

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Springs Roads beginning at 9:00 a.m. Wednesday, September 24, 2014.
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Members Present: Mr. Eric Leabough, C.P.C., Chairman, (Varina)
Mr. Robert H. Witte, Jr., Vice Chairman (Brookland)
Mr. C. W. Archer, C.P.C., (Fairfield)
Mr. Tommy Branin, (Three Chopt)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mr. David Kaechele,
Board of Supervisors' Representative

Member Absent: Mrs. Bonnie-Leigh Jones, C.P.C. (Tuckahoe)

Others Present: Ms. Jean Moore, Assistant Director of Planning
Ms. Leslie A. News, PLA, Principal Planner
Mr. Ben Blankinship, Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, AICP, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Aimee B. Crady, AICP, County Planner
Mr. Tom Tokarz, Deputy County Attorney
Ms. Sharon Smidler, Traffic Engineer
Mr. Steven Bandura, DPW
Ms. Kim Vann, Division of Police
Mr. Eric Dykstra, Office Assistant/Recording Secretary

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

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9 Mr. Leabough - This is the Plan of Development and Subdivisions meeting for
10 September 24, 2014. As you all begin to rise with us for the Pledge of Allegiance, I ask
11 that you mute or silence your cell phones.

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13 Is there anyone in the audience from the news media? I don't believe we have anyone.
14 There doesn't appear to be anyone.

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16 Next, I'd like to recognize Mr. Kaechele from the Board of Supervisors who's with us this
17 year. We thank you for being here, sir.
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19 Mr. Kaechele - Thank you, Mr. Chairman. I'm pleased to be here representing
20 the Board for this calendar year. I'll remind the audience that I don't vote on issues that
21 subsequently come before the Board of Supervisors.

22
23 Mr. Leabough - So noted. Thank you, sir. Unfortunately, today Mrs. Jones is
24 not able to be with us, but we do have a quorum and we can conduct business. With that
25 I turn the agenda over to our secretary, Mr. Joe Emerson.

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27 Mr. Emerson - Thank you, Mr. Chairman. First on your agenda this morning
28 are the requests for deferrals and withdrawals. Those will be presented by Ms. Leslie
29 News.

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31 Ms. News - Thank you, Mr. Secretary. Good morning, members of the
32 Commission. We have two requests for deferral on our agenda this morning. The first is
33 found on page 6 of your agenda and is located in the Varina District. This is POD2014-
34 00175, Family Dollar at 1276 New Market Road. The applicant has requested a deferral
35 to the October 22, 2014 meeting.

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38 *(Deferred from the July 23, 2014 Meeting)*

39 **PLAN OF DEVELOPMENT**

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POD2014-00175
Family Dollar at 1276
New Market Road - New
Market Road (State Route
5)

**Balzer and Associates, Inc. for Felts & Kilpatrick
Construction Company, Inc. and Twin Rivers Capital,
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, 8,320 square-foot
retail store. The 2.50-acre site is located at the southeast
corner of the intersection of New Market Road (State Route
5) and North James Estates Drive, on parcels 802-702-
9916, 802-702-8535, 802-702-8929, and 803-702-1005.
The zoning is B-1C, Business District Conditional). County
water and sewer. **(Varina)**

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42 Mr. Leabough - Is there anyone in the audience in opposition to the deferral of
43 POD2014-00175, Family Dollar at 1276 New Market Road? There is no opposition, so I
44 move for the deferral of POD2014-00175, Family Dollar at 1276 New Market Road. That
45 will be deferred to the October 22, 2014 meeting at the applicant's request.

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47 Mr. Witte - Second.

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49 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Witte. All
50 in favor say aye. All opposed say no. The ayes have it; the motion passes.

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52 At the request of the applicant, the Planning Commission deferred POD2014-00175,
53 Family Dollar at 1276 New Market Road, to its October 22, 2014 meeting.

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55 Ms. News - The next item is on page 8 of your agenda and located in the
56 Varina District. This is POD2013-00428, Family Dollar at 60 E. Williamsburg Road. The
57 applicant has requested a deferral to the October 22, 2014 meeting.
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60 *(Deferred from the July 23, 2014 Meeting)*

61 **PLAN OF DEVELOPMENT**
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65 POD2013-00428
66 Family Dollar at 60 E.
67 Williamsburg Road - 60 E.
68 Williamsburg Road (U.S.
69 Route 60)

Balzer and Associates, Inc. for Brick House Manner, LLC and Twin Rivers Capital, 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, 8,320 square-foot retail store. The 1.09-acre site is located at the northwest corner of the intersection of E. Williamsburg Road (U.S. Route 60) and Garland Avenue, on parcels 827-716-7805, 827-716-7107, and 827-716-8603. The zoning is B-1, Business District, and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

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65 Mr. Leabough - Is there anyone in the audience in opposition to the deferral of
66 POD2013-00428, Family Dollar at 60 E. Williamsburg Road? There is no opposition, so I move for
67 the deferral of POD2013-00428, Family Dollar at 60 E. Williamsburg Road, at the applicant's
68 request. That is a deferral to the October 22, 2014 meeting.
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70 Mr. Archer - Second.
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72 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Archer. All in
73 favor say aye. All opposed say no. The ayes have it; the motion passes.
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75 At the request of the applicant, the Planning Commission deferred POD2013-00428, Family Dollar
76 at 60 E. Williamsburg Road, to its October 22, 2014 meeting.
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78 Ms. News - Staff is not aware of any further requests for deferrals.
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80 Mr. Leabough - Thank you, Ms. News.
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82 Mr. Emerson - Mr. Chairman, next on your agenda are the expedited items, which
83 will also be presented by Ms. Leslie News.
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85 Ms. News - Sir, we have five items on our expedited agenda this morning. The
86 first item is on page 3 of your agenda and located in the Three Chopt District. This is transfer of
87 approval for POD-43-92 and POD-08-97 (Part) for Perimeter Center, (formerly Circuit City
88 Headquarters, Phase B, and Additional Parking). Staff recommends approval.
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93 **TRANSFER OF APPROVAL**

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POD-43-92 and
POD-08-97 (Part)
POD2014-00131 and
POD2014-00132
Perimeter Center
(Formerly Circuit City
Headquarters – Phase B
and Additional Parking) –
9960 Mayland Drive

Reit Management for GPT Properties Trust: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Perimeter Center, LLC and Richmond Equities REIT to GPT Properties Trust. The 13.33-acre site is located at the western terminus of Deep Rock Road, on parcel 749-758-1204. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Leabough - Is there anyone in the audience in opposition to the transfer request for POD-43-92 and POD-08-97 (Part) POD2014-00131 and POD2014-00132 Perimeter Center (Formerly Circuit City Headquarters – Phase B and Additional Parking)? There is no opposition.

Mr. Branin - Mr. Chairman, I'd like to move that the transfer of approval for POD-43-92 and POD-08-97 (Part) POD2014-00131 and POD2014-00132 Perimeter Center (Formerly Circuit City Headquarters – Phase B and Additional Parking) be approved on the expedited agenda.

Mr. Witte - Second.

Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. 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-43-92 and POD-08-97 (Part) POD2014-00131 and POD2014-00132 Perimeter Center (formerly Circuit City Headquarters – Phase B and Additional Parking), from Perimeter Center, LLC and Richmond Equities REIT to GPT Properties Trust, subject to the standard and added conditions previously approved.

Ms. News - The next item is on page 4 of your agenda and located in the Varina District. This is a transfer of approval for POD-82-07, T.G.I. Fridays at the Shops at White Oak Village. Staff recommends approval.

131 **TRANSFER OF APPROVAL**

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POD-82-07
POD2013-00047
T.G.I. Fridays at The
Shops at White Oak
Village – 4459 S.
Laburnum Avenue

Forest City for Cole MT Richmond VA, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Laburnum Investments, LLC and Laburnum Investment, LLC to Cole MT Richmond VA, LLC. The 1.30-acre site is located in an existing shopping center on the east side of S. Laburnum Avenue, approximately 1,300 feet north of Audubon Drive, on parcel 815-717-0238. The zoning is B-3C, Business District (Conditional), and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

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Mr. Leabough - Is there anyone in the audience in opposition to the transfer request for POD-82-07 (POD2013-00047), T.G.I. Fridays at The Shops at White Oak Village? There is no opposition. I move for approval of the transfer request for POD-82-07 (POD2013-00047), T.G.I. Fridays at The Shops at White Oak Village.

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Mr. Archer - Second.

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Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Archer. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

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The Planning Commission approved the transfer of approval request for POD-82-07 (POD2013-00047), T.G.I. Fridays at The Shops at White Oak Village, from Laburnum Investments, LLC and Laburnum Investment, LLC to Cole MT Richmond VA, LLC, subject to the standard and added conditions previously approved.

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Ms. News - Next on page 5 of your agenda and located in the Three Chopt District is a transfer of approval for POD-56-76, Commonwealth Catholic Charities at Forest Office Park. This was formerly the Surry Building at Forest Office Park. Staff recommends approval.

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TRANSFER OF APPROVAL

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POD-56-76
POD2014-00061
Commonwealth Catholic
Charities at Forest Office
Park (Formerly Surry
Building at Forest Office
Park) – 1601 Rolling Hills
Drive

Joanne Nattrass for Commonwealth Catholic Charities: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Surry Building Associates, L.C. to Commonwealth Catholic Charities. The 2.37-acre site is located at the southeast corner of the intersection of Rolling Hills Drive and Discovery Drive, on parcel 759-744-4356. The zoning is O-2, Office District. County water and sewer. **(Three Chopt)**

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Mr. Leabough - Is there anyone in the audience in opposition to the transfer for POD-56-76 (POD2014-00061), Commonwealth Catholic Charities at Forest Office Park (formerly Surry Building at Forest Office Park)? There is no opposition.

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161 Mr. Branin - Mr. Chairman, I'd like to move that transfer of approval for
162 POD-56-76 (POD2014-00061), Commonwealth Catholic Charities at Forest Office Park
163 (formerly Surry Building at Forest Office Park), be approved on the expedited agenda.

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165 Mr. Witte - Second.

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167 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
168 favor say aye. All opposed say no. The ayes have it; the motion passes.

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170 The Planning Commission approved the transfer of approval request for POD-56-76
171 (POD2014-00061), Commonwealth Catholic Charities at Forest Office Park (formerly
172 Surry Building at Forest Office Park), from Surry Building Associates, L.C. to
173 Commonwealth Catholic Charities, subject to the standard and added conditions
174 previously approved.

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176 Ms. News - The next item is on page 23 of your agenda and located in the
177 Three Chopt District. This is SUB2014-00132, Coventry (September 2014 Plan) for five
178 lots. Staff recommends approval.

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180 **SUBDIVISION**

181
SUB2014-00132
Coventry (September
2014 Plan) – 12020 -
12022 Church Road

**Youngblood, Tyler & Associates for Albert G. Barker
and Welford Properties, Inc.:** The 2.20-acre site proposed
for five single-family dwellings is located on the north line of
Church Road at its intersection with Retrievers Ridge Road
and at the terminus of Brandyview Lane and Marnelan
Drive, on parcels 737-755-4807 and 737-755-5505. The
zoning is R-3C, One-Family Residential District. County
water and sewer. **(Three Chopt) 5 Lots**

182
183 Mr. Leabough - Is there anyone in the audience in opposition to SUB2013-
184 00132, Coventry (September 2014 Plan)? There is no opposition.

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186 Mr. Branin - Mr. Chairman, I'd like to move that SUB2013-00132, Coventry
187 (September 2014 Plan), be approved on the expedited agenda with the standard
188 conditions for subdivisions served by public utilities, the following additional conditions 13
189 through 17 included in the approval.

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191 Mr. Witte - Second.

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193 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
194 favor say aye. All opposed say no. The ayes have it; the motion passes.

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196 The Planning Commission granted conditional approval to SUB2013-00132, Coventry
197 (September 2014 Plan), subject to the standard conditions attached to these minutes for

subdivisions served by public utilities, the annotations on the plans, and the following additional conditions:

13. The details for the landscaping to be provided within the 25-foot wide planting strip easement along Church Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
14. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.
15. The proffers approved as part of zoning case REZ2014-00024 shall be incorporated in this approval.
16. The final plat for recordation shall contain information showing The Chesapeake Bay Preservation areas, if any, in accordance with Chapter 19, Section 19-72 (18), of the Henrico County Code, as determined by the Director of Public Works.
17. 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.

Ms. News - The final item is on page 25 of your agenda and located in the Three Chopt District. This is POD2014-00225. This is a landscape plan for Short Pump Manor at Bacova. There is an addendum item that indicates that the issues related to the sign have been resolved and are now in conformance with the proffered exhibits. Staff can recommend approval.

LANDSCAPE PLAN

POD2014-00225
Short Pump Manor at
Bacova Section 1 – 4660
Pouncey Tract Road
(State Route 271)

Youngblood, Tyler and Associates, P.C. for Bacova Development Company, LLC, Bacova Texas, LLC, and Bacova, LLC: Request for approval of a landscape plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 10.31-acre site is located at the northwest corner of the intersection of Pouncey Tract Road (State Route 271) and Bacova Drive, on parcels 739-766-3768, 739-765-0785, 739-765-2992, and 738-766-8618, and part of parcel 738-766-9367. The zoning is R-5AC, Multi-Family Residential District (Conditional), and O-2C, Office District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Leabough - Is there anyone in opposition to the landscape plan for POD2014-00225, Short Pump Manor at Bacova, Section 1? There is no opposition.

Mr. Branin - Mr. Chairman, I'd like to move that the landscape plan for POD2014-00225, Short Pump Manor at Bacova, Section 1, be approved on the expedited agenda.

Mr. Witte - Second.

Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved the landscape plan for POD2014-00225, Short Pump Manor at Bacova, Section 1, subject to the standard conditions attached to these minutes for landscape plans.

Ms. News - That completes our expedited agenda.

Mr. Emerson - Mr. Chairman, now we move forward to Subdivision Extensions of Conditional Approval. Those also appear on your amended agenda, page one. They will be presented by Mr. Lee Pambid.

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

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2013-00137 Wistar Place (September 2013- Plan)	6	6	0	Brookland	09/23/2015
SUB2013-00134 Estates at Winterberry (September 2013 Plan)	16	9	0	Brookland	09/23/2015

Mr. Leabough - Good morning, Mr. Pambid, how are you?

Mr. Pambid - Good morning. I'm fine. How are you? This map indicates the location of one subdivision that is presented for an extension of conditional approval. It's eligible for a one-year extension to September 23, 2015. This is for informational purposes only and does not require Commission action at this time.

This concludes my presentation. Staff can now field any questions you have regarding this.

Mr. Leabough - Are there questions for Mr. Pambid? Seeing none, thank you, sir.

Mr. Pambid - You're welcome.

Mr. Emerson - Mr. Chairman, we now move into your regular agenda.

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2014-00323
Wegmans at West Broad
Marketplace, Phase 3 –
12300 W. Broad Street
(U.S. Route 250)

Vanasse Hangen Brustlin for Ellis Henley Company, LC, Susan Ellis Dickerson Grizzell, Gladys H. King, Consolidated Industrial, Inc., Jeffery C. Ellis and Susan Ellis Grizzell, Co-Trustees for K. Ellis Trust, and NV Retail: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 130,000 square-foot retail grocery store with a 10,000 square-foot mezzanine in a regional shopping center. The 18.05-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 2,000 feet west of its intersection with N. Gayton Road, on parcels 732-766-9300 and 733-766-1630, and part of parcels 732-766-4043, 732-765-6671, 733-766-6208, 731-765-8473, and 732-766-7723. The zoning is B-3C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Leabough - Good morning again, Mr. Pambid. Is there anyone in the audience in opposition to POD2014-00323, Wegmans at West Broad Marketplace, Phase 3? There is no opposition, Mr. Pambid.

Mr. Pambid - Included in your handout addendum is a layout showing a revised building footprint. It also illustrates triangular planting areas along the pedestrian connections in the front parking lot intended to provide additional trees in the parking lot. Staff has suggested pedestrian-friendly tree grates that would enlarge the plantable area while maintaining the width of the sidewalk. Staff has also suggested full diamond tree planters similar to what is proposed on the Bon Secours site to the west in Broad Hill Center.

The elevations are in general conformance with the proffered elevations and feature a significant amount of stone veneer, precast concrete panels, and EIFS with brick pilasters. Minor adjustments to the elevations are necessary to reflect the revised floor plan and the ratio and quality of materials and design elements in comparison with submitted staff elevations. Those will be monitored with the building permit review.

Where the lighting plan in your original packet shows light poles located within landscape islands and other significant landscape areas, the revised plan shows many of them within parking lot striping crosshairs, which is the preferred location that reduces interference

between lighting and trees. The plan features up to two LED concealed source light fixtures per pole, mounted at thirty feet in height.

Mr. Branin - Mr. Pambid, what was the height?

Mr. Pambid - Thirty feet. The lighting elevations can be adjusted.

The conceptual landscape plan in your addendum is for informational purposes. Details show the intent to provide additional pedestrian-oriented amenities that include bike racks, benches, trash receptacles, and planters. As these details are considered informational at this time, they will be finalized upon subsequent landscape plan review and approval.

Condition #43 in your addendum addresses any recommendations based on the recent completion of the VDOT 527 traffic impact analysis review, which ensures required measures, as determined by the County traffic engineer, will be implemented during the construction plan review process.

Staff recommends approval of the POD subject to the annotations on the plan, standard conditions for shopping centers, and additional conditions 11B, 29 through 42 in your agenda, and condition 43 in the addendum. A waiver of time limits is required for the revised plans in your addendum, which were submitted after Friday, September 19th.

This concludes my presentation. I can now field any questions you have regarding this. Gloria Freye, attorney with McGuire Woods, and Tracy Lower, engineer with VHB, are also here to field your questions.

Mr. Leabough - Are there questions for Mr. Pambid?

Mr. Branin - Yes, I have two. You said the time limit needs to be waived?

Mr. Pambid - Yes sir.

Mr. Branin - Because we were all working until 7:30 or 8:00 last night on this one? Okay. What's the standard height for light poles?

Mr. Pambid - I really think it depends on the situation, things like topography, the scale of the building. For shopping centers there really isn't a standard. Thirty feet, we see that occasionally.

Mr. Branin - Okay.

Mr. Emerson - Mr. Branin, you might want to also be aware of the light level here. Mr. Pambid, what is the light level on this project?

Mr. Pambid - The light levels are in the vicinity of about seven- or eight-foot candles.

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344 Mr. Emerson - What do we normally see?
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346 Mr. Pambid - That is a little bit higher than what we normally see. That may
347 be also a result of the type of fixture that they're using. Now I did mention that the light
348 levels are adjustable, and we received that confirmation yesterday from NV Retail. That's
349 going to be true for all of the PODs for the West Broad Marketplace.
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351 Mr. Branin - Okay. That's all I have for Mr. Pambid.
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353 Mr. Leabough - Other questions for Mr. Pambid? Okay, thank you, sir.
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355 Mr. Pambid - You're welcome.
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357 Mr. Leabough - Mr. Branin, would you like the applicant to come forward?
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359 Mr. Branin - I absolutely would.
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361 Mr. Leabough - Would the applicant please come forward?
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363 Ms. Freye - Good morning, Mr. Chairman, members of the Commission.
364 My name is Gloria Freye. I'm an attorney with McGuire Woods here on behalf of NV Retail,
365 the developer of the West Broad Marketplace. I also have Tracy Lower here with me. She's
366 the engineer from VHB that's been working on the plans.
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368 I do want to take this opportunity at first to say thank you so much to the Planning staff for
369 their after-hours work with us and their diligence in getting comments back to us and
370 helping us work through the logistics, the details of the plan. We are hoping that the PODs,
371 the plan of development can be approved today as recommended by the staff with the
372 understanding that we would defer the review and approval of the additional detail that's
373 needed on the architectural until your October 22nd date. If we can get the PODs
374 approved today, that will keep the developer on schedule with hopefully being able to move
375 dirt the beginning of November. The staff is committed to working with us as we are
376 committed to working with them to get those final details on the architectural worked out,
377 as well as the landscape and the parking lot. And the lighting as well.
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379 Mr. Branin - Okay. Ms. Freye, the reason I brought you down was the type
380 of light fixtures you're using. We are going to be looking at that closely, the lower—
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382 Ms. Freye - They are LED lights, which are automated and can be set at a
383 certain foot candle level, and then at different times of the day for different levels of lighting.
384 So that is something that we are pretty excited about, that we can monitor and manage
385 the level of lighting for any situation. We're trying to balance out the security part of it as
386 well as the aesthetics part of it.
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388 Mr. Branin - Okay. And did you see Mr. Pambid scrambling and struggling
389 with his presentation at the beginning of this?

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391 Ms. Freye - Yes sir.

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393 Mr. Branin - Do you know that's a result of you guys not getting the
394 information and us working overtime because of you guys not getting it done?

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396 Ms. Freye - Yes sir. And we do appreciate everything that the staff has
397 done. They have just been stellar in their services to us.

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399 Mr. Branin - Okay. I have no further questions.

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401 Mr. Leabough - Any other questions for Ms. Freye? Thank you.

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403 Ms. Freye - Thank you.

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405 Mr. Leabough - Mr. Pambid?

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407 Mr. Pambid - We'd like to clarify one thing on the lighting levels. We did have
408 a conference call yesterday with NV Retail. Those lighting levels are set for an average of
409 four-and-a-half foot candles throughout the site. But specifically for Wegmans their
410 standards are three foot candles for their particular development. We'll add that a guideline
411 for Division of Police is one foot candle throughout all of the sidewalk areas, pedestrian
412 areas—anywhere where pedestrians are going to be.

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414 Mr. Branin - Okay. Well my question was going to bring Ms. Vann down and
415 ask her if she was comfortable with the lighting and if there was anything further she
416 needed.

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418 Mr. Emerson - Mr. Pambid, before you step away—Mr. Branin, not to interrupt
419 this—would you explain why we're concerned about the tree planting wells and how they're
420 inconsistent with the already approved development to the west? You touched on it in your
421 presentation. I think it deserves a little more time.

422
423 Mr. Pambid - Yes sir. The tree planting well—and let me see if I can zoom in
424 here to what is being proposed. Those there are triangular wells—first of all, we received
425 this revised plan late Monday. When we first took a look at these tree planting wells, the
426 staff felt like there was not enough plantable area for a sizeable tree and it would not give
427 the tree a fair chance to survive. So what we're having the designers, VHB, look at are
428 tree wells with tree grates that would essentially complete in a diamond similar to Bon
429 Secours. And those would be pedestrian friendly so that when you walk over those they
430 would be flush with the sidewalk.

431
432 If you take a look at the overall design of the parking lot there are landscape islands. And
433 in the proffers there are to be trees at each of these landscape islands. But staff would like

434 to see additional tree plantings in the parking lot similar to Bon Secours. Bon Secours kind
435 of set the standard for this part of the County in terms of breaking up the parking spots
436 and making these parking lots a little bit more pedestrian friendly.
437

438 Mr. Emerson - Thank you. I just wanted to bring that forward for the
439 Commission's consideration and discussion to make sure you understood why there was
440 a concern.
441

442 Mr. Leabough - Are there questions relating to that?
443

444 Mr. Kaechele - Yes. What size trees are designed to go in those little triangular
445 spaces?
446

447 Mr. Pambid - Let me skip over to the conceptual landscape plan. Again, the
448 conceptual landscape plan is for informational purposes only, so we don't have specific
449 species of trees. But it's called out to be—I believe it's a large deciduous tree, but before
450 I....
451

452 Mr. Kaechele - Small trees.
453

454 Mr. Branin - Please speak into the microphone and state your name for the
455 record, please.
456

457 Ms. Lower - Certainly. My name is Tracy Lower. I'm with VHB, the civil
458 engineer of record.
459

460 Mr. Leabough - Would you bring the microphone closer?
461

462 Ms. Lower - Sorry, sorry. Tracy Lower, VHB, civil engineer of record for this
463 POD. I'm not a landscape architect, but a landscape architect with our firm did prepare
464 this. The intent is that they would be the large-sized tree.
465

466 Mr. Witte - According to the ledger that popped up earlier, the only large
467 trees were around the perimeter of the shopping center, parking area. If you go back to
468 that ledger it was in the lower right corner. Right there. Now if you look at that, small trees
469 are in the parking lot. The larger ones look like they're at the spine road.
470

471 Ms. Lower - I can certainly see the confusion. The idea would be that they
472 would provide a pedestrian some shade as they walked through the parking lot, which is
473 what I understand the intent to be. Now we do, as Lee had mentioned, need to work out a
474 bigger space for these trees with a grate, something that could allow water into and allow
475 pedestrians to cross.
476

477 Mr. Leabough - May I say something?
478

479 Mr. Branin - You're the Chairman.

480
 481 Mr. Leabough - I'm just not a fan of grates, just to be honest. They become a
 482 tripping hazard as the tree grows, especially large trees. So I don't think that's a good idea
 483 either, just in my own personal opinion. It just seems like a hazard. It's a partial attempt at
 484 trying to landscape it. It's just my personal opinion.
 485
 486 Mr. Branin - I'd like Ms. Freye back down. Don't go anywhere, Mr. Pambid.
 487
 488 Ms. Freye - Yes sir.
 489
 490 Mr. Branin - Ms. Freye, you could see we have some issues with the
 491 landscaping. So I'm going to ask for a 9 amended. Mr. Pambid, you can explain 9
 492 amended, if you choose to, so we can add that on, and bring the landscaping back as well.
 493 You agree to that, don't you?
 494
 495 Ms. Freye - Yes sir.
 496
 497 Mr. Branin - That or deferral.
 498
 499 Ms. Freye - We are agreeing back—well, let me make sure I understand
 500 that we would come back on October 22 with the details requested on the architecturals
 501 and a revised landscape plan.
 502
 503 Mr. Branin - We can do that.
 504
 505 Ms. Freye - Yes sir.
 506
 507 Mr. Branin - So would I do a proffer 9 amended?
 508
 509 Mr. Emerson - Yes, a condition. Yes sir.
 510
 511 Mr. Branin - Okay.
 512
 513 Mr. Leabough - All right. Other questions for Mr. Pambid? I mean Ms. Freye;
 514 I'm sorry.
 515
 516 Mr. Branin - I'm done.
 517
 518 Mr. Leabough - You're done?
 519
 520 Mr. Branin - I'm done.
 521
 522 Mr. Leabough - All right. I'll turn it over to you, sir.
 523
 524 Mr. Branin - Oh, well thank you. Mr. Chairman, I'd like to move that
 525 POD2014-00323, Wegmans at West Broad Marketplace, Phase 3, be approved with

standard conditions for developments of this type and the following additional conditions—
and I'm going to need to waive the time limits, correct?

Mr. Pambid - Yes, time limits will need to be waived.

Mr. Branin - Okay, forgot all about it. Mr. Chairman, I'd like to move that the
waiver of time limits for POD2014-00323, Wegmans at West Broad Marketplace, Phase
3, be approved.

Mr. Witte - Second.

Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
favor say aye. All opposed say no. The ayes have it; the motion passes. And that's for the
waiver of the time limits.

Mr. Branin - That's correct. All right. With that being done, then I would like
to move that POD2014-00323, Wegmans at West Broad Marketplace, Phase 3, be
approved with standard conditions for developments of this type, the following additional
conditions 9 amended, 11B, and 29 through 43.

Mr. Witte - Second.

Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved POD2014-00323, Wegmans at West Broad
Marketplace, Phase 3, subject to the annotations on the plans, the standard conditions
attached to these minutes for developments of this type, and the following additional
conditions:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
Planning for review and Planning Commission approval prior to the issuance of any
occupancy permits.
- 11B. Prior to the approval of an electrical permit application and installation of the site
lighting equipment, a plan including light spread and intensity diagrams, and fixture
specifications and mounting heights details shall be revised as annotated on the
staff plan and included with the construction plans for final signature.
29. Only retail business establishments permitted in a B-3 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).
32. The right-of-way for widening of W. Broad Street (U.S. Route 250) 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.

33. 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.

34. 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.

35. Outside storage shall not be permitted.

36. 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.

37. The proffers approved as a part of zoning case REZ2014-00028 shall be incorporated in this approval.

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

39. 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.

40. 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.

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 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.

42. The applicant shall provide evidence of successful suit to quiet title of the right-of-way for Old Three Chopt Road prior to construction plan approval.

43. **ADDED** - The applicant shall incorporate into the construction plans for signature any comments generated by the County's Traffic Engineer from his review of the Traffic Impact Study for this development.

618 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

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POD2014-00332
Retail East at West Broad
Marketplace, Phase 4 –
12300 W. Broad Street
(U.S. Route 250)

Vanasse Hangen Brustlin for Ellis Henley Company, LC, Consolidated Industrial, Inc., and NV Retail: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a single 99,000 square-foot phase of a regional shopping center. This phase contains a one-story, 32,000 square-foot retail building, a one-story, 5,000 square-foot retail building, a **future** one-story, 8,000 square-foot bank with drive-through facilities, and a three-story building containing 18,000 square-feet of retail space and 36,000 square feet of office space. The 12.13-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 2,000 feet west of its intersection with N. Gayton Road, on part of parcels 732-765-3978, 732-765-6671, and 731-765-8473. The zoning is B-3C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Leabough - Is there anyone in the audience in opposition to POD2014-000332, Retail East at West Broad Marketplace, Phase 4? There is no opposition. You're busy this morning, Mr. Pambid.

Mr. Pambid - Yes sir, absolutely.

Again, included in your handout addendum is a revised layout plan for this phase of the development which adjusts pedestrian connection points to maximize connectivity and provide additional planting areas along major drive aisles. The footprint for the inline building that includes the junior anchor and attached multi-story retail and office portion, as well as the freestanding retail building for this phase are unchanged. The applicant requests approval of the plan of development and conceptual master plan with the plans for the future freestanding bank building to return for subsequent Planning Commission review and approval.

The footprint of the future bank building along West Broad Street has been revised and adjacent drive aisles reduced to accommodate the maximum potential footprint. Annotated on the plan are the requirements for a minimum 18-foot-wide bypass lane and a minimum of 300 feet of stacking space for the drive-through. Fire lane requirements must also be met.

With regards to the architectural, the applicant has requested deferral of the architectural plans to the October 22, 2014 Planning Commission hearing.

As with the last POD, where the lighting plan in your original packet shows light poles located within landscape islands and other significant landscape areas, the revised plan

shows many of them within parking lot striping crosshairs, which is the preferred location that reduces interference between lighting and trees. This plan features up to two LED concealed source light fixture per pole, mounted at thirty feet in height. Again, the lighting levels can be adjusted.

The conceptual landscape plan in your addendum is for informational purposes only. The details show the intent to provide additional pedestrian-oriented amenities that include bike racks, benches, trash receptacles, and planters. As these details are considered informational at this time, they will be finalized upon subsequent landscape plan review and approval.

Staff has requested larger planters capable of accommodating and sustaining trees. And these planters should be located away from building facades to provide the appearance of street trees and to likewise provide a sense of enclosure within these pedestrian plazas. A large scoring pattern with stained concrete is shown on the conceptual landscape plan and will need to be repeated on the construction plans.

Should the Commission act on this request, staff recommends the approval of the POD with deferral of the architectural to the October 22nd meeting subject to the annotations on the plan, standard conditions for shopping centers, and additional conditions 11B, 29 through 44 in your agenda, and condition 45 in your addendum. A waiver of time limits is required for the revised plans in your addendum.

This concludes my presentation. I can now field any questions you may have regarding this. And again, Gloria Freye and Tracy Lower are also here.

Mr. Leabough - Are there questions for Mr. Pambid? No questions?

Mr. Branin - No.

Mr. Leabough - Okay. Would you like to hear from the applicant?

Mr. Branin - Yes.

Mr. Leabough - Okay.

Mr. Branin - Ms. Vann, can you also come down as well? I asked you to come down and then blew right by you on the last one. I apologize for that.

Ms. Freye - Gloria Freye, attorney with McGuire Woods here on behalf of NV Retail, the developer for West Broad Marketplace.

Mr. Branin - Thank you, Ms. Freye. Again, the landscaping is going to be 9 amended. The architectural are going to go out. I am begging you to get your applicant to please get their act together and get the information in timely.

693 Ms. Freye - Yes sir. And one of the things that the staff has helped us with
694 is to understand the timing for getting the packages ready for the 22nd. So we're looking
695 at a deadline of October 10th. And we are aware of that and targeting that.
696

697 Mr. Branin - Okay. Thank you.

698

699 Mr. Leabough - Any other questions for Ms. Freye? All right. Ms. Vann?
700

701 Mr. Branin - Ms. Vann? I'm sorry. I was just so excited about the last one I
702 went right by you.
703

704 Ms. Vann - Kim Vann, Henrico Police.

705

706 Mr. Branin - Ms. Vann, lighting, are you comfortable with it?
707

708 Ms. Vann - As has been mentioned, we received it yesterday. And I didn't
709 have a chance to review until right before I left. It looked good—
710

711 Mr. Branin - You didn't stay until 7:00 like the rest of us last night?
712

713 Ms. Vann - No, I didn't. Sorry. From what I was able to look at, the
714 information I had asked for was there. But to look at in the detail that I probably would, I
715 have not had that chance. I do believe a higher light level, especially since Wegmans is
716 looking to go twenty-four hours at some point, would be warranted. But I don't know what
717 levels they're looking at now, if it's changed from what had previously been submitted.
718

719 Mr. Branin - Okay. If you would be proactive with this case. It's a very high-
720 profile case. It's two new people coming to Henrico County. And I'm giving you now plenty
721 of opportunity to look at it. And I'm sure they're going to get it to you on time this time.
722 Okay?
723

724 Ms. Vann - Yes sir.

725

726 Mr. Branin - Thank you, ma'am.

727

728 Ms. Vann - Thank you.

729

730 Mr. Branin - So we will need to waive time limits?
731

732 Mr. Pambid - Yes sir.

733

734 Mr. Branin - And we will do 9 amended.

735

736 Mr. Pambid - That's for landscaping only.
737

738 Mr. Branin - And on this case we're going to do 9 amended and then also
739 defer the architectural as well.

740

741 Mr. Pambid - Correct.

742

743 Mr. Branin - I'm done.

744

745 Mr. Leabough - All right. Are there questions for Mr. Pambid? If not, we'll
746 entertain a motion from you, Mr. Branin.

747

748 Mr. Branin - Then, Mr. Chairman, I'd like to move that POD2014-000332,
749 Retail East at West Broad Marketplace, Phase 4, be approved with standard conditions
750 for developments of this type, the following—oh, I did it again. I would like to waive the
751 time limits for POD2014-000332, Retail East at West Broad Marketplace, Phase 4.

752

753 Mr. Witte - Second.

754

755 Mr. Leabough - We have a motion to waive the time limits by Mr. Branin and a
756 second by Mr. Witte. All in favor say aye. All opposed say no. The ayes have it; the motion
757 passes.

758

759 Mr. Branin - Okay. Now, POD2014-000332, Retail East at West Broad
760 Marketplace, Phase 4, be approved with standard conditions for developments of this type,
761 the following additional conditions 9 amended, 11B, and 29 through 44.

762

763 Mr. Witte - Second.

764

765 Mr. Leabough - And 45 in the addendum.

766

767 Mr. Branin - And 45 in the addendum.

768

769 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
770 favor say aye. All opposed say no. The ayes have it; the motion passes.

771

772 The Planning Commission approved POD2014-000332, Retail East at West Broad
773 Marketplace, Phase 4, subject to the annotations on the plans, the standard conditions
774 attached to these minutes for developments of this type, and the following additional
775 conditions:

776

777 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
778 Planning for review and Planning Commission approval prior to the issuance of any
779 occupancy permits.

780 11B. Prior to the approval of an electrical permit application and installation of the site
781 lighting equipment, a plan including light spread and intensity diagrams, and fixture
782 specifications and mounting heights details shall be revised as annotated on the
783 staff plan and included with the construction plans for final signature.

- 784 29. Only retail business establishments permitted in a B-3 zone may be located in this
785 center.
- 786 30. The ground area covered by all the buildings shall not exceed in the aggregate 25
787 percent of the total site area.
- 788 31. No merchandise shall be displayed or stored outside of the building(s) or on
789 sidewalk(s).
- 790 32. The right-of-way for widening of W. Broad Street (U.S. Route 250) as shown on
791 approved plans shall be dedicated to the County prior to any occupancy permits
792 being issued. The right-of-way dedication plat and any other required information
793 shall be submitted to the County Real Property Agent at least sixty (60) days prior
794 to requesting occupancy permits.
- 795 33. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall be
796 approved by the Virginia Department of Transportation and the County.
- 797 34. A notice of completion form, certifying that the requirements of the Virginia
798 Department of Transportation entrances permit have been completed, shall be
799 submitted to the Department of Planning prior to any occupancy permits being
800 issued.
- 801 35. Outside storage shall not be permitted.
- 802 36. In order to maintain the effectiveness of the County's public safety radio
803 communications system within buildings, the owner will install radio equipment that
804 will allow for adequate radio coverage within the building, unless waived by the
805 Director of Planning. Compliance with the County's emergency communication
806 system shall be certified to the County by a communications consultant within ninety
807 (90) days of obtaining a certificate of occupancy. The County will be permitted to
808 perform communications testing in the building at anytime.
- 809 37. The proffers approved as a part of zoning case REZ2014-00028 shall be
810 incorporated in this approval.
- 811 38. The loading areas shall be subject to the requirements of Chapter 24, Section 24-
812 97(b) of the Henrico County Code.
- 813 39. In the event of any traffic backup which blocks the public right-of-way as a result of
814 congestion caused by the drive-up teller facilities, the owner/occupant shall close
815 the drive-up teller facilities until a solution can be designed to prevent traffic backup.
- 816 40. Approval of the construction plans by the Department of Public Works does not
817 establish the curb and gutter elevations along the Virginia Department of
818 Transportation maintained right-of-way. The elevations will be set by the contractor
819 and approved by the Virginia Department of Transportation.
- 820 41. Evidence of a joint ingress/egress and maintenance agreement must be submitted
821 to the Department of Planning and approved prior to issuance of a certificate of
822 occupancy for this development.
- 823 42. All subsequent detailed plans of development needed to implement this conceptual
824 plan shall be submitted for staff review and Planning Commission approval, and
825 shall be subject to all regulations in effect at the time such subsequent plans are
826 submitted for review/ approval.
- 827 43. The location of all existing and proposed utility and mechanical equipment
828 (including HVAC units, electric meters, junction and accessory boxes, transformers,
829 and generators) shall be identified on the landscape plans. All equipment shall be

830 screened by such measures as determined appropriate by the Director of Planning
831 or the Planning Commission at the time of plan approval.

832 44. The applicant shall provide evidence of successful suit to quiet title of the right-of-
833 way for Old Three Chopt Road prior to construction plan approval.

834 45. **ADDED** - The applicant shall incorporate into the construction plans for signature
835 any comments generated by the County's Traffic Engineer from his review of the
836 Traffic Impact Study for this development.

837
838 Mr. Leabough - We'll chalk that error up to your working late on this case.

839
840 Mr. Branin - Even though staff finished at 7, my review went on until about
841 11:30 last night.

842
843 Mr. Leabough - Sorry you had to—

844
845 Mr. Branin - You know, it's what we do.

846
847 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

848
POD2014-00333
Retail West at West Broad
Marketplace, Phase 5 –
12300 W. Broad Street
(U.S. Route 250)

**Vanasse Hangen Brustlin for Ellis Henley Company, LC,
Consolidated Industrial, Inc., and NV Retail:** Request for
approval of a plan of development and lighting plan, as
required by Chapter 24, Section 24-106 of the Henrico
County Code, to construct a single 135,200 square-foot
phase of a regional shopping center. This phase contains a
one-story, 60,000 square-foot retail building, two **future**
one-story restaurant buildings containing 4,000 square-feet
and 7,200 square-feet, and a one-story, 64,000 square-foot
retail building. The 12.89-acre site is located on the north
line of W. Broad Street (U.S. Route 250), approximately
2,000 feet west of its intersection with N. Gayton Road, on
part of parcels 732-766-4043, 732-765-3978, and 731-765-
8473. The zoning is B-3C, Business District (Conditional),
and WBSO, West Broad Street Overlay District. County
water and sewer. **(Three Chopt)**

849
850 Mr. Leabough - Is there anyone in the audience in opposition to POD2014-
851 00333, Retail West at West Broad Marketplace, Phase 5? There is no opposition. Mr.
852 Pambid.

853
854 Mr. Pambid - The revised plan distributed as part of your addendum includes
855 three plans: a revised layout that provides a pedestrian connection between the future
856 restaurants and a one-story multi-tenant inline building; a conceptual landscape plan; and
857 a revised lighting plan. All footprints remain the same. The applicant requests approval of
858 a plan of development and the master plan with the future freestanding restaurant
859 buildings to return to the Planning Commission for subsequent review and approval.

Staff has suggested that the connection between the Bon Secours site at Broad Hill Centre and the retail portion of the West Broad Marketplace site be enhanced to convey the appearance of an entrance. Enhancement of adjacent building facades is also included as part of this suggestion.

The applicant has requested deferral of the architectural plans to the October 22, 2014 Planning Commission hearing.

Where the lighting plan in your original packet shows light poles located within landscape island and other significant landscape areas, the revised plan shows many of them within parking lot striping crosshairs, which is the preferred location that reduces interference between lighting and trees. The plan features up to two LED concealed source light fixtures per pole, mounted at thirty feet in height. The lighting levels can be adjusted.

The conceptual landscape plan in your addendum is for informational purposes. Details, which are the same for the retail east portion of the development that was just presented, show the intent to provide additional pedestrian-oriented amenities that include bike racks, benches, trash receptacles, and planters. As these details are considered informational at this time, they will be finalized upon subsequent landscape plan review and approval.

Staff has requested larger planters capable of accommodating and sustaining trees. And these planters should be located away from building facades to provide the appearance of street trees and to likewise provide a sense of enclosure within these pedestrian plazas. A large scoring pattern with stained concrete is shown on the conceptual landscape plan and will need to be repeated on the construction plans.

Should the Commission act on this request, staff recommends the approval of the POD with deferral of the architectural plans to the October 22nd meeting, subject to the annotations on the plan, standard conditions for shopping centers, and additional conditions 11B, 29 through 43 in your agenda, and the additional condition 44 in the addendum. A waiver of time limits is required for the revised plans in your addendum.

This concludes my presentation, and I can now field any questions you may have regarding this. And again, Gloria Freye and Tracy Lower are here.

Mr. Leabough - Are there questions for Mr. Pambid?

Mr. Branin - I have none.

Mr. Leabough - No questions.

Mr. Kaechele - I have one. The light poles - they're showing the same levels as what's close to the east?

Mr. Pambid - Yes sir.

906
907 Mr. Kaechele - The same height?
908
909 Mr. Pambid - Yes sir.
910
911 Mr. Kaechele - Okay.
912
913 Mr. Pambid - As a matter of fact, there was one overall lighting plan shown
914 for the entire site, which includes the Cabela's. So the same lighting designer was used
915 for the Cabela's, the Wegmans, and both of the retail, east and west, sites. So it's very
916 uniform throughout.
917
918 Mr. Kaechele - Okay, thank you.
919
920 Mr. Leabough - All right. Thank you, sir. Would you like to hear from the
921 applicant, Mr. Branin?
922
923 Mr. Branin - Absolutely.
924
925 Ms. Freye - Gloria Freye, attorney with McGuire Woods, here on behalf of
926 the developer, NV Retail.
927
928 Mr. Branin - Thank you. Ms. Freye, I'm not going to beat you up anymore.
929 I've done that enough on the last two cases. You are aware that I'm going to go ahead
930 and go 9 amended, bring back the landscaping on this one as well. We are going to keep
931 it consistent with all three of these.
932
933 Ms. Freye - Yes sir.
934
935 Mr. Branin - And we are going to defer the architecturals.
936
937 Ms. Freye - Yes sir.
938
939 Mr. Branin - To the October 22nd meeting.
940
941 Ms. Freye - Yes sir. And we appreciate the opportunity to continue to work
942 with staff on that.
943
944 Mr. Branin - And Mr. Witte really likes your light poles.
945
946 Ms. Freye - Thank you.
947
948 Mr. Branin - There's a positive for you, Ms. Freye. Going home today,
949 there's a positive for you.
950
951 Ms. Freye - Thank you.

952
 953 Mr. Branin - Okay.
 954
 955 Mr. Leabough - Any other questions? If not, we will entertain a motion from you,
 956 Mr. Branin.
 957
 958 Mr. Branin - Okay.
 959
 960 Mr. Leabough - First is the waiver of the time limits, sir.
 961
 962 Mr. Branin - Mr. Witte just gave me a reminder note; thank you. Mr.
 963 Chairman, I would like to move to waive the time limits for POD2014-00333, Retail West
 964 at West Broad Marketplace, Phase 5.
 965
 966 Mr. Witte - Second.
 967
 968 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
 969 favor say aye. All opposed say no. The ayes have it; the motion passes.
 970
 971 Mr. Branin - With that being done, Mr. Chairman, I'd like to move
 972 POD2014-00333, Retail West at West Broad Marketplace, Phase 5, to defer the
 973 architectural to the October 22nd meeting, and approve it with standard conditions for
 974 developments of this type and the following additional conditions 9 amended, 11B, and 29
 975 through 43, and the 44 additional condition in the addendum.
 976
 977 Mr. Witte - Second.
 978
 979 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
 980 favor say aye. All opposed say no. The ayes have it; the motion passes.
 981
 982 The Planning Commission approved POD2014-00333, Retail West at West Broad
 983 Marketplace, Phase 5, subject to the annotations on the plans, the standard conditions
 984 attached to these minutes for developments of this type, and the following additional
 985 conditions:
 986
 987 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
 988 Planning for review and Planning Commission approval prior to the issuance of any
 989 occupancy permits.
 990 11B. Prior to the approval of an electrical permit application and installation of the site
 991 lighting equipment, a plan including light spread and intensity diagrams, and fixture
 992 specifications and mounting heights details shall be revised as annotated on the
 993 staff plan and included with the construction plans for final signature.
 994 29. Only retail business establishments permitted in a B-3 zone may be located in this
 995 center.
 996 30. The ground area covered by all the buildings shall not exceed in the aggregate 25
 997 percent of the total site area.

- 998 31. No merchandise shall be displayed or stored outside of the building(s) or on
999 sidewalk(s).
- 1000 32. The right-of-way for widening of W. Broad Street (U.S. Route 250) as shown on
1001 approved plans shall be dedicated to the County prior to any occupancy permits
1002 being issued. The right-of-way dedication plat and any other required information
1003 shall be submitted to the County Real Property Agent at least sixty (60) days prior
1004 to requesting occupancy permits.
- 1005 33. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall be
1006 approved by the Virginia Department of Transportation and the County.
- 1007 34. A notice of completion form, certifying that the requirements of the Virginia
1008 Department of Transportation entrances permit have been completed, shall be
1009 submitted to the Department of Planning prior to any occupancy permits being
1010 issued.
- 1011 35. Outside storage shall not be permitted.
- 1012 36. In order to maintain the effectiveness of the County's public safety radio
1013 communications system within buildings, the owner will install radio equipment that
1014 will allow for adequate radio coverage within the building, unless waived by the
1015 Director of Planning. Compliance with the County's emergency communication
1016 system shall be certified to the County by a communications consultant within ninety
1017 (90) days of obtaining a certificate of occupancy. The County will be permitted to
1018 perform communications testing in the building at anytime.
- 1019 37. The proffers approved as a part of zoning case REZ2014-00028 shall be
1020 incorporated in this approval.
- 1021 38. The loading areas shall be subject to the requirements of Chapter 24, Section 24-
1022 97(b) of the Henrico County Code.
- 1023 39. Approval of the construction plans by the Department of Public Works does not
1024 establish the curb and gutter elevations along the Virginia Department of
1025 Transportation maintained right-of-way. The elevations will be set by the contractor
1026 and approved by the Virginia Department of Transportation.
- 1027 40. Evidence of a joint ingress/egress and maintenance agreement must be submitted
1028 to the Department of Planning and approved prior to issuance of a certificate of
1029 occupancy for this development.
- 1030 41. All subsequent detailed plans of development needed to implement this conceptual
1031 plan shall be submitted for staff review and Planning Commission approval, and
1032 shall be subject to all regulations in effect at the time such subsequent plans are
1033 submitted for review/ approval.
- 1034 42. The location of all existing and proposed utility and mechanical equipment
1035 (including HVAC units, electric meters, junction and accessory boxes, transformers,
1036 and generators) shall be identified on the landscape plans. All equipment shall be
1037 screened by such measures as determined appropriate by the Director of Planning
1038 or the Planning Commission at the time of plan approval.
- 1039 43. The applicant shall provide evidence of successful suit to quiet title of the right-of-
1040 way for Old Three Chopt Road prior to construction plan approval.
- 1041 44. **ADDED** - The applicant shall incorporate into the construction plans for signature
1042 any comments generated by the County's Traffic Engineer from his review of the
1043 Traffic Impact Study for this development.

1044
1045
1046 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**
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POD2014-00327
Cabela's at West Broad
Marketplace, Phase 2 –
12300 W. Broad Street
(U.S. Route 250)

Kimley-Horn and Associates, Inc. for Jeffrey C. & S. Ellis, Co-Trustees, Susan E. Dickerson, Gladys H. King, Consolidated Industrial, Inc. et al., Ellis Henley Company, LC, and Cabela's, Inc.: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 76,265 square-foot retail store with a 6,071 square-foot mezzanine in a regional shopping center. The 13.4-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 2,000 feet west of its intersection with N. Gayton Road, on part of parcels 732-766-4043, 732-766-7723, 732-765-3978, and 731-765-8473. The zoning is B-3C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Leabough - Is there anyone in the audience in opposition to POD2014-00327, Cabela's at West Broad Marketplace, Phase 2? There is no opposition, Mr. Pambid.

Mr. Pambid - The revised plan distributed as part of your addendum includes two parts—a layout plan and a lighting plan. The layout plan shows a new pedestrian connection through the western half of the parking lot, and that's this connection here. And to complete the connection along the front, there is an additional one here. Slightly widened landscape areas along both sides of the northern portion of the drive aisle are also found here and here.

Staff also continues to evaluate the overall pedestrian plan for the entire West Broad Marketplace development. Staff has suggested additional green strips or landscape islands to increase the number of trees in the parking areas, and this is a similar conversation that we had about the Wegmans.

Outdoor display areas are intended to be limited to the plaza at the southeast corner here and along the front of the building.

Where the lighting plan in your original packet shows light poles located within landscape islands and other significant landscape areas, the revised plan shows many of them within parking lot striping crosshairs, which is the preferred location that reduces interference between lighting and trees. The plan features up to two LED concealed source light fixtures per pole, mounted at thirty feet in height. The lighting levels can be adjusted. The conceptual landscape plan in your addendum is for informational purposes.

1075 Staff recommends approval of the POD subject to the annotations on the plan, standards
1076 conditions for shopping centers, and additional conditions 11B, 29 through 43 in your
1077 agenda, and condition #44 in your addendum. A waiver of time limits is required for the
1078 revised plans in your addendum.
1079

1080 This concludes my presentation, and I can now field any questions you may have
1081 regarding this. Brian Brewer, engineer with Kimley-Horn, is also here to field your
1082 questions.
1083

1084 Mr. Leabough - Are there questions for Mr. Pambid?
1085

1086 Mr. Branin - Waiving the time limits.
1087

1088 Mr. Pambid - Yes sir.
1089

1090 Mr. Branin - Pulling 9 amended.
1091

1092 Mr. Pambid - Correct.
1093

1094 Mr. Leabough - All right. Would you like to hear from the applicant, Mr. Branin?
1095

1096 Mr. Branin - No, I don't think it's necessary.
1097

1098 Mr. Leabough - All right. The floor is yours.
1099

1100 Mr. Branin - All right. Mr. Chairman, I'd like to move to waive the time limits
1101 for POD2014-00327, Cabela's at West Broad Marketplace, Phase 2.
1102

1103 Mr. Witte - Second.
1104

1105 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
1106 favor say aye. All opposed say no. The ayes have it; the motion passes.

1107
1108 Mr. Branin - And then, Mr. Chairman, I'd like to move that POD2014-00327,
1109 Cabela's at West Broad Marketplace, Phase 2, be approved subject to annotations on the
1110 plan, standard conditions for developments of this type, and the following additional
1111 conditions 9 amended, 11B through 43, with the addition of 44.
1112

1113 Mr. Witte - Second.
1114

1115 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
1116 favor say aye. All opposed say no. The ayes have it; the motion passes.
1117

1118 The Planning Commission approved POD2014-00327, Cabela's at West Broad
1119 Marketplace, Phase 2, subject to the annotations on the plans, the standard conditions

attached to these minutes for developments of this type, and the following additional conditions:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
29. Only retail business establishments permitted in a B-3 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).
32. The right-of-way for widening of W. Broad Street (U.S. Route 250) 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.
33. 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.
34. 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.
35. All repair work shall be conducted entirely within the enclosed building.
36. Outside storage shall not be permitted.
37. In order to maintain the effectiveness of the County's public safety radio communications system within buildings, the owner will install radio equipment that will allow for adequate radio coverage within the building, unless waived by the Director of Planning. Compliance with the County's emergency communication system shall be certified to the County by a communications consultant within ninety (90) days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at anytime.
38. The proffers approved as a part of zoning case REZ2014-00028 shall be incorporated in this approval.
39. 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.
40. 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.

- 1165 41. The location of all existing and proposed utility and mechanical equipment
1166 (including HVAC units, electric meters, junction and accessory boxes, transformers,
1167 and generators) shall be identified on the landscape plans. All equipment shall be
1168 screened by such measures as determined appropriate by the Director of Planning
1169 or the Planning Commission at the time of plan approval.
- 1170 42. The loading areas shall be subject to the requirements of Chapter 24, Section 24-
1171 97(b) of the Henrico County Code.
- 1172 43. The applicant shall provide evidence of successful suit to quiet title of the right-of-
1173 way for Old Three Chopt Road prior to construction plan approval.
- 1174 44. **ADDED** - The applicant shall incorporate into the construction plans for signature
1175 any comments generated by the County's Traffic Engineer from his review of the
1176 Traffic Impact Study for this development.
- 1177

1178 **SITE LIGHTING PLAN**

1179

POD2014-00325
Lumber Liquidators East
Coast Distribution Center
– 5900 Elko Road (State
Route 156)

Johnson Development for Lumber Liquidators: Request
for approval of a lighting plan, as required by Chapter 24,
Sections 24-106 and 24-106.2 of the Henrico County Code.
The 100.20-acre site is located at the terminus of White Oak
Creek Drive and on the south line of Elko Road (State Route
156), approximately 2,850 feet east of the intersection of
Elko Road (State Route 156) and Elko Tract Road, on
parcel 851-705-5088. The zoning is M-2, General Industrial
District. County water and sewer. (Varina)

1180
1181 Mr. Leabough - Is there anyone in the audience in opposition to POD2013-
1182 00325, Lumber Liquidators East Coast Distribution Center? There is no opposition. Mr.
1183 Garrison.

1184
1185 Mr. Garrison - Good morning. This is a request for the lighting plan at the
1186 recently approved Lumber Liquidators Distribution Center in White Oak Technology Park.
1187 The landscaping will come before at a later date.

1188
1189 This plan includes thirty-foot-tall metal halide streetlights that match the existing
1190 streetlights throughout White Oak. The site lighting includes thirty-foot LED pole and wall-
1191 mounted lights, twelve-foot LED pedestrian lights along the front of the buildings, and
1192 thirty-six-inch LED bollard style lights near the building entrance. The applicant has agreed
1193 to provide house-side shields on the parking lot light fixtures near Elko Road to mitigate
1194 any glare from those lights.

1195
1196 Revised lighting plans were received on September 12th that address staff's technical
1197 comments. However, the White Oak Technology Park Design Review Board has concerns
1198 with the placement of the proposed light fixtures along White Oak Creek Drive and has
1199 requested the applicant revise the plan to provide a uniform staggered spacing to match
1200 the existing portion of the road. As of yesterday afternoon, staff did receive this information,

1201 and this is in your addendum. This is the plan. I've highlighted the light poles so they're
1202 better illustrated so you can see the staggered approach.

1203

1204 With this staff can recommend approval of this lighting plan subject to the annotations on
1205 the plan and the standard conditions for lighting plans. I would remind you that the time
1206 limits will need to be waived.

1207

1208 Mr. Leabough - Are there questions for Mr. Garrison?

1209

1210 Mr. Branin - I have none.

1211

1212 Mr. Leabough - Mr. Garrison, I have a question for you.

1213

1214 Mr. Garrison - Yes sir.

1215

1216 Mr. Leabough - With this lighting plan, the concern that I think was raised or I
1217 remember it being raised at the community meeting when the POD was originally
1218 approved for this site related to light spillover or light pollution.

1219

1220 Mr. Garrison - Correct.

1221

1222 Mr. Leabough - Based on what they've submitted, that should not be an issue
1223 here. If you could go back to the plan that shows the portion of the site closest to Elko.
1224 Yes, there it is. So if I look at that—if I interpret that correctly, there are zero footcandles
1225 at the property line, which should indicate that there is minimal pollution or minimal
1226 spillover across the property line. In addition to that, if I read the plans correctly, there are
1227 shields that are on the home side of the building that protect or prevent the light from
1228 shining in the homes there?

1229

1230 Mr. Garrison - Yes sir. This note right here: These lights along Elko will have
1231 a house-side shield to mitigate any glare to the residents along Elko Road.

1232

1233 Mr. Leabough - And there is no lighting in the parking area, is there?

1234

1235 Mr. Garrison - No sir.

1236

1237 Mr. Leabough - Just the wall mounts?

1238

1239 Mr. Garrison - That's correct, just the wall mounts.

1240

1241 Mr. Leabough - All right. That's all I have. Thank you, sir. Is the applicant here?
1242 If you are, please come forward. These are recorded proceeding, so if you could, please
1243 state your name for the record.

1244

1245 Ms. Lanier - LuGay Lanier, landscape architect with Timmons Group.

1246

1247 Mr. Leabough - Good morning. My question is not related to this plan, but we
1248 have received a couple of questions regarding drainage. So if you could touch base after
1249 the meeting or this week with Mr. Garrison as it related to concerns around drainage,
1250 understanding that that's not a part of our approval today. But if the community has
1251 concerns, I would ask that you get with the developer and see that we can address those
1252 concerns as soon as possible.

1253
1254 Ms. Lanier - Certainly. We'll be glad to.

1255
1256 Mr. Leabough - All right. Thank you, ma'am. Are there any other questions from
1257 the Commission? If not, Mr. Witte has so graciously reminded me to waive the time limits.
1258 So with that I move that the time limits for the receipt of the revised plans be waived.

1259
1260 Mr. Archer - Second.

1261
1262 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Archer.
1263 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

1264
1265 And then I'll move for approval of POD2013-00325, Lumber Liquidators East Coast
1266 Distribution Center, subject to standard conditions for standard conditions for lighting plans
1267 for developments of this type and any annotations on the plans.

1268
1269 Mr. Archer - Second.

1270
1271 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Archer.
1272 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

1273
1274 The Planning Commission approved the lighting plan for POD2013-00325, Lumber
1275 Liquidators East Coast Distribution Center, subject to the standard conditions attached to
1276 these minutes for lighting plans.

1277
1278 **SUBDIVISION**

1279
SUB2014-00133
Townes of Wistar Woods
(September 2014 Plan) –
4511 Wistar Road

**Resource International, Ltd. for Wistar Creek, LLC,
John M. Dunnivant, Jr. Real Estate Trust, John M.
Dunnivant, Jr. Trustee, and Meridian Land Company:**
The 24.22-acre site proposed for 107 townhomes for sale
is located on the south line of Wistar Road, approximately
160 feet west of its intersection with Walkenhut Drive, on
parcels 768-751-4119, 768-751-2435, 768-751-0638, 768-
751-1362, 767-750-8298, 767-751-8651, and 768-750-
0490. The zoning is RTHC, Residential Townhouse District
(Conditional). County water and sewer. **(Brookland) 107
Lots**

1280

1281 Mr. Leabough - Is there anyone in the audience in opposition to SUB2014-
1282 00133, Townes of Wistar Woods (September 2014 plan)? No opposition. Good morning,
1283 Mr. Ward.

1284
1285 Mr. Ward - Good morning, Planning Commission members, Mr.
1286 Secretary.

1287
1288 The proposed subdivision is subject to the proffers of rezoning case 2014-00006, which
1289 was approved back in May. As submitted, the layout conforms to the proffered layout and
1290 the zoning requirements. To accommodate the development, several existing structures
1291 located between 4511 and 4523 Wistar Road will be removed. Once the project is
1292 complete, 107 townhome units will be constructed with one-car garages for a total density
1293 of 4.36 units per acre.

1294
1295 As indicated, the plan meets the applicable proffers such as the unit size, height, and
1296 proffered landscaping throughout, site amenities, sidewalks, and fences will be
1297 incorporated on the site and along the south line of Wistar Road. Those details will be
1298 worked out during the plan of development review.

1299
1300 Staff can recommend approval subject to the annotations on this plan, the standard
1301 conditions for residential townhomes for sale, and the following conditions 15 and 16. I'll
1302 be happy to answer any questions you may have of me. Scott Courtney, engineer with
1303 Resource International, and Hank Wilton, the developer, are here today.

1304
1305 Mr. Leabough - Are there questions for Mr. Ward? Mr. Witte, would you like to
1306 hear from the applicant?

1307
1308 Mr. Witte - Yes please.

1309
1310 Mr. Leabough - Would the applicant please come forward?

1311
1312 Mr. Wilton - For the record, I'm Henry Wilton.

1313
1314 Mr. Witte - Mr. Wilton, just want to verify that all the proffered conditions
1315 and discussed items stipulated in rezoning are still on track.

1316
1317 Mr. Wilton - Yes sir.

1318
1319 Mr. Witte - Including the sidewalk and the lighting and—

1320
1321 Mr. Wilton - The sidewalk, the extra two feet that you all needed. Yes,
1322 everything that we proffered, and probably more, has been done. We'll be back with the
1323 review.

1324
1325 Mr. Witte - All right, thank you. I have no further questions.

1326

Mr. Leabough - Any questions from the Commission? If not, Mr. Witte, I'll entertain a motion.

Mr. Witte - I don't have to waive the time limits so we'll just go. Mr. Chairman, I move conditional approval of the conditional subdivision plat for SUB2014-00133, Townes of Wistar Woods (September 2014 plan), as presented, subject to the annotations on the plans, the standard conditions for subdivisions of this type served by public utilities, and additional conditions 15 and 16 as shown on the agenda.

Mr. Branin - Second.

Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Branin. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission granted conditional approval to SUB2014-00133, Townes of Wistar Woods (September 2014 plan), subject to the standard conditions attached to these minutes for subdivisions served by public utilities, the annotations on the plans, and the following additional conditions:

15. A County standard sidewalk shall be constructed along the south side of Wistar Road.
16. The proffers approved as part of zoning case REZ2014-00006 shall be incorporated in this approval.

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2014-00320
Pouncey Tract Mini
Storage at Downtown
Short Pump – 4396
Pouncey Tract Road
(State Route 271)

Silvercore for Short Pump Mini Storage Associates, LLC and Michael D. Sifen, Inc.: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a four-story, 152,800 square-foot self storage facility in an existing shopping center. The 3.04-acre site is located west of Pouncey Tract Road (State Route 271), approximately 1,500 feet north of its intersection with W. Broad Street (U.S. Route 250), on parcel 739-763-7259. The zoning is M-1C, Light Industrial District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Leabough - Is there anyone in opposition to POD2014-00320, Pouncey Tract Mini Storage at Downtown Short Pump? There is no opposition. Mr. Garrison, good morning again.

Mr. Garrison - Good morning. The lighting plan proposes LED lights mounted at heights that vary between 14 and 20 feet. The lighting plan meets the technical requirements for staff to recommend approval.

1361 The elevations submitted—let me see—do not meet the proffered elevations approved with the
1362 zoning case C-03C-98; however, the Planning Commission can approve revised elevations at the
1363 time of POD review. Staff feels the new elevations submitted are more consistent with architecture
1364 for the rest of the shopping center and has no objection to this request. Staff has requested that
1365 brick be used in lieu of the EIFS on the columns, and the applicant has agreed to this request—
1366 oh, and as well as the CMU be color interval split-face block. The applicant has agreed to the brick
1367 on the columns, but has reservations on using the color integrated CMU citing waterproofing issues
1368 and crystallization on the CMU surface from salt and minerals. Staff has further discussions with
1369 the applicant and the Planning Commission, and upon further review will all the split-face block to
1370 be painted.

1371
1372 With this staff can recommend approval subject to the annotations on the plan, standard conditions
1373 for developments of this type, and added conditions 11B through 36. Staff and representatives of
1374 the applicant are available to answer any questions that you may have.

1375
1376 Mr. Leabough - Are there questions for Mr. Garrison? If not, Mr. Branin, would you
1377 like the applicant to come forward?

1378
1379 Mr. Branin - Is the applicant here? I have a couple comments on this because I
1380 became very, very well educated on this in regards to block that has the pigment already in it
1381 versus—the word that scared myself as well as staff was the word *painted*. When you hear the
1382 word *painted*, you tend to think that it's a latex or an oil paint. What they're actually painting this
1383 with is more of a stain and then also a sealer is used. In discussing it with the applicant as well as
1384 a couple of other people, what they're finding actually is that the dyed or stained block with the
1385 sealer on it tends to actually last long, the color lasts longer, and the block itself lasts longer
1386 because of the sealing. So I've had a very long discussion with the Sifen Company and have their
1387 assurance that this project isn't going to be flipped. It's going to stay in their group. I wanted to
1388 share that with you all because we have always said no painting, no painting of block. What we're
1389 used to seeing is actual paint where there isn't actually paint. It's more a stain with a sealer. You
1390 were educated as well, Mr. Garrison, on all of this?

1391
1392 Mr. Garrison - Yes sir, I was.

1393
1394 Mr. Branin - So does staff feel a little bit more comfortable now?

1395
1396 Mr. Garrison - Yes, yes we are.

1397
1398 Mr. Leabough - Just a quick question, you may or may not know the answer, Mr.
1399 Branin. But how long does it extend the life as compared to color integrated?

1400
1401 Mr. Branin - What Sifen was telling me was they have stained block for over ten
1402 years and they haven't had any issues with it, and they haven't had any popping or losing of the
1403 pigmentation. And where they had the color integrated brick that came in, they had more issues
1404 with that with UV bleaching it out and also had fluorescents coming out in it. Where when it's sealed
1405 and stained it maintains the effervescence so you don't have that chalking effervescence coming
1406 up on it.

1407
1408 Mr. Archer - So, Mr. Branin, the sealer is the item that is probably of the most
1409 importance here as opposed to the paint itself, or has there been an improvement too?

1410

1411 Mr. Branin - Well it's not paint, it's stain. So the stain is actually impregnating into
1412 the block itself and staining the concrete within and then being sealed. So it helps with keeping
1413 moisture out as well as—
1414

1415 Mr. Archer - I guess what I'm asking is the stain actually mixed into the block
1416 material or—
1417

1418 Mr. Branin - No, it's applied. It's applied.
1419

1420 Mr. Archer - Okay.
1421

1422 Mr. Leabough - And you may or may not know the answer to this. Is it the sealer that
1423 is the key? Or maybe Mr. Sifen could answer the question. Is it the sealer that's the key regardless
1424 of whether it's stained or color integrated, the pigments are integrated, or is it the stain combined
1425 with the sealer?
1426

1427 Mr. Branin - See, I didn't want to drag you down, but you're coming down now.
1428

1429 Mr. Leabough - I just think this is important.
1430

1431 Mr. Leabough - Well, after we went through all the architectural reviews and products
1432 the other day, this is one that we didn't touch on. So we're all going to continue—this is a continued
1433 educational opportunity.
1434

1435 Mr. Archer - Thank you for providing it, Mr. Branin.
1436

1437 Mr. Leabough - Mr. Sifen, if you could state your name for the record.
1438

1439 Mr. Smith - I'm Don Smith.
1440

1441 Mr. Leabough - Oh, I'm sorry.
1442

1443 Mr. Smith - I'm the vice president of Sifen Incorporated, and I run the
1444 construction and development side of the business. We use a two-part process. There's a sealer,
1445 a stain, then we put another sealer on top of the stain. We found over the past fifteen years that
1446 it's been a more superior process than trying to use a colored unit. I haven't tried this process on
1447 a colored unit, which was suggested by Greg that maybe we should try that. I don't really feel
1448 comfortable with doing that. If it becomes a point of contention with the Board, then I would be
1449 happy to change the material to brick or something else.
1450

1451 Mr. Leabough - I was just requesting because we're going to have the same issue
1452 come up in the future. I was just wondering if it's the sealer that's the key or is it the stain combined
1453 with the sealer that's—
1454

1455 Mr. Smith - Yes.
1456

1457 Mr. Leabough - —producing the longevity or protecting the integrity of the material.
1458

1459 Mr. Smith - Yes.
1460

1461 Mr. Leabough - Okay. Thank you, sir.

1462
1463 Mr. Branin - Mr. Smith, I appreciate the education that you gave me. And like I
1464 said to staff, if it was someone that doesn't retain and preserve and maintain their buildings to the
1465 way that your company does, I still would be a little more hesitant. But knowing how you all treat
1466 your properties and studying, by suggestion of you, I think this is a good opportunity for us to see
1467 how well this works. And I thank you for the education you gave.
1468
1469 Mr. Smith - Thank you.
1470
1471 Mr. Leabough - Mr. Branin, if there are no other questions, the floor is yours.
1472
1473 Mr. Branin - Mr. Garrison, I don't need to waive time limits, do I?
1474
1475 Mr. Garrison - No sir.
1476
1477 Mr. Branin - So Sifen actually got their information in to us in a timely fashion.
1478
1479 Mr. Garrison - Yes sir.
1480
1481 Mr. Branin - Okay. And it's just the 11B, 32 and 36. Correct?
1482
1483 Mr. Garrison - 11B through 36.
1484
1485 Mr. Branin - Okay. With that, Mr. Chairman, I would like to move that POD2014-
1486 00320, Pouncey Tract Mini Storage at Downtown Short Pump, be approved with standard
1487 conditions for developments of this type and the following additional conditions 11B and 29 through
1488 36.
1489
1490 Mr. Leabough - Second. We have a motion by Mr. Branin, a second by Mr.
1491 Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion passes.
1492
1493 The Planning Commission approved POD2014-00320, Pouncey Tract Mini Storage at Downtown
1494 Short Pump, subject to the annotations on the plans, the standard conditions attached to these
1495 minutes for developments of this type, and the following additional conditions:
1496
1497 11B. Prior to the approval of an electrical permit application and installation of the site
1498 lighting equipment, a plan including light spread and intensity diagrams, and fixture
1499 specifications and mounting heights details shall be revised as annotated on the
1500 staff plan and included with the construction plans for final signature.
1501 29. Details for the gate and locking device at the entrance road shall be submitted for
1502 review by the Traffic Engineer, Police and approved by the County Fire Marshall.
1503 The owner or owner's contractor shall contact the County Fire Marshall prior to
1504 completion of the fence installation to test and inspect the operations of the gates.
1505 Evidence of the Fire Marshall's approval shall be provided to the Department of
1506 Planning by the owner prior to issuance of occupancy permits.
1507 30. There shall be no outdoor storage in moveable storage containers including, but
1508 not limited to, cargo containers and portable on demand storage containers.
1509 31. The proffers approved as a part of zoning case C-03C-98 shall be incorporated in
1510 this approval.

- 1511 32. The conceptual master plan, as submitted with this application, is for planning and
1512 information purposes only.
- 1513 33. The location of all existing and proposed utility and mechanical equipment
1514 (including HVAC units, electric meters, junctions and accessory boxes,
1515 transformers, and generators) shall be identified on the landscape plan. All building
1516 mounted equipment shall be painted to match the building, and all equipment shall
1517 be screened by such measures as determined appropriate by the Director of
1518 Planning or the Planning Commission at the time of plan approval.
- 1519 34. Only retail business establishments permitted in an M-1 zone may be located in this
1520 center.
- 1521 35. The ground area covered by all the buildings shall not exceed in the aggregate 25
1522 percent of the total site area.
- 1523 36. No merchandise shall be displayed or stored outside of the building(s) or on
1524 sidewalk(s).

1525
1526 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**
1527

POD2014-00326
Strasser Carwash
Expansion – 2806 Old
Pump Road
(POD-01-03 Rev.)

Silvercore for Trafco, LLC: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct additional parking, vacuums, and lighting associated with an existing two-bay carwash. The 0.93-acre site is located on the west line of Old Pump Road, approximately 170 feet north of its intersection with Church Road, on parcel 739-755-3445. The current zoning is B-3, Business District. County water and sewer. **(Three Chopt)**

1528
1529 Mr. Leabough - Is there anyone in the audience in opposition to POD2014-
1530 00326, Strasser Carwash Expansion? We have opposition. Before you get started, Mr.
1531 Ward, I would ask that our secretary read our rules for speaking at a hearing.

1532
1533 Mr. Emerson - Yes sir, Mr. Chairman. As you note, the Commission does
1534 have guidelines for how they conduct their public hearings and they are as follows: The
1535 applicant is allowed ten minutes to present the request, and time may be reserved for
1536 responses to testimony. Opposition is allowed ten minutes to present its concerns. That's
1537 a cumulative ten minutes for the opposition. Commission questions do not count into the
1538 time limits. The Commission may waive the time limits for either party at its discretion. Any
1539 comments must be directly related to the case under consideration.

1540
1541 Mr. Leabough - Thank you, sir. Good morning again, Mr. Ward.

1542
1543 Mr. Ward - Good morning. The subject property was originally approved
1544 and developed as a one-story, two-bay carwash pursuant to POD-01-03. It has remained
1545 a carwash under the same owner and will continue to do so. The proposed plan modified
1546 the entire existing bays. It will add nine additional parking spaces in the western area of

1547 the site as well as eight additional vacuum stations. This will all be facing the rear as you
1548 enter the carwash.
1549

1550 Also, a lighting plan was submitted for approval with this plan of development that provides
1551 three additional light poles along the new parking spaces and one additional light pole at
1552 the southern entrance. Both the site and the lighting plan have satisfied the County
1553 regulations. As of last week, the owner met with the neighbors who reside just north of the
1554 site in the Timberlake subdivision. The owner did address their concerns and questions
1555 with regard to the noise and hours of operation.
1556

1557 Staff can recommend approval subject to the annotations on the plan, the standard
1558 conditions for developments of this type, and the following conditions 11B through 33. I'll
1559 be happy to answer any questions you may have of me. The engineer, Steve King with
1560 Silvercore, and the owner, Frank Strasser, are here. Also, Todd Iguchi, the adjacent owner
1561 here at this property at 11713 Timber Mill Lane, is also here to express his concerns.
1562

1563 Mr. Leabough - All right. Are there questions for Mr. Ward?
1564

1565 Mr. Branin - I have none.
1566

1567 Mr. Leabough - If not, Mr. Branin, would you like to hear from the opposition
1568 first or the applicant?
1569

1570 Mr. Branin - I would like to hear from the opposition first so the owner can
1571 address any questions that he may have.
1572

1573 Mr. Leabough - All right. Good morning, sir. If you could as you're prepared to
1574 get your notes, please state your name for the record.
1575

1576 Mr. Iguchi - Yes. Good morning, Mr. Chairman, members of the Planning
1577 Commission. My name is Todd Iguchi. I am the owner of 11713 Timber Mill Lane.
1578

1579 It appears as though I am the only of the four directly impacted property owners here today.
1580 In anticipation of that I do have a list of the concerns along with signatures of the primary
1581 property owners who were available to get signatures of, along with the adjoining
1582 neighborhood property owners and other tenants that I would like to have made part of the
1583 record if possible.
1584

1585 Mr. Kaechele - Can you point out your lot there?
1586

1587 Mr. Iguchi - This is 11713 Timber Mill Lane.
1588

1589 Mr. Kaechele - Okay.
1590

1591 Mr. Iguchi - Mr. Chairman, I'd like to just start off by thanking Mr. Strasser
1592 for making himself available to the neighbors last week. That went a long way to help

assuage many of the concerns that we do have, along with Mr. Ward arranging that meeting. We thank the Commission for also allowing me to speak today.

We acknowledge the fact that zone three is pretty broad in spectrum in terms of allowances for business operations and that we don't necessarily hold Mr. Strasser as the problem here. He's laid out his operation and appears to be within the confines of the zoning requirements. However, having said that, we still have some general concerns that we have. And they are generally in regard to probably the things you probably have heard over and over again at various meetings that you've had, and that is, you know, concerns over noise, impact on traffic, and potentially the fact that you have expansion in an area that could be conducive to after-hours nefarious activities that could put some of our properties at jeopardy.

Mr. Strasser did address some of these concerns. In terms of the operating hours, it is an encouragement to us that he has acknowledged that he's going to be operating this primarily at an 8 a.m. to 7 p.m. operation. That is an improvement considering that the previous operation—or the current operation is 24/7. We have had some issues with noise in the unstaffed type of operation that it is. Loud music, that type of thing. There have been observances of vehicles after hours parked in the facility, activities not to be confirmed as to what is going on. But again, it's a concern for the neighborhood.

So in terms of the overall plan, it sounds to me that the fact that he's changing the way that the vacuum systems are operating is an encouragement to us that it's going to probably be a noise reduction. However, again, zone three operations could allow, from what we understand, any kind of thing going on. And it's very close to our properties with very little noise abatement in between. And he has acknowledged that the system he is using is going to reduce the overall decibel ratings of the vacuum system. And again, we're encouraged by that. But again there's concern that those are uncontrolled under the zoning that you currently have.

Our other concern was that there was a traffic issue in that Old Pump Road, which comes along this area—our primary access without going through a myriad of turns out of another neighborhood, is to come down on John Rolfe Parkway and enter into the entrance that comes right off of John Rolfe Parkway right in this general vicinity here. And then of course we're right at the—that is also the right turn lane for access onto I believe it's Church Road. And so one of the concerns is that during—this probably is not going to be a major issue except during those periods where there's a huge demand on the carwash. And that is typically during and after snowstorms and maybe other instances where we have the pollen and things like that where you get occasion for there to be traffic confusion coming down John Rolfe Parkway, in that this is a right turn lane to go down to turn onto Church Road going west on Church Road. So traffic will tend to start getting a little confused coming into this short entrance here to get to the carwash. And a couple of times it has caused issues during snow periods where we have had difficulties ourselves either having to wait—and dangerously so—in this line that may occasionally back up here. Or we have to go on down and around and then cut through the parking lot. Again, we face the confusion of traffic in this one area.

1639
1640 Mr. Strasser did explain that he is planning on doing some traffic flow methods of getting
1641 traffic to move properly, and that is encouragement to us. But again, we do have that
1642 concern we wanted to have registered. Again, during those phases we do have issues
1643 where sometimes the traffic will come in. Some will wait right here; others will come down
1644 and make the U-turn and wait in the queue back here on Old Pump Road. And, on
1645 occasion, that does create a little bit of a nuisance for the Timber Mill residents. Again,
1646 those are very few times during the year.

1647
1648 I've listed all these concerns on there. Our biggest thing is probably more so on the
1649 concern of the zoning than it is of Mr. Strasser's operation. The only other issue that I had
1650 personally is that my property, being in this area here and where the expansion of the
1651 actual parking lot, puts it in line with an area with my property, that is un-obscured vision
1652 at this point because the vegetation will be moved out of the way in order bring that
1653 expansion down. I did ask the question about the potential of putting up a small barrier of
1654 some sort to diffuse direct viewing of our property and the cars that are parking in not only
1655 my driveway but across the street from me. He did indicate that there was probably going
1656 to be some vegetation that will be either existing that will be left in place, or could be some
1657 diffusion just by using vegetation.

1658
1659 Those concerns are all listed on the letter that I provided as a matter of record. I do
1660 appreciate the time you've given me to speak. Thank you very much.

1661
1662 Mr. Leabough - All right. Thank you, sir. Is there any other opposition? If not,
1663 Mr. Branin, we'll call forward the applicant.

1664
1665 Mr. Branin - Please.

1666
1667 Mr. Strasser - Good morning. My name is Frank Strasser. I'm the managing
1668 member of Trafco LLC, which is the property owner.

1669
1670 Mr. Branin - Mr. Strasser, good to see you again.

1671
1672 Mr. Strasser - Nice to see you. Thank you.

1673
1674 Mr. Branin - You hear the concerns of the neighbors next door. Now for a
1675 while you weren't operating this location?

1676
1677 Mr. Strasser - That's correct. I'm not currently operating it.

1678
1679 Mr. Branin - And what were the hours that they were operating in?

1680
1681 Mr. Strasser - It opened in 2003 and it's always been 24/7.

1682
1683 Mr. Branin - Approved. The people that were leasing it from you, were they
1684 operating it 24/7?

1685
1686 Mr. Strasser - Yes sir.
1687
1688 Mr. Branin - And you're going to switch the hours down to 8 a.m. to 7 p.m.?
1689
1690 Mr. Strasser - That's correct, yes.
1691
1692 Mr. Branin - Okay. Do you want to address the concerns of noise? I know
1693 you're planning to put a new system in that should be lowering the decibels?
1694
1695 Mr. Strasser - That's correct. The system that's there now, we have six
1696 vacuums. They are the stainless steel vacuums you see at carwashes or gas stations.
1697 Each one of those vacuums has two motors, very high, whiney motors. And keep in mind
1698 they're operated 24/7. So a customer can pull in that lot at 2 a.m. and use those vacuums
1699 currently. The system I'm going to put in is kind of a centralized vacuum system. It's going
1700 to be one big motor that runs on a variable frequency drive, which means it's running at a
1701 very, very low decibel. And as demand is required and you pull the hose off, the motor
1702 revs up. At full capacity of that motor the decibels are less than the motors of the canister
1703 motors that are currently there. And again, this will be operated—that vacuum will be shut
1704 off when we close at 7:00. So there is no customer pulling in at 11:00 or 2 in the morning
1705 to use those.
1706
1707 Mr. Branin - Okay. And the concerns in regards to traffic.
1708
1709 Mr. Strasser - I really don't know how to address that except that the stacking
1710 we have far exceeds the County's requirement for a carwash.
1711
1712 Mr. Branin - I have lived in the area for a long time and have actually used
1713 that carwash over the years. I haven't ever seen—and I'm sure it has at the time of a snow.
1714 But Virginia weather, we may not have a snow for two years or we have them every other
1715 week like we did this past year. So your stacking you think is sufficient?
1716
1717 Mr. Strasser - It is, yes. Now I operated this carwash for the first four years.
1718 Volumes were much stronger then, and I don't recall ever a stacking problem. It's been
1719 leased for a few years. The volume has dropped. I will tell you that I'm going to be taking
1720 this back at the end of next year, operating it myself again.
1721
1722 Mr. Branin - Okay. We had traffic and then also a barrier. What is the barrier
1723 along the property line versus currently?
1724
1725 Mr. Ward - By the zoning code he's got a 25-foot transitional buffer. That
1726 will remain intact.
1727
1728 Mr. Branin - So there is a 25-foot buffer.
1729

1730 Mr. Ward - Right. I had suggested the proposed dumpster that's down
 1731 here along the southern entrance, if they moved it up here that would help block some
 1732 things. But I felt like with the centralized vacuum system that would probably help with the
 1733 noise.

1734

1735 Mr. Leabough - Could you pull up the site plan so we can see what you're
 1736 referring to, please, sir?

1737

1738 Mr. Ward - Everything's slow today because—

1739

1740 Mr. Leabough - The system's not cooperating.

1741

1742 Mr. Ward - The proposed dumpster would be here along the southern
 1743 corner. I had made a suggestion with the engineer and the owner to move it up here to
 1744 help maybe block some noise. We would make sure the traffic flow—circulation would still
 1745 work with the trash truck coming in.

1746

1747 Mr. Branin - Is that even feasible? I know you already have your utilities in
 1748 place.

1749

1750 Mr. Strasser - Yes, we could move the dumpster over there. I have to think
 1751 from the residents' perspective they'd rather have the dumpster farther away.

1752

1753 Mr. Branin - I would too, simply because of the banging, the smell, and so
 1754 forth. So let's not move that dumpster. Okay. I'm glad to see you taking it back over. Over
 1755 the past couple of years it has started to get a little run down. I know the quality of business
 1756 you were conducting when you were hands-on—and you were hands-on. There were
 1757 many times you and I chatted in the parking lot when you were cleaning up and making
 1758 sure everything was going smoothly. I have no further questions for the applicant. Did we
 1759 address all your—

1760

1761 Mr. Iguchi - [Off microphone.] Yes sir. Thank you very much.

1762

1763 Mr. Branin - Okay.

1764

1765 Mr. Ward - The dumpster will definitely not be any closer to the neighbors.
 1766 But more landscaping, I think will help more with the visual impact than the noise.

1767

1768 Mr. Branin - With that buffer there currently we can—

1769

1770 Mr. Ward - Add more shrubs, evergreens—yes.

1771

1772 Mr. Branin - Yes. You might want to put some Leylands in. I'm not going to
 1773 request that now. If we see that there's an opportunity and an issue, the owner would be
 1774 more than willing to help buffer more. Okay.

1775

1776 Mr. Leabough - I'll entertain a motion.
 1777
 1778 Mr. Branin - Okay. Mr. Chairman, I'd like to move that POD2014-00326,
 1779 Strasser Carwash Expansion, be approved subject to the annotations on the plan,
 1780 standard conditions for developments of this type, and the following conditions 11B and
 1781 29 through 33.
 1782
 1783 Mr. Witte - Second.
 1784
 1785 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
 1786 favor say aye. All opposed say no. The ayes have it; the motion passes.
 1787
 1788 The Planning Commission approved POD2014-00326, Strasser Carwash Expansion,
 1789 subject to the annotations on the plans, the standard conditions attached to these minutes
 1790 for developments of this type, and the following additional conditions:
 1791
 1792 11B. Prior to the approval of an electrical permit application and installation of the site
 1793 lighting equipment, a plan including light spread and intensity diagrams, and fixture
 1794 specifications and mounting heights details shall be revised as annotated on the staff
 1795 plan and included with the construction plans for final signature.
 1796 29. Outside storage shall not be permitted.
 1797 30. Approval of the construction plans by the Department of Public Works does not
 1798 establish the curb and gutter elevations along the Henrico County maintained right-
 1799 of-way. The elevations will be set by Henrico County.
 1800 31. The owner or manager on duty shall be responsible for temporarily closing the car
 1801 wash facility when the on-site stacking space is inadequate to serve customer
 1802 demand to prevent a backup of vehicles onto the public right-of-way. The owner
 1803 shall arrange with the Traffic Engineer to provide standard traffic control signs to
 1804 notify customers that stopping or standing on the public right-of-way shall not be
 1805 permitted near the entrances to the car wash facility.
 1806 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted
 1807 to the Department of Planning and approved prior to issuance of a certificate of
 1808 occupancy for this development.
 1809 33. The location of all existing and proposed utility and mechanical equipment
 1810 (including HVAC units, electric meters, junctions and accessory boxes,
 1811 transformers, and generators) shall be identified on the landscape plan. All building
 1812 mounted equipment shall be painted to match the building, and all equipment shall
 1813 be screened by such measures as determined appropriate by the Director of
 1814 Planning or the Planning Commission at the time of plan approval.
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1822 **LANDSCAPE AND LIGHTING PLAN**

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POD2014-00287 and
POD2014-00288
The Townes at Ridgefield
– 11135 Ridgefield
Parkway

Balzer and Associates, Inc. for Townes at Ridgefield, LLC: Request for approval of a landscape plan and a lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 2.22-acre site is located at the southwest corner of the intersection of Ridgefield Parkway and Poplar Forest Drive, on parcel 733-751-1145. The zoning is R-5, General Residential District. County water and sewer. **(Tuckahoe)**

Mr. Leabough - Is anyone in the audience in opposition to POD2014-00287 and POD2014-00288, The Townes at Ridgefield? There is no opposition. Mr. Garrison.

Mr. Garrison - The plan before you today shows alternate and additional plant material per staff's request. The lighting plan proposed is a seven-foot-tall light pole and wall sconce for each lot, but no lights for the parking areas. The Henrico County Police Division has requested additional lighting in the parking areas. However, the applicant would like to keep the light levels as shown so as not to adversely impact adjacent residential properties. As a compromise, staff has requested that all the post lights be placed on a dusk-to-dawn system to provide a uniform security lighting. The applicant has agreed to this.

Staff can recommend approval subject to the standard conditions for landscape and lighting plans, the annotations on the plan, and added condition #6 in your addendum which states the homeowners association for Townes at Ridgefield shall be responsible for the operation and maintenance of the post-mounted light fixtures.

Staff and representatives are available to answer any questions that you may have.

Mr. Leabough - Are there questions for Mr. Garrison? There are no questions.
Mr. Archer, I believe you're handling this case on behalf of Mrs. Jones

Mr. Archer - I will be, Mr. Chairman. Is the applicant here? Okay. I didn't want see you; I just wanted to know if you were here. The only sticking point in this was what Mr. Garrison spoke about, which has been addressed by an additional condition, which is on the addendum this morning. So with that I can move that this be passed subject to standard conditions for landscape and lighting plans, and the addenda item, condition 6 that is on page 5 of this morning's additional agenda.

Mr. Branin - Second.

Mr. Leabough - We have a motion by Mr. Archer, a second by Mr. Branin. 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 POD2014-00287 and POD2014-00288, The Townes at Ridgefield, subject to the standard conditions attached to these minutes for landscape and lighting plans and the following additional condition:

6. **ADDED** - The homeowners association for The Townes at Ridgefield shall be responsible for the operation and maintenance of the post mounted light fixtures.

Mr. Emerson - Mr. Chairman, the next item on your agenda is the consideration of your July 23, 2014 minutes. We do not have an errata sheet for these minutes.

APPROVAL OF MINUTES: July 23, 2014 Minutes

Mr. Leabough - Are there any changes to the minutes? If not, I'll entertain a motion for approval.

Mr. Branin - So moved.

Mr. Witte - Second.

Mr. Leabough - We have a motion for approval of the minutes by Mr. Branin and a second by Mr. Witte. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved the July 23, 2014 minutes as submitted.

Mr. Emerson - Mr. Chairman, before we move into the next item I would like to note to you. Many of you may have noticed we have a visitor this morning from our sister city in Korea. Ms. Moore, if you would come forward and introduce our guest.

Ms. Moore - Yes sir. We have with us this morning Ms. Ju Yeon-Hong. And she is from South Korea. And she has been with the County visiting for two weeks. So she's here to observe Planning for half a day, and she's been rotating through the County departments. Did you want to say hello?

Mr. Leabough - Good morning. Welcome.

Ms. Ju Yeon-Hong - Yes. I'm Joo from Yangju City in South Korea. I am coming as an administrative trainee. So I study here for two weeks. Nice to meet you.

Mr. Leabough - We have a very capable staff here. And I'm sure you're learning a lot. And we appreciate you being here.

Ms. Ju Yeon-Hong - All right. Thank you very much. Thank you.

1905 Mr. Leabough - Any questions from the Commission?
1906
1907 Mr. Archer - Do you play golf?
1908
1909 Ms. Moore - Just real quick. I'm sure you know that the city of Yangju is our
1910 sister city to Henrico County. I think for the last ten, eleven years.
1911
1912 Mr. Emerson - It's been a while, yes.
1913
1914 Mr. Leabough - While we're recognizing folks in the audience, I would like to
1915 recognize Mr. Strong who strolled in at about 9:12. We start at 9:00, Mr. Strong. I apologize
1916 for not recognizing you earlier, but you weren't here when I—
1917
1918 Mr. Strong - [Off microphone; inaudible.]
1919
1920 Mr. Leabough - Saw that traffic in the Brookland District. I know what delayed
1921 you, I know. Thank you, sir. I believe we have a couple other items on the agenda, Mr.
1922 Secretary?
1923
1924 Mr. Emerson - Yes sir, Mr. Chairman. We have a public hearing on three
1925 zoning ordinance amendments. You have had a work session on these and Mr. Tokarz is
1926 here to present them. And as he walks down, I will read them off.
1927
1928 **ORDINANCE** – To Amend and Reordain Section 19-90 Titled “Form and contents,”
1929 Section 19-98 Titled “Family subdivision plat,” and Section 24-106.3 Titled “Chesapeake
1930 Bay preservation” of the Code of the County of Henrico to Conform to State Legislation
1931 Providing for the Submission of Documentation Relating to Septic Tank Pump-Out
1932
1933 **ORDINANCE** – To Amend and Reordain Section 24-3 Titled “Enumerated” of the Code of
1934 the County of Henrico to Conform to State Legislation Clarifying the Definition of Group
1935 Homes
1936
1937 **ORDINANCE** – To Amend and Reordain Section 19-60 Titled “Required,” Section 19-89
1938 Titled “Required; construction plans,” Section 19-90 Titled “Form and contents,” Section
1939 19-95 Titled “Recording,” Section 19-97 Titled “Required,” Section 19-137 Titled “Public
1940 sites and open spaces,” and Section 19-165 Titled “Sanitary sewers” of the Code of the
1941 County of Henrico to Conform to State Legislation Providing for the Optional Submission
1942 of Preliminary Subdivision Plats Involving 50 or Fewer Lots
1943
1944 Mr. Emerson - You also received some correspondence, a letter dated
1945 September 17, 2014, from County Attorney, Jason Hart, explaining these ordinance
1946 amendments to you as well. With that, the report will be presented this morning by Mr.
1947 Tokarz.
1948
1949 Mr. Tokarz - Mr. Chairman, members of the Commission, Tom Tokarz with
1950 the County Attorney's Office. My understanding is you've already received a briefing on

1951 this prior in a work session, so I won't go through all the details of this. But I'll start, if I
1952 could, with the septic tank pump-out revision, if that's satisfactory to the Chairman.

1953
1954 This is a result of a bill passed by the General Assembly in which they changed the
1955 requirements for who can certify with respect to septic pump-outs in Chesapeake Bay
1956 Preservation areas. Previously this had been allowed by sewage handlers. Now the
1957 General Assembly has required that this certification be done by an on-site soil evaluator
1958 or operator who is qualified to operate, maintain, or design on-site septic systems. So what
1959 the amendment in front of you will do will be to change Section 19-90 and 19-98, which
1960 relates solely to the notations that get put onto either a subdivision plat or a family
1961 subdivision plat in accordance with the third change, which is the 24-106.3, which is one
1962 of the performance criteria in the Chesapeake Bay Preservation Guidelines in Section 24-
1963 106.3.

1964
1965 What this basically says is that an owner in a Chesapeake Bay Preservation Area has the
1966 requirement to either pump out every five years or to submit documentation from
1967 somebody who is now under this amendment certified as an operator or on-site evaluator
1968 that the septic system has been inspected within the past five years, is functioning
1969 properly, and the tank does not need to have the effluent pumped out of it. And all of this
1970 documentation would be submitted to the director of Public Works because that is the
1971 person designated by the General Assembly in the County Code for administering the
1972 Chesapeake Bay Preservation Area Ordinance.

1973
1974 So with that I will be glad to answer any questions.

1975
1976 Mr. Leabough - Are there questions for Mr. Tokarz?

1977
1978 Mr. Kaechele - Mr. Tokarz, these ordinance changes were approved by the
1979 Board last night?

1980
1981 Mr. Tokarz - No. The process right now is that the Planning Commission
1982 considers these, because these are amendments to the Zoning Ordinance. And then they
1983 will be recommended by the Planning Commission and then come to the Board of
1984 Supervisors in October.

1985
1986 Mr. Emerson - Mr. Kaechele, there was an action by the Board last night
1987 moving forward an ordinance change that you will hear at a subsequent meeting that also
1988 deals with this. But that's in a separate section of the County Code.

1989
1990 Mr. Kaechele - Okay.

1991
1992 Mr. Tokarz - These come before you today. And then they'll come to the
1993 Board after advertisement and public hearing in October.

1994
1995 Mr. Kaechele - But it's kind of the same issue of septic.

1997 Mr. Tokarz - Yes.
1998
1999 Mr. Emerson - Yes it was.
2000
2001 Mr. Leabough - This is a public hearing, so I'll now open the floor to any
2002 questions or comments from the public. Is there anyone with comments or questions?
2003 Being none, I'll entertain a motion for recommendation to forward this to the Board for
2004 approval.
2005
2006 Mr. Witte - So moved.
2007
2008 Mr. Archer - Second.
2009
2010 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Archer. All in
2011 favor say aye. All opposed say no. The ayes have it; the motion passes.
2012
2013 Mr. Tokarz - Which one would you like to go to next?
2014
2015 Mr. Emerson - Why don't you just do them all—
2016
2017 Mr. Tokarz - I'll do them, yes sir.
2018
2019 Mr. Emerson - I think that would probably be the easiest way.
2020
2021 Mr. Tokarz - I'll be happy to do that. The second one that is before you
2022 relates to the definition of a group home. This is related to a clarifying change that the
2023 General Assembly adopted in order to make it clear that for a group home to be considered
2024 a single-family dwelling in the Zoning Ordinance, that the staff does not have to reside in
2025 the group home. It can either be staff resident in the group home or not resident in the
2026 group home. This has been the subject of an attorney general opinion back earlier in 2014,
2027 and so this bill was meant to clarify what the law is on that.
2028
2029 The third ordinance amendment in front of you deals with a change in the preliminary
2030 subdivision plat process. Currently, or at least prior to July 1, the County required that all
2031 preliminary subdivision plats, no matter how large or small, had to be submitted to the
2032 Planning Commission for review. Now the General Assembly has made that optional for
2033 subdivisions with fifty or fewer lots. The developer has an opportunity, if they wish, to
2034 submit a preliminary subdivision plat, but is not required to do so. So the ordinance
2035 amendments that you have in front of you to the subdivision ordinance simply make the
2036 technical changes in order to make that change in state law effective in the Subdivision
2037 Ordinance.
2038
2039 Mr. Leabough - Any questions for Mr. Tokarz? If not, I will now open up the
2040 floor for comments or questions from any individual in the audience because this is a public
2041 hearing. Are there any comments or questions? There being none I would like—
2042

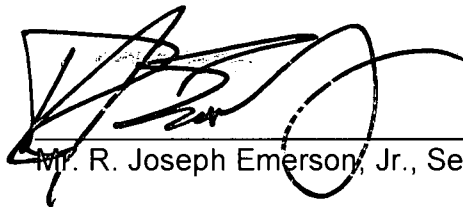
2043 Mr. Archer - Mr. Chairman, before you move, I would just like to ask—that
 2044 last item that we discussed, does that take away any authority we have to request plats?
 2045
 2046 Mr. Emerson - Yes it does on subdivisions of less than fifty. It could go straight
 2047 to recordation unless there's some exception or request that would cause it to come
 2048 forward to you.
 2049
 2050 Mr. Archer - Can we make it a non-binding policy or something of the sort?
 2051
 2052 Mr. Emerson - We're looking at it, and we certainly can discuss it with you
 2053 more. Right now I do not believe you could. Other than if there's an exception or some
 2054 other action that is needed for the subdivision, that you would get an opportunity to see
 2055 those. We certainly will try to keep each Commissioner aware of any submissions that we
 2056 see in that regard. We talked a lot about this on staff level. We really feel like we're the
 2057 quality check to a great extent for engineering firms. So we don't know that we're going to
 2058 see a lot of firms take—or a lot of entities take advantage of this because I think our
 2059 process helps them. We haven't had any complaints on our process. I think this came out
 2060 of the General Assembly aimed at some localities who possibly do not process things as
 2061 quickly and as cost effectively as we do.
 2062
 2063 Mr. Archer - Okay.
 2064
 2065 Mr. Leabough - Any other questions? I would like to note for the record that I
 2066 plan to abstain from the ordinance as it relates to group homes, so I'll entertain a motion
 2067 to vote on both ordinances separately. If one of you all would make a motion to recommend
 2068 approval or denial of the first ordinance.
 2069
 2070 Mr. Branin - For group homes?
 2071
 2072 Mr. Leabough - Yes sir.
 2073
 2074 Mr. Branin - Okay. I'd like to move for approval.
 2075
 2076 Mr. Witte - Second.
 2077
 2078 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr. Witte. All in
 2079 favor say aye. All opposed say no. The ayes have it; the motion passes.
 2080
 2081 Mr. Leabough - Abstain
 2082 Mr. Witte - Yes
 2083 Mr. Archer - Yes
 2084 Mr. Branin - Yes
 2085 Mrs. Jones - Absent
 2086
 2087 Mr. Kaechele - And I abstain as well.
 2088

2089 Mr. Leabough - And Mr. Kaechele abstains for the record. So we have—I'll call
 2090 it out. Mr. Kaechele, you abstain?
 2091
 2092 Mr. Kaechele - Yes.
 2093
 2094 Mr. Leabough - Mr. Branin?
 2095
 2096 Mr. Branin - Aye.
 2097
 2098 Mr. Leabough - Mr. Witte?
 2099
 2100 Mr. Witte - Aye.
 2101
 2102 Mr. Leabough - Mr. Archer?
 2103
 2104 Mr. Archer - Aye.
 2105
 2106 Mr. Leabough - Mr. Leabough. I abstain. That being the case, the ayes have it.
 2107 That ordinance is recommended for approval to the Board. All right. And now I'll entertain
 2108 a motion for the second ordinance related to subdivisions.
 2109
 2110 Mr. Witte - I move for approval.
 2111
 2112 Mr. Branin - Second.
 2113
 2114 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Branin. All in
 2115 favor say aye. All opposed say no. The ayes have it; the motion passes.
 2116
 2117 Mr. Emerson - Mr. Chairman, I do have one other discussion item for the
 2118 Commission this morning. I would like to request a work session. It's on your amended
 2119 agenda. I apologize that it's not on your regular agenda. We should have gotten it on there
 2120 but we were a little remiss.
 2121
 2122 Mr. Leabough - You were up until 7:00 last night working on that Wegmans'
 2123 case.
 2124
 2125 Mr. Emerson - Actually, I was here in the office until about 11:20 last night.
 2126
 2127 Mr. Branin - Our director left probably three minutes before I did.
 2128
 2129 Mr. Emerson - But at any rate. As you know, we've been having work
 2130 sessions regarding different items that the Commission has had some concern with. When
 2131 we went through the materials, I did mention to you that we had done an overall analysis
 2132 of the last ten years of proffers. We'd like to schedule a work session on October 9th to
 2133 review that with you. That could take a little while. I would suggest 5:30, if that meets with
 2134 your liking. And certainly we'll provide dinner.

2135
2136 Mr. Archer - You said the ninth?
2137
2138 Mr. Emerson - Yes sir, October 9th. That will be your next meeting.
2139
2140 Mr. Archer - Yes. That is it.
2141
2142 Mr. Branin - I'd like to move for a work session October 9th starting at 5:30.
2143
2144 Mr. Leabough - Second. We have a motion by Mr. Branin, a second by Mr.
2145 Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion passes.
2146
2147 Mr. Emerson - Mr. Chairman, I have nothing further for the Commission this
2148 morning.
2149
2150 Mr. Leabough - All right. Any other items for the Commission? If not, I'll
2151 entertain a motion for adjournment.
2152
2153 Mr. Archer - So moved.
2154
2155 Mr. Leabough - Second. I have a motion for adjournment by Mr. Archer, a
2156 second by Mr. Leabough. All in favor say aye. All opposed say no. The ayes have it; the
2157 motion passes.
2158
2159 We are adjourned.
2160
2161
2162
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2164
2165
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- 2167
2168
2169
2170



Mr. Eric Leabough, Chairman.



Mr. 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 **September 24, 2014**, 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.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature. **(For POD which includes lighting plan approval)**
12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. **(Revised January 2008)**
17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.

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

STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **September 24, 2014**, 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.
33. The mechanical equipment for each building shall be located on its respective lot. Except for wall-mounted electric meters, in no case shall the eight-foot easement for construction, drainage, and maintenance access on the abutting lot be used to locate other mechanical equipment (such as HVAC equipment, generators, and the like) for the subject lot.

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

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 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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **September 24, 2014**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **September 23, 2015**, 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

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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **September 24, 2014**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **September 23, 2015**, 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

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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **September 24, 2014**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **September 23, 2015**, 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

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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **September 24, 2014**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **September 23, 2015**, 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.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, 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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **September 24, 2014**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **September 23, 2015**, 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.

