Minutes of the regular monthly meeting of the Planning Commission of Henrico County, held in the County Administration Building in the Government Center at Parham and Hungary Spring Roads beginning at 9:00 a.m. Wednesday, November 17, 2010.

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

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

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

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

Mr. Vanarsdall - Good morning, everybody, the Henrico County Planning Commission will now come to order. Is anyone here from the news media? Mr. Kaechele is on his way; he'll be here in a few minutes. Mr. Kaechele is a member of the Board of Supervisors and represents the Supervisors on the Commission this year. Mr. Archer will not be with us; he has a business meeting that conflicted.

I'd like to ask everyone to stand and **Pledge Allegiance to our Flag**.

All right, thank you. While we have everyone here—some of you will be gone before we finish—I want to wish everyone a Happy Thanksgiving.

Mrs. Jones - Thank you.

Mr. Jernigan - Thank you, Mr. Chairman.

Mr. Vanarsdall - As I heard one time, somebody told me I hope you have a turkey on your table and an eagle in your pocket. There was more to it. Some people in here, including me, will understand this part of it. May you always have an old crow in your glass.

I'll turn the meeting over now to Mr. Emerson, our secretary.

Mr. Emerson - Thank you, Mr. Chairman. The first item on your agenda today is the requests for deferrals and withdrawals. There are none filed with staff, unless the Commission has something that they would like to add to that list. If there are none, we'll move to the next item on the agenda, the expedited requests. Those will be presented by Ms. Leslie News.

Mr. Vanarsdall - Good morning, Ms. News.

Ms. News - Good morning, Mr. Chairman, members of the Commission. We have 5 items on our expedited agenda this morning. The first item is found on page 3 of your agenda and is located in the Three Chopt District. This is a transfer of approval for POD-23-86, The Forum Executive Office Center. Staff recommends approval.

TRANSFER OF APPROVAL

POD-23-86 POD2010-00135 The Forum Executive Office Center – 10120 W. Broad Street (U.S. Route 250)	**Edward Brown for HB Broad Street, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Transcontinental Realty to HB Broad Street, LLC. The 11.19-acre site is located on the north line of W. Broad Street (U.S. Route 250) at 10120 W. Broad Street, approximately 185 feet east of Lexington Farm Drive, on parcel 751-760-6539. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to transfer of approval POD-23-86, The Forum Executive Office Center? No opposition.

Mr. Branin - Mr. Chairman, I'd like to move that the transfer of approval for POD-23-86, The Forum Executive Office Center, be approved on the expedited agenda.

Mr. Jernigan - Second.

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

The Planning Commission approved the transfer of approval request for POD-23-86, The Forum Executive Office Center, from Transcontinental Realty to HB Broad Street, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. All deficiencies, as identified in the staff report, dated May 24, 2010, shall be corrected by August 1, 2011.

Ms. News - The next item is on page 5 of your agenda and is located in the Three Chopt District. This is transfer of approval for POD-39-76, Almond Building at the Forest Office Park, which was formerly the Koger Executive Center. Staff recommends approval.

TRANSFER OF APPROVAL

POD-39-76 POD2010-00115 Almond Building at Forest Office Park (Formerly Koger Executive Center) – 1610 Forest Avenue	**Triple Net Properties Realty, Inc. for NNN Forest Office Park, LLC, et al.:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Koger Properties, Inc., The Koger Partnership, Ltd., Koala Richmond Realty Holding Co., Inc., and Forest Park Associates, LLC to NNN Forest Office Park, LLC, et al.. The 2.72-acre site is located at the southwestern corner of the intersection of Forest Avenue and Discovery Drive, on parcel 759-744-6234. The zoning is O-2, Office District. County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to POD-39-76, Almond Building at Forest Office Park (formerly Koger Executive Center)? No opposition, Mr. Branin.

Mr. Branin - Mr. Chairman, I'd like to move that the transfer of approval for POD-39-76, Almond Building at Forest Office Park (formerly Koger Executive Center), be approved on the expedited agenda.

Mrs. Jones - Second.

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

The Planning Commission approved the transfer of approval request for POD-39-76, Almond Building at Forest Office Park (formerly Koger Executive Center), from Koger Properties, Inc., The Koger Partnership, Ltd., Koala Richmond Realty Holding Co., Inc., and Forest Park Associates, LLC to NNN Forest Office Park, LLC, et al subject to the standard and added conditions previously approved and the following additional conditions:

1. The missing trees, as identified in a staff report, dated May 5, 2010, shall be replaced by November 30, 2010.
2. The missing building foundation landscaping, as identified in a staff report, dated May 5, 2010, shall be replaced by May 31, 2011.

Ms. News - Next, on page 6 of your agenda and located in the Three Chopt District, is a transfer of approval for POD-50-78—and this is part of a POD—the Culpeper Building at Forest Office Park (Formerly Koger Executive Center).

TRANSFER OF APPROVAL

POD-50-78 (Part) POD2010-00125 Culpeper Building at Forest Office Park (Formerly Koger Executive Center) - 1606 Santa Rosa Road	**Triple Net Properties Realty, Inc. for NNN Forest Office Park, LLC, et al.:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Koger Properties, Inc., The Koger Partnership, Ltd., Koala Richmond Realty Holding Co., Inc., and Forest Park Association, LLC to NNN Forest Office Park, LLC, et al. The 4.2-acre site is located at the northwest intersection of Discovery Drive and Santa Rosa Road, on parcel 758-745-6911. The zoning is O-2, Office District. County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to transfer of approval for POD-50-78 (Part), Culpeper Building at Forest Office Park (Formerly Koger Executive Center)? No opposition, Mr. Branin.

Mr. Branin - Mr. Chairman, I'd like to move that the transfer of approval for POD-50-78 (Part), Culpeper Building at Forest Office Park (Formerly Koger Executive Center), be approved on the expedited agenda as presented.

Mr. Jernigan - Second.

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

The Planning Commission approved the transfer of approval request for POD-50-78 (Part), Culpeper Building at Forest Office Park (formerly Koger Executive Center), from Koger Properties, Inc., The Koger Partnership, Ltd., Koala Richmond Realty Holding Co., Inc., and Forest Park Association, LLC to NNN Forest Office Park, LLC, et al, subject to the standard and added conditions previously approved and the following additional condition:

1. The missing trees, as identified in a staff report, dated May 5, 2010, shall be replaced by November 30, 2010.

Ms. News - The next item is on page 7 of your agenda and is located in the Three Chopt District. This is LP/POD-26-09, a landscape and lighting plan for the Car Pool at Towne Center West. Staff recommends approval.

LANDSCAPE & LIGHTING PLAN

LP/POD-26-09 POD2010-00295; POD2010-00360 Car Pool at Towne Center West – 11950 W. Broad Street (U.S. Route 250)	**Balzer and Associates, Inc. for CP Other Realty, 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 1.68-acre portion of the 4.76-acre site is located in an existing shopping center on the north line of W. Broad Street (U.S. Route 250), approximately 1,625 feet east of its intersection with Gayton Road, on parcel 735-763-6585. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in opposition to LP/POD-26-09, Car Pool at Towne Center West? No opposition, Mr. Branin.

Mr. Branin - Then, Mr. Chairman, I'd like to move that LP/POD-26-09, Car Pool at Towne Center West, be approved on the expedited agenda as presented.

Mrs. Jones - Second.

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

The Planning Commission approved the landscape and lighting plan for LP/POD-26-09, Car Pool at Towne Center West, subject to the standard conditions attached to these minutes for landscape and lighting plans.

Ms. News - The final item is on page 11 of your agenda and is located in the Three Chopt District. This is POD-27-10, Richmond Elk's Lodge #45 Expansion. Staff recommends approval.

PLAN OF DEVELOPMENT

POD-27-10 POD2010-00342 Richmond Elk's Lodge #45 Expansion – 10022 Elks Pass Lane (POD-25-83 Rev.)	**Koontz-Bryant, P.C. and Architectural & Interior Services for Benevolent Protective Order of Elks, Richmond Lodge #45:** 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 7,500 square foot addition and to renovate an existing assembly hall. The 9.04-acre site is located on the northern side of Elks Pass Lane, approximately 60 feet from its intersection with Lake Brook Drive, at 10022 Elks Pass Lane, on parcel 750-768-4929. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to POD-27-10, Richmond Elk's Lodge #45 Expansion? No opposition, Mr. Branin.

Mr. Branin - I'd like to welcome the gentlemen from the Elk's Lodge who are in the room and make sure that they don't have any questions before we move forward. None? Okay. Then, Mr. Chairman, I'd like to move that POD-27-10, Richmond Elk's Lodge #45 Expansion, be approved on the expedited agenda as presented.

Mr. Jernigan - Conditions #29 and #30.

Mr. Branin - As presented, with Conditions #29 and #30.

Mr. Jernigan - Second.

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

The Planning Commission approved POD-27-10, Richmond Elk's Lodge #45 Expansion, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

29. 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.
30. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

Ms. News - That completes our expedited agenda.

Mr. Vanarsdall - Thank you, Ms. News.

Mr. Emerson - Mr. Chairman, that takes us to the next item on the agenda, which are the Subdivision Extensions of Conditional Approval. There are no extensions this month. That now takes us to page 4 of your agenda.

TRANSFER OF APPROVAL

POD-75-86 POD2010-00276 Innsbrook Center (Formerly Markel II) – 4551 Cox Road	**Highwoods Realty, LP for 4551 Cox Road, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Prudential Insurance Company of America to 4551 Cox Road, LLC. The 6.33-acre site is located at 4551 Cox Road, at the northeast corner of Cox Road and Village Run Drive, on parcel 750-765-9452. The zoning is O-3C, Office District (Conditional) and C-1C, Conservation District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to transfer of approval for POD-75-86, Innsbrook Center (Formerly Markel II)? No opposition.

Mr. Ward - The landscape deficiencies that were noted in staff's report have been installed, which included the 4 Cherry trees in front of the handicapped spaces, the 4 Maple trees along the building's rear entrance, and a Willow Oak tree in one of the islands. Staff can recommend approval of this transfer request. I'm happy to answer any questions you may have.

Mr. Vanarsdall - Any questions for Mr. Ward? Thank you. I'll entertain a motion.

Mr. Branin - Mr. Chairman, I'd like to move that the transfer of approval for POD-75-86, Innsbrook Center (Formerly Markel II), be approved.

Mr. Jernigan - Second.

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

The Planning Commission approved the transfer of approval request for POD-75-86, Innsbrook Center (Formerly Markel II), from Prudential Insurance Company of America to 4551 Cox Road, LLC, subject to the standard and added conditions previously approved.

PLAN OF DEVELOPMENT

POD-25-10 POD2010-00306 The Steward School – Bryan Center – 11600 Gayton Road (POD-65-08 Rev.)	**Draper Aden Associates for Dixon Independent School:** 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 4,830 square foot science building with classrooms on an existing school site. The 35.73-acre site is located on the northwest corner of the intersection of Gayton and Ryandale Roads, on parcels 736-747-8260 and 0678, and 736-748-4535. The zoning is A-1, Agricultural District. County water and sewer. **(Tuckahoe)**

Mr. Vanarsdall - Is there any opposition to POD-25-10, The Steward School – Bryan Center? No opposition. Good morning.

Mr. Garrison - Good morning. The applicant is requesting approval of a one-story, 4,800-square-foot environmental education classroom building and to modify an existing BMP adjacent to Gayton Road. The applicant has not determined whether to pursue the LEED certification; however, the building will be highly sustainable. Additionally, the intent of the BMP is to function as an environmental education component of the Bryan Center.

The plan before you today is annotated to show the fire lane relocated to the existing entrance drive aisle off Gayton Road. This is acceptable to staff, and the applicant has agreed to this modification.

To date, staff has not received any opposition to this request. Therefore, we can recommend approval subject to the annotations on the plans, the standard conditions for developments of this type, and added condition #29 in your agenda.

Mr. Vanarsdall - Any questions for Mr. Garrison?

Mrs. Jones - I don't have questions for Mr. Garrison. I just wanted to chat for a moment with the applicant.

Mr. Vanarsdall - Thank you.

Mrs. Jones - Good morning. Please state your name for the record.

Mr. Telfer - Glenn Telfer with Draper and Associates.

Mr. Vanarsdall - If you raise that mic., you won't have to bend over.

Mr. Telfer - Thank you.

Mrs. Jones - Good morning. We were talking earlier, and I just thought it would be helpful on the record to ask again. This environmental education component of the science center is going to certainly be a welcomed addition to the curriculum, I know. With the modifications to the area and the creation of a wetlands and marsh-type environment come concerns right next a neighborhood. So, would you just summarize for me some of the things that might be done in order to mitigate the mosquitoes or other byproducts of this development?

Mr. Telfer - Certainly. There is the possibility of the BMP being an environment where mosquitoes can breed. We were looking at several measures to take as part of an integrated task management plan. We're looking at pond aeration, possibly introducing mosquito fish into the pond to eat the larvae. We're looking at the structural design of the pond, how deep it is and the extent of the shallower layers where mosquitoes might breed. There's guidance from Virginia DCR on reducing mosquitoes in BMP's, and we're certainly looking at that right now.

Mrs. Jones - I expect that you will certainly be able to take some steps that will make this an acceptable neighbor to residential areas.

Mr. Telfer - Absolutely. Certainly if there is a mosquito problem, the school will be the victim of that first, being that the building is so close.

Mrs. Jones - Well, there you go. Okay. The LEED certification I know is a complicated process, but there are other sustainable principles and green building ideas that are being incorporated into this site as well. Is that correct?

Mr. Telfer - Certainly. We're looking at a variety of sustainable measures associated with the project, one of which is the BMP itself, improving the efficiency of the BMP in providing water quality. The BMP actually serves most of the school campus, so improvements that we make there will have a marked effect on water quality immediately downstream of the school. Some of the things we're incorporating in the building are highly energy-efficient designed, using daylight instead of artificial light, a possible green roof on the building to mitigate stormwater impacts, and also educating the students on stormwater and rain gardens. These are all for educational purposes and not for regulatory compliance. We're trying to make the building systems as visible and accessible as possible. So, in the mechanical room there's a glass curtain wall where the students can actually see what happens behind the curtain in a building.

Mrs. Jones - I dare say there are many of us who could use that education. Thank you. This is intended to be a project that is started pretty soon?

Mr. Telfer - We're looking at construction next year. The exact timeframe is still being worked out. The school wants to make sure that it is—the sustainable design portion of it takes precedence over any construction schedule. In this case, there's not a fixed need or a deadline when the building needs to open to meet a curriculum need. We want to get it right.

Mrs. Jones - I appreciate that approach, and I think the Steward School has done a number of things in recent years to improve the campus. I know that it has been an exciting time for all of you, so thank you. Those are my questions.

Mr. Telfer - Thank you, Mrs. Jones.

Mrs. Jones - Sure.

Mr. Vanarsdall - Are there any questions by Commission members for Mr. Telfer?

Mrs. Jones - Okay. What I'd like to do is tell the folks from the Steward School I wish you well. I know this will be a wonderful project, or at least I'm counting on it being so. I thank you for your attention to detail on this. With that, I'll move for approval of POD-25-10, The Steward School—Bryan Center, subject to all of the annotations on the plans, the standard conditions for developments of this type, and the additional Condition #29 found on the agenda.

Mr. Jernigan - Second.

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

The Planning Commission approved POD-25-10, The Steward School Bryan Center, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional condition:

29. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. 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

POD-26-10 POD2010-00341 ACAC Fitness & Wellness Centers at West Broad Village – 2201 Old Brick Road (POD-42-06 Rev.)	**Timmons Group and Antunovich Associates, Inc. for West Broad Village V, LLC, West Broad Village VI, LLC and Markel – Eagle Advisors, 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 four-story 58,470 square foot fitness and wellness facility. The 0.52-acre site is located at the southwest corner of Gathering Place and Old Brick Road, on parcel 743-760-2942 and part of parcel 743-760-0935. The zoning is UMUC, Urban Mixed Use District. County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to POD-26-10, ACAC Fitness & Wellness Centers at West Broad Village?

Mr. Kennedy - Good morning. In the staff report, planning staff noted that the original version of the proposed ACAC building did not comply with design guidelines contained in the West Broad Street Master Plan as well as the UMU Master Plan approved by the Planning Commission. At that time, staff requested revisions to architectural plans to address those concerns. In particular, staff noted that the proposed wood composite siding originally proposed was not compatible with the materials specified in the West Broad Overlay and should be replaced with brick or some other siding. Staff also noted that the originally-proposed architectural treatment was not pedestrian in scale and recommended several revisions to the building plans to make them a more inviting and pleasant pedestrian façade, particularly this rear half of the building where it looks very industrial.

The project architect, Joe Antunovich, is here, as well as staff to address concerns. Mr. Antunovich would like to present his design after staff's recommendation on the revised plans.

Staff has now determined that the building revisions in general satisfy the design guidelines. This is all masonry here in lieu of the previous wood siding. They put windows in to make it more pedestrian in scale and soften the façade of the building, as previously requested. While making those revisions, the architect made several other revisions to the plans. Vertical banners were added to the building to add interest. The height of the building was increased, as indicated by the Director, to accommodate a mezzanine between the second and third floors. Rooftop paddle tennis courts were added in back of the building. They were originally in the front of the building in this area here. Staff had several objections to those. As far as the vertical banners, staff has no problem with that. They add visual interest to the building; however, staff is concerned that they may be considered signage or attention-getting devices. To that end, we drafted Condition #31 in the agenda, which provides that any banners placed on the building shall be submitted for review and approval by staff prior to installation. The

banners shall be maintained in good condition and shall be used for seasonal display purposes only. They shall not contain any lettering, logos, or representative figures to promote the business. The developer has agreed to that condition. As far as the height and area of the building, staff feels that it's still consistent with the Master Plan, and we have no objection.

Staff is also concerned about the rooftop paddle tennis courts. In particular, staff is concerned with the visibility of the activity from other adjoining properties and lighting because it's so high up. You see up here it'll look like a lighthouse. The developer has agreed to a condition that final plans for enclosure and lighting of the rooftop paddle tennis facilities shall be submitted for review and approval by the Director of Planning prior to approval of construction plans.

Finally, staff was concerned about some of the architectural detailing on the building. In the original plan, there was brick all along the base of this building here. I'll show you the original. We asked for that to be put back in to make it more reflective of West Broad Village elevations. The developer has agreed to that. They've agreed to the annotations on the plans and that a revised plan would come back to the Director for approval.

Mr. Emerson - That will wrap the building and be similar to the treatment on the A-Loft as you come along up to the awning, correct?

Mr. Kennedy - Yes. With those 3 conditions, staff can recommend approval of the plan. Mr. Antunovich is here to talk about the design changes.

Mr. Emerson - Mike, the Commission doesn't have your 3 conditions.

Mrs. Jones - Are there additional conditions?

Mr. Branin - You mentioned #31. Did you envelop all of them into #31 or are they broken out?

Mr. Kennedy - I've written #31, #32, and #33. They were just added. Condition #31 would read: "Any banners placed on the building shall be submitted for review and approval by Planning staff prior to installation. Such banners shall be maintained in good condition, shall be used for seasonal display purposes only, and shall not contain any lettering, logos, or representative figures used to promote business."

Mrs. Jones - Seasonal display only.

Mr. Kennedy - It's considered seasonal display. If it doesn't advertise, it's seasonal display. You could have snowflakes, Easter bunnies, or stars and stripes.

The Condition #32 would read: "Final plans for the enclosure and lighting of the rooftop paddle tennis facilities shall be submitted for review and approval by the Director of Planning prior to approval of a building permit."

The last one is Condition #33. We just worked out that the brick base would also be submitted for review.

Mrs. Jones - Mike, is that intended to be an enclosure along the sides or totally enclosed?

Mr. Kennedy - Primarily, we're particularly concerned with the visibility from the street and the impact of the lighting. In the original plan, the tennis courts were up behind this wall. We're concerned with the height of the lighting and visibility of that. We didn't want to say *fence*, we wanted to say *enclosure*.

Mrs. Jones - But there will be no roof on top.

Mr. Kennedy - They do not intend to place a roof over the paddle tennis courts at this time.

Mrs. Jones - It shouldn't be.

Mr. Jernigan - They're going to do up-lighting rather than down?

Mr. Kennedy - It's going to be worked out with the details. This is a tennis court, so you'll be able to see the balls and things. What we're concerned about is having light poles 20 feet high above the building, which would be kind of inappropriate.

Mrs. Jones - With shielding you could—

Mr. Kennedy - That's what we're looking at. We want more information before we approve the rooftop lighting plan.

Mr. Emerson - We're also concerned about the materials used to contain the balls, what that is going to be and how it's going to work along with the lighting.

Mr. Branin - We don't want this galvanized chain link fence on top of a roof where you have apartments that are going to be able to look down on it. You have the residential townhomes behind that will be looking up at it. As you drive down I-64, we don't want to have a beautiful building with chain link around the top.

Mrs. Jones - I would sincerely hope no one has considered that up there.

Mr. Kaechele - So what are the options? Is it netting?

Mr. Kennedy - That's the issue. We don't have design details at this point to resolve that. They're going to bring back a plan to the Director for approval. Obviously, we need to look at that and make a recommendation. If the Director isn't comfortable with our recommendation, it will come back to the Planning Commission.

Mrs. Jones - So those were #31, #32, and—

Mr. Kennedy - Thirty-three. I added 3. Thirty-three would be that the base design, the masonry base on the front of the building be returned back to brick.

Mr. Vanarsdall - Are there any other questions for Mr. Kennedy? Thank you, Mr. Kennedy.

Mr. Kennedy - One other thing, the plans were received late.

Mr. Vanarsdall - Thank you.

Mr. Antunovich - Good morning. It's very nice to be back in front of you and to be able to present additional buildings at West Broad Village. I did want to express appreciation to staff and all of you for accommodating our schedule here. We are anxious to get going. So, as we go through this design review process, the ability to be in front of you today is very, very much appreciated as we're trying to move this forward, to get a building permit, and to start right after the beginning of the year.

Mr. Vanarsdall - Would you state your name? We know who you are, but they don't know back there.

Mr. Antunovich - I'm Joe Antunovich, president of Antunovich Associates, Architects and Planners, 224 West Huron Street in Chicago, Illinois. We're the architects and master planners for West Broad Village. Also with me is Chris Craytor. He is the Vice-President for ACAC Fitness. He will also participate with me in making a few remarks.

Mr. Kennedy, I think, covered most of the points. I would just like to go back and—it'll be a test to see if I can work this. Just going through the revised drawings that we have prepared here in working with staff, I think we've improved the proportion of the building. We've adjusted the height a little bit because we've actually included a mezzanine now on the second floor in the exercise area. On this corner where we have this class, we will try to capture the excitement of what's going on inside with the glazed corner—people exercising and people on treadmills. One glance into the building and you'll see what's going on. Also, at the top here we've included this eyebrow around the edge to increase the definition of the cornice, and we've actually lowered the parapet a little bit so that it's not quite so high and you'll be able to get a glimpse of what's happening above.

I think Mr. Kennedy suggested the addition of this low brick knee wall around the base, which will break up this long storefront that we see here. You saw this rendering before. This we made especially to really address some of the concerns that everyone had about how the building interfaces with the surrounding residential area. We've added this brick enclosure here with this punched windows and then tried to celebrate the activity with the addition of these banners. We will come back to you on the enclosure of the paddle tennis courts. ACAC does everything first class, so you can envision a very fine tennis club on the top of the roof with that kind of wind screen and enclosure, perhaps green or black, and with lighting that will be very, very appropriate. You could imagine going to Forest Hills. I'm aging myself. That kind of treatment, though, it would be very elegant.

On the inside of the building, we actually have a collection of squash courts. So, the club will actually be known for its racquet sports also, very fine racquet sports. That's really the goal here.

Those are the images and the collection of improvements that we've made, along with the other elevations that we've improved. Unless you have some questions, or Chris, if you have any comments, we would be happy to take any questions you might have.

Mr. Vanarsdall - Any questions from Commission members?

Mr. Branin - You first.

Mrs. Jones – Will you be able to see the tennis courts from the street?

Mr. Antunovich - It's actually back from the edge approximately 5 feet, so it doesn't sit right at the edge. We have a parapet wall that wraps around, so it will be back 5 feet and then start. Actually, when you're down on the street looking up at the building, there's quite a perspective actually. So, when you're down on the street and you're actually looking up, here you can just see a little bit of it protruding above. Because the height of the building is approximately 64 feet at that point, your sightline is such that you won't really be catching it as much as you would be if the building was lower.

Mr. Vanarsdall - Any more questions?

Mr. Branin - I'd like to speak to Mr. Craytor.

Mr. Vanarsdall - Thank you.

Mr. Branin - Welcome. Welcome to Henrico.

Mr. Craytor - Thank you.

Mr. Branin - We've seen your other properties in Crozier and in Charlottesville. This is kind of an in-between, ultra modern and more fitting with the area. I appreciate you continuing to look at the style. I know that you originally brought in wood, but that really wouldn't fit. I don't know if that was your idea or Mr. Antunovich, who worked on the original architectural plans and then every time he brings in something it's way out of the norm of what he designed originally. So, we have to smack him down every time, bring him back to center. Come back to center, Mr. Antunovich. We are very happy to have you here, and we thank you for making it consistent.

Mr. Craytor - My name is Chris Craytor. I'm with ACAC Fitness and Wellness Centers. We're based in Charlottesville, Virginia. Thank you all for the time and effort you've put in on this project. It seems appropriate to blame the architect for the wood.

Honestly, we feel committed to working with Henrico on this building, which we feel will be a nice addition to West Broad Village and the community in general. As you mentioned before, we operate high-end fitness and wellness facilities. We currently have a location in Chesterfield County and also locations in Charlottesville and West Chester, Pennsylvania. We love the Richmond market; we love being here. We think this is an exciting club. We're going to bring some new and exciting elements to this area—things that most folks don't expect from a health club like a great customer service model and the ability to bring in people who are new to exercise.

We obviously have a little bit of work to do on some of the design features, and we're committed to working through those items as needed.

Mr. Branin - Thank you. I have no further questions.

Mr. Vanarsdall - Does anybody else have anything?

Mr. Branin - I just needed to smack Mr. Antunovich a little bit.

Mr. Craytor - Thank you.

Mr. Vanarsdall - Thank you.

Mr. Kennedy - Just to remind you, we need a waiver of time limits for this.

Mr. Branin - Thank you.

Mr. Kennedy - Staff recommends approval of the POD, including the revised architectural plans and the revised UMU Master Plan, subject to the annotations on the plans, the standard conditions for developments of this type, Conditions #29 and #30 on the agenda, and additional Conditions #31, #32, and #33 as presented.

Mr. Branin - Thank you, Mr. Kennedy. Mr. Chairman, you ready for me?

Mr. Vanarsdall - Yes, sir.

Mr. Branin - First, I'd like to move to waive the time limits.

Mrs. Jones - Second.

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

Mr. Branin - Then, I'd like to move that POD-26-10, ACAC Fitness & Wellness Centers at West Broad Village, be approved with Conditions #29, #30 and the additional Conditions #31, #32, and #33.

Mrs. Jones - Second.

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

The Planning Commission approved POD-26-10, ACAC Fitness & Wellness Centers at West Broad Village, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

29. In order to maintain the effectiveness of the County's public safety radio communications system within buildings, the owner will install radio equipment that will allow for adequate radio coverage within the building, unless waived by the Director of Planning. Compliance with the County's emergency communication system shall be certified to the County by a communications consultant within ninety (90) days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at anytime.
30. The proffers approved as a part of zoning case C-12C-06 shall be incorporated in this approval.
31. Any banners placed on the building shall be submitted for review and approval by Planning staff prior to installation. Such banners shall be maintained in good condition, shall be used for seasonal display purposes only, and shall not contain any lettering, logos, or representative figures used to promote business.
32. Final plans for the enclosure and lighting of the rooftop paddle tennis facilities shall be submitted for review and approval by the Director of Planning prior to approval of a building permit.
33. Final plans for the addition of brick elements along the first floor street facade consistent with the adjoining A-Loft Building shall be submitted for review and approval by the Director of Planning prior to approval of a building permit.

PLAN OF DEVELOPMENT

POD-28-10 POD2010-00344 Westin Hotel at Reynolds Crossing – Conference Center Expansion – 6631 W. Broad Street (U.S. Route 250) (POD-63-05 Rev.)	**Rummel, Klepper & Kahl, LLP for Forest Avenue Hotel Associates, LLC and Clear Springs Development, LLC:** Request for approval of a plan of development, as required by Chapter 24, Sections 24-106 and 24-96(a) (2) of the Henrico County Code, to construct a one-story 9,750 square foot conference center addition to an existing hotel and to authorize a reduction in required parking in a mixed use development. The 6.0-acre site is located on the north line of Forest Avenue at its intersection with W. Broad Street (U.S. Route 250), on parcel 767-745-5610. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Vanarsdall - Is anyone in the audience in opposition to POD-28-10, Westin Hotel at Reynolds Crossing – Conference Center Expansion? No opposition. Good morning, again.

Mr. Garrison - Good morning, again. The applicant is requesting approval of a 9,750-square-foot conference center addition to the existing Westin Hotel, as well as a parking reduction to the required number of parking spaces for the hotel and conference center. Pursuant to the Code, the Planning Commission may authorize a reduction in the number of parking spaces for certain Mixed-Use developments that contain office uses with at least 40,000 square feet and hotels with conference facilities, as long as the shared number of parking spaces are located within 400 feet of the entrance of the building to be served. Additionally, the applicant has demonstrated that there is an area on the property to accommodate additional parking if and when there is a demand. Required parking for the conference center and hotel is 322 spaces. However, the applicant is proposing 298 spaces, a shortage of 24 spaces. The applicant has demonstrated locations where 28 spaces can be added to meet the parking requirements should future demand arise.

Staff has made multiple site inspections during peak hours and has determined the current parking is sufficient. Therefore, staff can recommend approval of this request subject to the standard conditions for developments of this type, the annotations on the plan, and the added conditions in your agenda. Staff and Malachi Mills are available to answer any questions that you may have.

Mr. Vanarsdall - Are there any questions for Mr. Garrison by Commission members?

Mr. Branin - I have no questions.

Mr. Vanarsdall - No questions. Thank you, Mr. Garrison. I'll tell you something you may not know about this. It doesn't make any difference, but when this was built, Mr. Glover told them—

Mr. Branin - I knew he was going to say that.

Mr. Vanarsdall - —that it would not be a big enough ballroom, and they didn't believe it. Since then Mr. Reynolds called Mr. Glover and said he didn't have any—I believe he said—development experience. He asked, "How did you know that?" He said, "Well, I just did." He said we really missed the boat there. Like I said, that has nothing to do with whether you approve this or not, Mr. Branin. He said no wonder everybody goes downtown to have meetings.

Mr. Branin - I think the blessing is that Reynolds and the Westin Hotel didn't know that their location was going to be such a success. It has been quite a success, and it's been good for the area. That rubs off some into that Brookland District. With that, Mr. Chairman, I would like to move that POD-28-10, Westin Hotel at Reynolds Crossing – Conference Center Expansion, be approved with Conditions #29 through #31.

Mr. Jernigan - Second.

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

The Planning Commission approved POD-28-10, Westin Hotel at Reynolds Crossing – Conference Center Expansion, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

29. The proffers approved as a part of zoning case C-13C-07 shall be incorporated in this approval.
30. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. 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.
31. A cross access/parking agreement shall be submitted by the applicant, addressing requirements of Section 24-96 a (2) of the County Code to the satisfaction of the Director of Planning, prior to the approval of construction plans.

Mr. Emerson - Mr. Chairman, that takes us to the approval of the minutes for the October 27, 2010 meeting.

APPROVAL OF MINUTES: October 27, 2010

Mrs. Jones - I have one that's just a small typo. You can almost forget it. On page 12, line 411, "into the yard *or* something," not "*of* something." Sorry. As an ex-English teacher, these things jump out at me.

Mr. Vanarsdall - Any more changes?

Mrs. Jones - That'll do it for me.

Mr. Vanarsdall - I'll entertain a motion.

Mrs. Jones - I move that the minutes be accepted as corrected.

Mr. Branin - Second.

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

The Planning Commission approved the October 27, 2010 minutes as corrected.

Mr. Vanarsdall - Before we have anything else, I would like to thank Diane back there in the control room. You can raise your hand, Diane. You did a good job. We had no malfunctions or anything. Mr. Secretary, do you have anything to bring to the table?

Mr. Emerson - No, sir, I do not.

Mr. Vanarsdall - Do you all have any complaints over here on the right? Okay, I'll entertain a motion.

Mr. Jernigan - So moved.

Mrs. Jones - Second.

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

Mrs. Jones - Happy Thanksgiving.

Mr. Ernest B. Vanarsdall, Chairman

R. Joseph Emerson, Jr., Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

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

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

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

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

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

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

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

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

7. The plan of development plan shall be revised as annotated on the staff plan dated **November 17, 2010**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**

8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.

9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.

11A. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.

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

12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. **(Revised January 2008)**
17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.

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

STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **November 17, 2010,** which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18. 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**

5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.

6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**

6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.

7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **November 17, 2010,** which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on **November 16, 2011,** unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **November 17, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **November 16, 2011,** unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **November 17, 2010,** which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **November 16, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to

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

13. All block corners shall be monumented and referenced, where possible, to the exterior boundaries of the site

14. The record plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of **(name of subdivision)** and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.

Standard Conditions for Zero Lot Line Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **November 17, 2010,** which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **November 16, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

12. Prior to a request for final approval, the developer shall provide a buildable area plan

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **November 17, 2010,** which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **November 16, 2011,** unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.