plan)? No one? Mr. Kennedy?

Mr. Kennedy - Good morning again. This is an amendment to Silver Meadows, Section A, which was previously approved by the Commission. The developer of Silver Meadows is requesting Planning Commission approval of a proposed lot. Lot 1 in Block B is a stem lot. A stem lot does not meet minimum street frontage requirements or lot width requirements, but has frontage on a public cul-de-sac street through an access strip that is at least 20 feet wide. In this case, the access strip is actually 70 feet wide. The developer has requested that the minimum lot width in the A-1 District, which is 150 feet, be reduced by 70 feet. The access strip would meet ordinary zoning requirements. The reason the reduction was made was in order to accommodate a drain field on the lot with the stem for the adjoining lot, which did not have a drain field on it. The proposed lots could be reconfigured to permit to single lots, but the adjoining lot, which had now increased in size, would not have a drainfield on it. That's the reason why he's requesting it so that he can have a drainfield on the lot.

The Planning Commission may approve a stem lot as a special exception if the meets all the lot requirements of Chapter 24 and the Planning Commission finds extraordinary hardship may result in the development of the particular parcel. Certain provisions have to be met. Exceptions must be consistent with provisions of this chapter and not defeat the Chapter's purpose. The exception will not be a detriment to public safety, health, or welfare, or be injurious to other properties or improvements. They are unique to this property and not generally applicable to other properties, and do not create an inconvenience. The exception is not based solely on financial consideration. Although the request satisfies the general requirements, staff is concerned that approval of the stem lot would permit construction of a dwelling on Lot 1 substantially behind the buildable area on the adjoining lots, which is not consistent with the intent of the Code. Should the Planning Commission determine that a stem lot is appropriate in this instance, staff recommends that a building line be established between adjoining lots, which would connect the corner of the buildable area to the front yard setback on adjoining lots. Basically, what it would do is prevent building in front of that building. With that building set further back, it kind of tilts the buildable areas on the adjoining lots. Staff feels it will be consistent with the intent of the Code. [Unintelligible.]

Mr. Branin - All right. Does anybody have any questions for Mr. Kennedy other than stem lot questions? Go ahead and ask your stem lot questions.

Mrs. Jones - Well, it's associated with it. Do you have any kind of plan for us with the suggested buildable area noted on it for these lots next to each other?

Mr. Kennedy - It's actually on the plan. The buildable area for the stem lot is right here. That's the buildable area there. The buildable area for this lot here would be along this line.

Mrs. Jones - I just want to make sure I'm understanding it.

Mr. Kennedy - The buildable area for this lot would be from here to there and back.

Mrs. Jones - Okay.

Mr. Kennedy - They would all have sufficient buildable areas. These are A-1 lots, so they do have large buildable areas. We just want to make sure the geometric arrangements are such that we don't have one house in front of another. That's primarily the biggest thing we've had with these stem lots, that you build the house at an awkward orientation.

Mrs. Jones - Sure. I think the fact that the access is 70 feet as opposed to some of the other kinds of stem lots that we've seen come through here certainly is a factor. "Extraordinary hardships" is a fairly strong term. I think in this case, we need to look long and hard about is this really meeting the intent of the protection that is in that term, "extraordinary hardship." I guess I'd like to throw that out for consideration either of the Commissioner involved or the applicant involved.

Mr. Branin - I was going to ask Mr. Jernigan, I know initially you were against putting a stem lot on this project. Can you enlighten us on why you changed your mind?

Mr. Jernigan - Mr. Kennedy, when he first showed me the two of them, I said don't put a lot of work into this case because I don't think it's going to fly. After we sat down and talked about a lot of things, bear in mind this is an A-1 lot and not an R lot. If this was an R lot, we wouldn't be considering it at all. We don't normally like stem lots. I don't like stem lots and we have tried to get away from them, but this does have some extenuating circumstances. The main thing on it is there's so much room on these lots to where the houses won't be sitting in front or behind somebody else. Mr. Kennedy worked it out to where they are cohesive and line up. As I said, if it was an R lot, I wouldn't consider it, but Mr. Kennedy seems to be okay with it. Mr. O'Kelly is okay with it. We discussed that. Am I right, Dave? Because they are two professionals, I took the way they feel about it and changed my mind. So, at this point, I'm okay with it.

Mrs. Jones - With the consistency of the buildable areas making for a visually and aesthetically pleasing development, I could certainly agree with that. I do think the case needs to be made to us.

Mr. Jernigan - Yeah, and they did. Like I said, I wasn't going to approve this at all, but after looking at the way he did it, the fact that it is an A-1 lot with a lot of buildable area, and after their consideration, I thought we'd go ahead. It's not like the last one we had where it was being squeezed in.

Mrs. Jones - Right.

Mr. Branin - I trust your judgment.

Mr. Jernigan - You do?

Mr. Branin - Would you like to hear from the applicant? Is the applicant in the room? Well, then let's just deny it.

Mrs. Jones - He was not too concerned, I guess.

Mr. Vanarsdall - Is this one of your cases?

Mr. Jernigan - He should have been here. Even though, I'm not going to—

Mr. Branin - Would you like to defer it so he can—

Mr. Jernigan - No, there's no sense in tying staff up and making another report on this for next month. Even though Mr. Grattan is in abstention, let them note that in the record. I do feel that I'm okay with this case. With that, I will move for approval of the special exception for SUB-33-07, Silver Meadows (May 2007 Plan) for a stem lot.

Mr. Vanarsdall - Second.

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

The Planning Commission granted conditional approval to subdivision SUB-33-07, Silver Meadows (May 2007 Plan), subject to the standard conditions attached to these minutes for subdivisions, the annotations on the plans and the following additional condition(s):

12. Each lot shall contain at least 1 acre, exclusive of the flood plain areas.
13. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities Easement."

SUBDIVISION

SUB-8-05 ~~SUB-8-07~~
 Grey Oaks – Meyers
 (October 2005 Plan)
 Circle Farm Road

QMT for Dominion Land & Development Partnership:
 The 17.93-acre site proposed for a subdivision of 34 single-family home is located at 11989 Circus Farm Road (approximately 300 feet southeast of Nuckols Road) on parcels 740-774-1487, 740-775-0105, 740-774-4255 and 740-775-9712. The zoning is R-2AC, Single-Family Residential District (Conditional). County water and sewer.
(Three Chopt) 34 Lots

Mr. Branin - Is anyone in opposition to SUB-8-05, Grey Oaks – Meyers (October 2005 Plan). You're the only one left in the room. Are you opposing your own case? Okay.

Mr. Kennedy - This case was originally scheduled to be heard in October 2005 and it's been under contract since that time, but the owner wasn't moving out. So, he's finally closing the property. Mr. Wright owns the property and he's able to move forward to subdivision. So, it's a 2005 subdivision moving forward and the number's been revised to reflect that. Condition #15 has been revised to correct an error reflecting both medians. A revised plan with an annotation indicating the residual property behind Lot 27 would be reserved for conveyance to an adjacent property. Basically, Lot 27 wouldn't extend at this kind of weird shape, but would be essentially one of these lots. With that, staff can recommend approval.

Mr. Branin - Anybody have any questions for Mr. Kennedy? None? Mr. Wright, are you aware that this is the first neighborhood meeting I ever went to as a Planning Commissioner two years ago? And we're finally getting around to it. Half the people that were at the meeting probably don't even live in the neighborhood anymore. All right. With that, I'd like to move for conditional approval of the tentative subdivision plat for SUB-8-05, Grey Oaks – Meyers (October 2005 Plan) as presented, subject to the standard conditions of subdivisions served by public utilities, annotations on the plans, and additional conditions #12 through 22 shown on the agenda with the caption corrected to reflect the correct subdivision number, and condition #15 revised as shown on the addendum.

Mr. Vanarsdall - Second.

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

The Planning Commission granted conditional approval to subdivision SUB-8-05, Grey Oaks – Meyers (October 2005 Plan), subject to the standard conditions attached to these minutes for subdivisions served by public utilities (not served by public utilities), the annotations on the plans and the following additional conditions:

12. Each lot shall contain at least 13,500 square feet, exclusive of the flood plain areas.
13. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities Easement."
14. The plan must be redesigned to provide at least the 85-foot minimum lot width required and as regulated by Chapter 24, of the Henrico County Code.
15. **REVISED** - The detailed plant list and specifications for the landscaping to be provided within the medians in Road G-1 shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.

16. The proffers approved as a part of zoning cases C-15C-03 and C-25C-05 shall be incorporated in this approval.
17. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
18. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.
19. A sight distance easement shall be dedicated where Road G-1 intersects with Grey Oaks Park Drive, in accordance with the requirements of the Traffic Engineer.
20. Circus Farm Road shall be vacated, where it abuts any lots within the subdivision.
21. Lots 3 through 5 shall be revised to satisfy minimum lot width requirements and all cul-de-sac lots shall show adequate lot width at the building line.
22. A plat dedicating Grey Oaks Park Drive shall be recorded prior to the recordation of any lots.

Mr. Silber - Next on your agenda would be consideration of your minutes, the April 25, 2007 Planning Commission meeting.

APPROVAL OF MINUTES: April 25, 2007

Mr. Branin - Anybody have any corrections?

Mrs. Jones - I have one quick one that just occurred to me as I looked them over last night. Page 50, line 1965. The word is not "going," it is "doing,"

Mr. Branin - Did you get that, Mr. Silber? Page 50. Any other? None?

Mrs. Jones - I move approval of the minutes as corrected.

Mr. Jernigan - Second.

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

The Planning Commission approved the April 25, 2007 minutes as corrected.

Mr. Silber - I have one other item. This will be short. You may recall at the last meeting I brought to your attention the ordinance amendment dealing with raising

the height of accessory structures. You set a public hearing for your Commission meeting of June 27, 2007. There was a work session last night with the Board of Supervisors on this ordinance amendment, as well as the ordinance amendment on increasing the building height of residential structures. The Board of Supervisors raised some points, had some questions. At this point in time, we need additional time to answer those questions, come up with how we're going to approach these building heights and accessory structure heights. Therefore, we will not be prepared to hold a public hearing on June 27th and I will need for you to cancel that public hearing because I do not know when we will be bringing that forward to the Planning Commission.

Mr. Jernigan - Questions came up on the residential?

Mr. Silber - Came up on the residential building heights as well as the accessory structure building heights.

Mrs. Jones - So, we don't have any date in mind? We'll just wait and see how this progresses.

Mr. Silber - That's correct. I think I would like a motion to cancel the public hearing on accessory structure building heights.

Mr. Jernigan - I make a motion to cancel the public meeting on accessory buildings.

Mrs. Jones - Second.

Mr. Branin - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All in favor say aye. All opposed say no. The ayes have it, the motion carries. Thank you very much. Are you finished, Mr. Silber?

Mr. Silber - I am finished.

Mr. Branin - Okay. This meeting's adjourned.

Mrs. Jones - Second.

On a motion by Mr. Branin and seconded by Mrs. Jones, the Planning Commission adjourned its meeting at 10:52 a.m.

Tommy Branin, Chairman

Randall R. Silber, Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. (when the property is served by public utilities)
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. (when not served by public water)
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. (when not served by public sewer)
2. **The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities.** The Department of Public Utilities shall be notified at least 24 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 (**May 23, 2007**), which shall be as much a part of this approval as if details were fully described herein. **Seven (7) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures.** Two (2) sets of the approved plan shall be attached to the building permit application.
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 ground cover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.
11. Prior to the **approval of an electrical permit application and** installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture **specifications and** mounting height details shall be submitted for Department of Planning review and approval.
- 11A. **AMENDED** - Prior to the **approval of an electrical permit application and** installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture **specifications and** mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
- 11B. **Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.**
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.
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 not transferable except that the holder of the first

mortgage of the property may assume responsibility under this plan after written notification to this Commission.

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.

STANDARD CONDITIONS FOR LANDSCAPE & LIGHTING PLAN

1. The landscaping plan shall be revised as shown in red on Staff plan dated **May 23, 2007**, 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. All ground cover 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.
3. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets.
4. 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.
5. 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.

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

23. 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).
24. No merchandise shall be displayed outside of the building except that oil racks will be allowed on the pump islands.
25. 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.
26. 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.
27. No wrecked automobiles, nor automobiles incapable of being operated, shall be kept on the premises.
28. 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.

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

23. 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:

23. Only retail business establishments permitted in a zone may be located in this center.
24. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
25. 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:

23. The unit house numbers shall be visible from the parking areas and drives.
24. 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 Zero Lot Line Developments shall apply:

23. 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.
24. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.
25. 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.
26. Architectural plans for this development must meet the standards of the April 24, 1995, Planning memo of Zero Lot Line Development Standards. The standard memo addresses the building relationship to the zero lot line and include: minimum percentage of wall on the zero lot line, number, size and location of window and door openings in first and second floors and height and setbacks for fences abutting decks.

STANDARD CONDITIONS FOR CONVENIENCE STORES WITH FUEL PUMPS IN A

B-2 ZONE

23. Bulk storage of fuel shall be underground.
24. There shall be no exterior display of merchandise except on pump islands and on paved walkway areas within three (3) feet of building.
25. Lighting fixtures shall not exceed a height greater than twenty (20) feet.
26. No temporary storage of wrecked or inoperative vehicles or rental of vehicles, trailer campers, vans or similar equipment shall be permitted.
27. Not more than two (2) electronic amusement games shall be permitted.
28. 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.
29. 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.
30. The landscaping plan shall include details for screening of refuse containers and refuse storage facilities in accordance with Section 24-61(i).
31. Refuse containers or refuse storage facilities shall be serviced during business hours only.
32. 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.
33. 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.

STANDARD CONDITIONS FOR CONVENIENCE STORES WITH FUEL PUMPS IN A

B-3 ZONE

23. Bulk storage of fuel shall be underground.
24. 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.
25. 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.

SUBDIVISION - CONDITIONAL APPROVAL

Standard Conditions for Conventional Subdivisions Served By Public Utilities Public Water and/or Sewer

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. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. (Substitute condition 4A if well)
- 4 A. 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.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. (Substitute condition 4A if well)
- 5A. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **May 23, 2007**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **May 28, 2008**, 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 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 (front building line), and if applicable, the 100 year floodplain location and the area of each lot exclusive of floodplain.

Standard Conditions for Conventional Subdivisions Not Service 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 all erosion and sediment control plans and agreements have been approved by the Department of Public Works and the Department of Planning. All erosion and sediment control agreements and bonds must be submitted to the Department of Public Works prior to approval of the construction plans. Eight (8) sets of revised plans shall be submitted by the design engineer or surveyor who prepared the plans to the Department of Public Works for approval stamps and distribution and one copy with all required information shall be simultaneously submitted to the Department of Planning for review.
4. 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.
5. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
6. The plat shall be revised as shown in red on Staff plan dated May 23, 2007, which shall be as much a part of this approval as if all details were fully described herein. This approval shall expire on May 28, 2008, 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.
8. 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.
9. 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, percolation test results and design considerations.
10. 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 (front building line), and if applicable, the 100 year floodplain location and the area of each lot exclusive of floodplain.

Standard Conditions for 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 all erosion and sediment control plans and agreements have been approved by the Department of Public Works and the Department of Planning. All erosion and sediment control agreements and bonds must be submitted prior to approval of the construction plans.
4. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.

- 1 5. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
- 2 6. A copy of the letter from the Richmond Regional Planning District Commission giving
- 3 approval to the street names in this subdivision shall be submitted to the Department of
- 4 Planning before the recordation plat is submitted for review.
- 5 7. The plat shall be revised as shown in red on Staff plan dated **May 23, 2007**, which shall
- 6 be as much a part of this approval as if all details were fully described herein.
- 7 8. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted
- 8 to the Department of Planning for review, prior to final approval. The proposed
- 9 Homeowners Association for the project shall be responsible for the exterior maintenance
- 10 of all buildings and grounds.
- 11 9. All block corners shall be monumented and referenced, where possible, to the exterior
- 12 boundaries of the site.
- 13 10. The record plat shall contain a statement that the common area is dedicated to the
- 14 common use and enjoyment of the homeowners of **(name of subdivision)** and is not
- 15 dedicated for use by the general public. This statement shall refer to the applicable
- 16 article in the covenants recorded with the plat.
- 17 11. This approval shall expire on **May 28, 2008**, unless an extension is requested in writing
- 18 stating the reason such extension is necessary. The request shall include the required fee
- 19 and must be filed a minimum of two weeks prior to the expiration date.
- 20 12. The name of this development, as designated in this approval, shall be the name used for
- 21 marketing and public recognition purposes. A written request for a name change must be
- 22 received and granted by the Department of Planning before such a change can be
- 23 implemented.
- 24

25
26 **Standard Conditions for Cluster Lot (Controlled Density) Subdivisions**
27

- 28 1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
29 2. Construction plans, including proposed erosion and sediment controls, shall be submitted to
30 the Department of Planning at least 30 days prior to final approval.
31 3. Construction shall not commence until the Director of Planning has granted final approval
32 of the plat; and until the construction plans including all erosion and sediment control plans
33 and agreements have been approved by the Department of Public Works and the
34 Department of Planning. All erosion and sediment control agreements and bonds must be
35 submitted to the Department of Public Works prior to approval of the construction plans.
36 Eight (8) sets of revised plans shall be submitted by the design engineer or surveyor who
37 prepared the plans to the Department of Public Works for approval stamps and distribution
38 and one copy with all required information shall be simultaneously submitted to the
39 Department of Planning for review.
40 4. The owner shall enter into the necessary contracts with the Department of Public Utilities
41 for water.
42 5. The owner shall enter into the necessary contracts with the Department of Public Utilities
43 for sewer.
44 6. A copy of the letter from the Richmond Regional Planning District Commission giving
45 approval to the street names in this subdivision shall be submitted to the Department of
46 Planning before the recordation plat is submitted for review.
47 7. The record plat shall be revised as shown in red on Staff plan dated **May 23, 2007**, which
48 shall be as much a part of this approval as if all details were fully described herein.
49 8. The record plat shall contain a statement that the common area is dedicated to the common
50 use and enjoyment of the homeowners of **(name of subdivision)** and is not dedicated for
51 use by the general public. This statement shall refer to the applicable article in the
52 covenants recorded with the plat.
53 9. The open space not contained in lots and streets shall not be denuded, defaced or otherwise
54 disturbed in any manner without prior approval of the appropriate County department with the
55 concurrence of the Director of Planning.
56 10. This approval shall expire on **May 28, 2008**, unless an extension is requested in writing
57 stating the reason such extension is necessary. The request shall include the required fee
58 and must be filed a minimum of two weeks prior to the expiration date.
59 11. The name of this development, as designated in this approval, shall be the name used for
60 marketing and public recognition purposes. A written request for a name change must be
61 received and granted by the Department of Planning before such a change may be
62 implemented.
63 12. The conditional approval of this plat by the Planning Commission does not imply that all
64 lots shown thereon will be granted final approval. Such approval is contingent on each lot
65 meeting all requirements, including but not limited to, minimum zoning requirements,
66 percolation test results and design consideration.
67 13. Prior to a request for final approval, the developer shall provide a buildable area plan
68 showing information for all lots within the subdivision. Such plan shall be a part of the
69 construction plans submitted for review and for signature. The buildable area plan shall be
70 a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal

71 structure, all setback dimensions, the minimum lot width (front building line), and if
72 applicable, the 100 year floodplain location and the area of each lot exclusive of floodplain.
73