

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, April 26, 2017.
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Members Present: Mr. Eric S. Leabough, C.P.C., Chairperson (Varina)
Mr. Robert H. Witte, Jr., Vice-Chairperson (Brookland)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Gregory R. Baka (Tuckahoe)
Mrs. Sandra M. Marshall (Three Chopt)
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning,
Secretary
Mr. Tyrone E. Nelson, Board of Supervisors' Representative

Others Present: Ms. Jean Moore, Assistant Director of Planning
Ms. Leslie A. News, PLA, Senior Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, AICP, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Aimee B. Crady, AICP, County Planner
Ms. Kate B. McMillion, County Planner
Mr. Gary A. DuVal, P.E., Traffic Engineer
Mr. William Moffett, CPETD Planner, Division of Police
Ms. Melissa Ferrante, Office Assistant / Recording Secretary

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6 **Mr. Tyrone E. Nelson, the Board of Supervisors' representative, abstains on all**
7 **cases unless otherwise noted.**
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9 Mr. Leabough - I call this meeting of the Henrico County Planning
10 Commission to order. This is our April 26, 2017 plans of development public hearing. I
11 ask that everyone mute or silence your cell phones. As you do that, I ask that you stand
12 with the Commission for the Pledge of Allegiance.
13

14 Do we have anyone from the news media in the audience? I don't think I see anyone.
15 We don't. Okay.
16

17 I'd like to thank Mr. Nelson for serving with us on the Commission this year. Thank you
18 for being here. All the other Commission members are present, so we can conduct
19 business. With that, I'd like to turn the agenda over to Mr. Emerson, our secretary.
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21 Mr. Emerson - Thank you, Mr. Chairman. First item on the agenda this
22 morning are the requests for deferrals and withdrawals, and I believe there are none of
23 those this morning.

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Ms. News - That's correct.

Mr. Emerson - So next on the agenda will be your expedited agenda, and those items will be presented by Ms. Leslie News.

Ms. News - Thank you, Mr. Secretary. Good morning members of the Commission. We have five items on our expedited agenda this morning. The first is found on page 3 of your agenda and is located in the Fairfield District. This is transfer of approval for POD-87-98, Goodyear at Virginia Center Commons Shopping Center. Staff recommends approval

TRANSFER OF APPROVAL

POD-87-98 POD2017-00132 Goodyear at Virginia Center Commons Shopping Center – 10089 Brook Road	SL Nusbaum Realty for JWN Properties, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Regency Realty, Inc. and North Park Peripheral Associates to JWN Properties, LLC. The 1.21-acre site is located in an existing shopping center along an internal access road, approximately 600 feet northeast of the intersection of Brook Road and JEB Stuart Parkway, on parcel 784-770-4127. The zoning is B-3C, Business District (Conditional). County water and sewer. (Fairfield)
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Mr. Leabough - Is there anyone present who is opposed to the transfer request for POD-87-98 (POD2017-00132), Goodyear at Virginia Center Commons Shopping Center? I see no opposition, Mr. Archer.

Mr. Archer - Okay, Mr. Chairman. That being the case, I move for approval of TOA POD-87-98 (POD2017-00132), Goodyear at Virginia Center Commons Shopping Center, subject to the conditions of the original approval and staff's recommendation.

Mr. Leabough - We have a motion by Mr. Archer, a second by Mrs. Marshall. All in favor say aye. Those opposed? There is no opposition; that motion passes.

The Planning Commission approved the transfer of approval request for POD-87-98 (POD2017-00132), Goodyear at Virginia Center Commons Shopping Center from Regency Realty, Inc. and North Park Peripheral Associates to JWN Properties, LLC, 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-76-07. It's a portion of a POD for Laburnum Center at Ashley Furniture Homestore Station, formerly Laburnum Station. Staff recommends approval.

60 **TRANSFER OF APPROVAL**

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POD-076-07 (pt)
POD2016-00408
Laburnum Center @
Ashley Furniture
Homestore Station
(Formerly Laburnum
Station) – 4420 South
Laburnum Avenue

M. Leo Storch Management Corporation for Laburnum Centre, LLC: Request for transfer of approval of a portion of a Plan of Development as required by Chapter 24, Section 24-106 of the Henrico County Code from Laburnum Richmond Center, LLC to Laburnum Centre, LLC. The 4.579-acre site is located in an existing shopping center at the southwestern corner of South Laburnum Avenue and Gay Avenue on parcel 814-717-0456. The zoning is B-2C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

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63 Mr. Leabough - Is there anyone present who is opposed to transfer request
64 for POD-076-07(pt) (POD2016-00408), Laburnum Center at Ashley Furniture
65 Homestore Station (formerly Laburnum Station)? I see no opposition. So with that, I
66 move approval of the transfer request for POD-076-07(pt) (POD2016-00408), Laburnum
67 Center at Ashley Furniture Homestore Station (formerly Laburnum Station), subject to
68 the previously approved conditions, on the expedited agenda.

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70 Mr. Witte - I second that.

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72 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Witte.
73 All in favor say aye. Those opposed? There is no opposition; that motion passes.

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75 The Planning Commission approved the transfer of approval request for POD-076-
76 07(pt) (POD2016-00408), Laburnum Center at Ashley Furniture Homestore Station
77 (formerly Laburnum Station), from Laburnum Richmond Center, LLC to Laburnum
78 Centre, LLC, subject to the standard and added conditions previously approved.

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80 Ms. News - The next item is on page 5 of your agenda and located in the
81 Varina District. This is POD2017-00069, The Growers Exchange at Techpark. There is
82 an addendum item on page 1 of your addendum that includes a revised plan showing
83 the deletion of an outdoor storage area and relocation of the brick screen wall to the
84 area between the parking and the loading area. Staff can continue to recommend
85 approval.

86

87 *(Deferred from the March 22, 2017 Meeting)*

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PLAN OF DEVELOPMENT

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POD2017-00069
The Growers Exchange at
Techpark - 1001 Techpark
Place

Sekiv Solutions, LLC for Agape Properties of Virginia, LLC and Briscoe White III: 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, 29,185 square foot office warehouse and distribution

center, including greenhouse facilities. The 3.95-acre site is located along the east line of Techpark Place, approximately 1,800 feet south of Technology Boulevard, on part of parcel 844-703-6690. The zoning is M-2C, General Industrial District (Conditional). County water and sewer. **(Varina)**

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Mr. Leabough - Is there anyone present who is opposed to POD2017-00069, The Growers Exchange at Techpark? There being no opposition, I move approval of POD2017-00069, The Growers Exchange at Techpark, subject to standard conditions for developments of this type, any annotations on the plans, noting the revised plan as noted in the addendum, and the additional conditions 29 through 33 as noted on the agenda.

Mr. Baka - Second.

Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Baka. All in favor say aye. Those opposed? There is no opposition; that motion passes.

The Planning Commission approved POD2017-00069, The Growers Exchange at Techpark, subject to the standard and added conditions previously approved and the following additional conditions:

- 29. The proffers approved as a part of zoning case C-60C-97 shall be incorporated in this approval.
- 30. Outside storage shall not be permitted except as shown on the approved plan.
- 31. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.
- 32. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
- 33. The limits and elevations of the Special Flood Hazard Area shall be conspicuously noted on the plan and labeled "Limits of Special Flood Hazard Area." In addition, the delineated Special Flood Hazard Area must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.

Ms. News - The next item is on page 12 of your agenda and located in the Three Chopt District. This is a landscape plan for POD2017-00129, CVS/Pharmacy Store at Broad Hill Centre. Staff recommends approval.

130 **LANDSCAPE PLAN**

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POD2017-00129
CVS / Pharmacy Store at
Broad Hill Centre – 12410
West Broad Street

The Rebkee Company for CVS 10990 VA, LLC: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.55-acre site is located on the northern line of West Broad Street (U.S. Route 250), approximately 3,900 feet west of its intersection with North Gayton Road, on parcel 730-765-2396. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

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133 Mr. Leabough - Is there anyone present who is opposed to POD2017-00129,
134 CVS/Pharmacy Store at Broad Hill Centre? I see no opposition.

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136 Mrs. Marshall - Mr. Chairman, I move approval of the landscape plan for
137 POD2017-00129, CVS/Pharmacy Store at Broad Hill Centre, on the expedited agenda,
138 subject to the annotations on the plans and standard conditions for landscape plans.

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140 Mr. Archer - Second.

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142 Mr. Leabough - We have a motion by Mrs. Marshall, a second by Mr. Archer.
143 All in favor say aye. Those opposed? There is no opposition; that motion passes.

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145 The Planning Commission approved the landscape plan for POD2017-00129,
146 CVS/Pharmacy Store at Broad Hill Centre, subject to the standard conditions attached
147 to these minutes for landscape plans.

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149 Ms. News - The final item is on page 13 of your agenda and located in
150 the Brookland District. This is a landscape and lighting plan for POD2016-00314 and
151 00315, Carriage Homes at Parham Place, Section 1. Staff recommends approval.

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153 **LANDSCAPE AND LIGHTING PLAN**

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POD2016-00314 &
POD2016-00315
Carriage Homes at
Parham Place Section 1 –
Revised – 7814 East
Parham Road

HG Design Studio for Townhomes at Parham Place, LLC: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 22.65-acre site is located on the northern line of East Parham Road, approximately 500 feet west of Shrader Road, on parcels 763-755-1261, 763-756-4328, and part of parcel 762-755-3882. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Brookland)**

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156 Mr. Leabough - Is there anyone present who is opposed to POD2016-00314
157 & POD2016-00315, Carriage Homes at Parham Place Section 1? I see no opposition.
158 Mr. Witte.

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160 Mr. Witte - Mr. Chairman, I move approval of the landscape and lighting
161 plans for POD2016-00314 & POD2016-00315, Carriage Homes at Parham Place
162 Section 1, as presented, subject to the annotations on the plans and standard
163 conditions for landscape and lighting.

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165 Mr. Baka - Second.

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167 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Baka. All in
168 favor say aye. Those opposed? There is no opposition; that motion passes.

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170 The Planning Commission approved the landscape and lighting plan for POD2016-
171 00314 & POD2016-00315, Carriage Homes at Parham Place Section 1, subject to the
172 standard conditions attached to these minutes for landscape and lighting plans.

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174 Ms. News - That completes our expedited agenda.

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176 Mr. Leabough - Thank you, ma'am. Ms. Truong, you're with the *Richmond*
177 *Times-Dispatch*. Thank you for being here with us today.

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179 Mr. Emerson - Mr. Chairman, next on your agenda are the Subdivision
180 Extensions of Conditional Approval. You do have one action item this morning. These
181 items will be presented by Ms. Kate McMillion.

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184 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

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186 **EXTENSIONS – FOR PLANNING COMMISSION CONSIDERATION**

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Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magistrial District	Recommended Extension
SUB2011-00024 SUB-004-11 Broaddus Glen (April 2011 Plan)	34	34	5	Fairfield	April 26, 2018

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EXTENSIONS - FOR INFORMATIONAL PURPOSES ONLY

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2013-00040 Short Pump Manor at Bacova (April 2013 Plan)	89	11	3	Three Chopt	April 26, 2018

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Ms. McMillion - Good morning. There are two conditional subdivision extensions on the agenda this morning. The first case, Broaddus Glen, April 2011 plan, which is located in the Fairfield District, will require Commission action as more than 60 months have elapsed since its original conditional approval date.

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The second case, Short Pump Manor at Bacova, April 2013 plan, located in the Three Chopt District, is eligible for a one-year extension, which does not require Commission action and is for information purposes only.

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I am available for any questions you may have.

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Mr. Leabough - Are there any questions for Ms. McMillion? No questions.

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Thank you.

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Mr. Archer - Mr. Chairman, I move that extension for SUB2011-00024, SUB-004-11, Broaddus Glen (April 2011 Plan), be granted.

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Mr. Leabough - Second. We have a motion by Mr. Archer, a second by Mr. Leabough. All in favor say aye. Those opposed? There is no opposition; that motion passes.

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The Planning Commission granted an extension of conditional approval for SUB2011-00024, SUB-004-11, Broaddus Glen (April 2011 Plan).

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Mr. Emerson - Mr. Chairman, we now move to page 7 of your regular agenda and page 2 of your amended agenda for POD2017-00136, Koontz-Bryant, PC for Wilton Acquisition, LLC, Robert B. Ball, Senior Estate, and Edna and Robert B. Ball, Senior Estate. The staff report will be presented by Mr. Mike Kennedy.

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PLAN OF DEVELOPMENT

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POD2017-00136

The Glens at Scott Place
Section 1 – 951 Scott
Road

Koontz-Bryant, PC for Wilton Acquisition, LLC, Robert B. Ball, Senior Estate, and Edna and Robert B. Ball, Senior Estate: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct ~~44~~ **43** two-story,

residential townhouses for sale. The 7.6-acre portion of the 16.412-acre site is located between the south line of Scott Road and the northwest corner of East Parham Road (State Route 73) and Interstate 95 (I-95), on parcels 785-757-9998, 785-757-8737, 785-757-5477, 785-757-5749, and 785-757-6118. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Fairfield)**

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Mr. Leabough - Is there anyone present who is opposed to POD2017-00136, The Glens at Scott Place Section 1? I see no opposition. Good morning, Mr. Kennedy.

Mr. Kennedy - Good morning, Mr. Leabough, members of the Commission.

Since the preparation date of the agenda, the applicant's engineer has submitted a revised plan (last Thursday) to address staff concerns regarding storm water management. It was contemplated to have a dry BMP at this location on top of an Army Corps-designated wetland.

The revised plan provides additional information required by VDOT regarding stormwater outflow for the project. The outflow is located within the limited access right-of-way for I-95. The engineers provided evidence that the post-development discharge into the VDOT right-of-way will not exceed the 100-year storm that was previously done. The concern was that during a 100-year storm it would flood the I-95 corridor. And because it doesn't increase the flow, it's acceptable.

In addition, the engineers revised, as I indicated earlier, the stormwater management plan per the Army Corps of Engineers to minimize impacts to the wetlands. So now instead of having one BMP they have two in the wetlands. The revised plan replaces a single best management practice stormwater management dry pond located over the creek with two small BMPs. During the review, DPW staff requested additional information—that information was provided yesterday—to show that the ponds will have sufficient capacity and the drying ponds will otherwise satisfy Public Works design standards regarding maintenance and safety. Planning staff also reviewed the revised plan and have determined that the pond design provides sufficient area for appropriate landscaping as required by the proffers.

The revised plan resulted in the elimination of one lot in this section which encroached upon the creek; so there was an additional lot in this location here. As you can see the creek goes across the back, and has to be eliminated. So the caption has been revised and says 43 lots instead of 44.

Since the revised plan was submitted prior to the Planning Commission's deadline, a waiver of time limits is not required.

266 Staff recommends approval of the revised plan subject to the annotations on the plan,
267 the standard conditions for residential townhouses for sale, and additional conditions 29
268 through 43 on the agenda. And Mr. Wilton is here to answer any questions.

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270 Mr. Leabough - Are there any questions from the Commission for
271 Mr. Kennedy?

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273 Mr. Archer - I don't have any, Mr. Chair. But if the rest of you do?

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275 Mr. Leabough - It doesn't appear that anyone else does either.

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277 Mr. Archer - Okay. Mr. Kennedy, you did say time limits do not need to be
278 waived?

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280 Mr. Kennedy - Yes, sir.

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282 Mr. Archer - All right, thank you.

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284 Mr. Leabough - Would you like to hear from the applicant, sir?

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286 Mr. Archer - I don't think we need to, no.

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288 Mr. Leabough - Well a motion would be in order then.

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290 Mr. Archer - Thank you so much. Mr. Chairman, I will move for approval
291 of POD2017-00136, The Glens at Scott Place Section 1, subject to the annotations on
292 the plan, the additional conditions 29 through 43, staff recommendations, and the
293 revised plan.

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295 Mr. Witte - Second.

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297 Mr. Leabough - We have a motion by Mr. Archer, a second by Mr. Witte. All
298 in favor say aye. Those opposed? There is no opposition; that motion passes.

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300 The Planning Commission approved POD2017-00136, The Glens at Scott Place
301 Section 1, subject to the annotations on the plans, the standard conditions attached to
302 these minutes for developments of this type, and the following additional conditions:

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304 29. The subdivision plat for The Glens at Scott Place, Section 1 shall be recorded
305 before any building permits are issued.

306 30. The right-of-way for widening of Scott Road as shown on approved plans shall be
307 dedicated to the County prior to any occupancy permits being issued. The right-
308 of-way dedication plat and any other required information shall be submitted to
309 the County Real Property Agent at least sixty (60) days prior to requesting
310 occupancy permits.

- 311 31. The drainage facilities on Interstate 95 (I-95) shall be approved by the Virginia
312 Department of Transportation and the County.
- 313 32. Prior to issuance of a certificate of occupancy for any building in this
314 development, the engineer of record shall certify that the site has been graded in
315 accordance with the approved grading plans.
- 316 33. A concrete sidewalk meeting County standards shall be provided along the south
317 side of Scott Road.
- 318 34. The proffers approved as a part of zoning case REZ2016-00024 shall be
319 incorporated in this approval.
- 320 35. A construction staging plan which includes details for traffic control, fire
321 protection, stockpile locations, construction fencing and hours of construction
322 shall be submitted for County review and prior to the approval of any final
323 construction plans.
- 324 36. A note in bold lettering shall be provided on the erosion control plan indicating
325 that sediment basins or traps located within buildable areas or building pads shall
326 be reclaimed with engineered fill. All materials shall be deposited and compacted
327 in accordance with the applicable sections of the state building code and
328 geotechnical guidelines established by the engineer. An engineer's report
329 certifying the suitability of the fill materials and its compaction shall be submitted
330 for review and approval by the Director of Planning and Director of Public Works
331 and the Building Official prior to the issuance of any building permit(s) on the
332 affected sites.
- 333 37. The pavement shall be of an SM-2A type and shall be constructed in accordance
334 with County standard and specifications. The developer shall post a defect bond
335 for all pavement with the Department of Planning - the exact type, amount and
336 implementation shall be determined by the Director of Planning, to protect the
337 interest of the members of the Homeowners Association. The defect bond shall
338 remain in effect for a period of three years from the date of the issuance of the
339 final occupancy permit. Prior to the issuance of the last Certificate of Occupancy,
340 a professional engineer must certify that the roads have been designed and
341 constructed in accordance with County standards.
- 342 38. Approval of the construction plans by the Department of Public Works does not
343 establish the curb and gutter elevations along the Henrico County maintained
344 right-of-way. The elevations will be set by Henrico County.
- 345 39. The owners shall not begin clearing of the site until the following conditions have
346 been met:
- 347 (a) The site engineer shall conspicuously illustrate on the plan of development
348 or subdivision construction plan and the Erosion and Sediment Control
349 Plan, the limits of the areas to be cleared and the methods of protecting
350 the required buffer areas. The location of utility lines, drainage structures
351 and easements shall be shown.
- 352 (b) After the Erosion and Sediment Control Plan has been approved but prior
353 to any clearing or grading operations of the site, the owner shall have the
354 limits of clearing delineated with approved methods such as flagging, silt
355 fencing or temporary fencing.

- 356 (c) The site engineer shall certify in writing to the owner that the limits of
 357 clearing have been staked in accordance with the approved plans. A copy
 358 of this letter shall be sent to the Department of Planning and the
 359 Department of Public Works.
- 360 (d) The owner shall be responsible for the protection of the buffer areas and
 361 for replanting and/or supplemental planting and other necessary
 362 improvements to the buffer as may be appropriate or required to correct
 363 problems. The details shall be included on the landscape plans for
 364 approval.
- 365 40. All subsequent detailed plans of development needed to implement this
 366 conceptual plan shall be submitted for staff review and Planning Commission
 367 approval, and shall be subject to all regulations in effect at the time such
 368 subsequent plans are submitted for review/ approval.
- 369 41. The location of all existing and proposed utility and mechanical equipment
 370 (including HVAC units, electric meters, junctions and accessory boxes,
 371 transformers, and generators) shall be identified on the landscape plan. All
 372 building mounted equipment shall be painted to match the building, and all
 373 equipment shall be screened by such measures as determined appropriate by
 374 the Director of Planning or the Planning Commission at the time of plan approval.
- 375 42. The limits and elevations of the Special Flood Hazard Area shall be
 376 conspicuously noted on the plan and labeled "Limits of Special Flood Hazard
 377 Area." In addition, the delineated Special Flood Hazard Area must be labeled
 378 "Variable Width Drainage and Utility Easement." The easement shall be granted
 379 to the County prior to the issuance of any occupancy permits.
- 380 43. The developer must obtain a Demolition Permit from the Building Official's office
 381 prior to demolition of the existing structures and must abandon any well or private
 382 on-site sanitary disposal system in accordance with Health Department
 383 standards.
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385 Mr. Emerson - Mr. Chairman, we now move on to page 10 of your agenda
 386 for SUB2017-00027, David and P. Kay Pangraze. The staff report will be presented by
 387 Mr. Greg Garrison.
 388

389 **ALTERNATIVE FENCE HEIGHT PLAN - RESIDENCE**
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SUB2017-00027 Pangraze Residence – Chatham Hills, 6 Bridgeway Road	David and P. Kay Pangraze: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-95 (l)(7)(b), 24-106, and 24-106.2 of the Henrico County Code, to allow a 7-foot wall in the front yard along River Road. The 0.62-acre site is located on the southwest corner of the intersection of River Road and Bridgeway Road, on parcel 763-731-5975. The zoning is R-1, Residential District. County water and sewer. (Tuckahoe)
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 392 Mr. Leabough - Is there anyone present who is opposed to SUB2017-00027,
 393 Pangraze Residence? We do have opposition.

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395 Ms. Broughton - [Off microphone] It's not opposition. I just have some
396 questions.

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398 Mr. Leabough - Okay. Thank you. Actually, ma'am, Mr. Garrison is going to
399 present the case. And then at that point in time, you can come forward and share your
400 questions or concerns.

401

402 Ms. Broughton - [Off microphone] Thank you.

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404 Mr. Leabough - All right. Mr. Garrison.

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406 Mr. Garrison - Good morning. This parcel was recently divided into two lots
407 to allow construction of a second dwelling. The dwelling currently under construction on
408 the subject parcel will face Bridgeway Road; however, the former side yard facing River
409 Road will now become the front yard for purposes of zoning requirements. The
410 applicant therefore requests approval of an alternative fence height in the front yard to
411 erect a seven-foot-tall masonry wall along the northern property line—that's right here—
412 adjacent to River Road.

413

414 Per Section 24-95 of the County Code, the Planning Commission pursuant to the review
415 and approval of a landscape plan shall permit an alternative fence height exceeding 3-
416 1/2 feet but not exceeding 7 feet in the front yard or along the front lot line provided that
417 the design does not adversely affect the health, safety, and/or welfare of persons
418 residing on or working on the premises; the visibility or value of abutting and/or adjacent
419 properties; the adequate supply of light and air to adjoining property; traffic or
420 pedestrian safety; and adequate sight distance.

421

422 The applicant proposes a 120-foot-by-7-foot-tall wall approximately 2-1/2 feet off the
423 northern property line. The wall will be constructed of concrete masonry units parged
424 with a stucco finish with brick columns. Existing plant material in the wooded area
425 between the wall and River Road is to remain.

426

427 Customarily, staff makes no recommendation for approval or denial before the Planning
428 Commission regarding requests for alternative fence heights. Should the Commission
429 approve this request, the following conditions for alternative fence height plans are
430 recommended:

431

- 432 1. The property shall be developed as shown on the plan filed with the case and no
433 changes or additions to the layout shall be made without the approval of this
434 Commission.
- 435 2. The owner shall have a set of approved plans available at the site at all times
436 when work is being performed. A designated responsible employee shall be
437 available for contact by County inspectors.
- 438 3. The wall shall be maintained in good repair by the owner. Trash and debris
439 should not be allowed to accumulate along the fence.

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441 Staff and Kay Pangraze are available to answer any questions that you may have. That
442 concludes my presentation.

443

444 Mr. Leabough - Are there any questions for Mr. Garrison from the
445 Commission?

446

447 Mr. Baka - I do have a question briefly. Mr. Garrison, there is a row of
448 small trees or scrub trees and vegetation between River Road and the property line
449 before you get to where the fence would be. I realize that's VDOT. Do we have any
450 indications that that vegetation would be able to stay?

451

452 Mr. Garrison - Yes. As far as I know, Ms. Pangraze has said that that is to
453 remain.

454

455 Mr. Baka - Okay. And secondly, it's not on private property, so a private
456 property owner couldn't remove it in any event?

457

458 Mr. Garrison - Yes. That is in the right of way. That's the city line right
459 there. So if anybody was to remove it, it would be either the city or a road maintenance
460 crew.

461

462 Mr. Baka - Okay. No further questions at this time, but I'd like to hear
463 from the neighbors.

464

465 Mr. Leabough - Yes. Ma'am, could you please come forward? And as you
466 approach the podium, Mr. Emerson, will you please share with the audience our
467 guidelines for speaking at our public hearings?

468

469 Mr. Emerson - Yes sir, Mr. Chairman. As the Chairman has noted, we do
470 have guidelines regarding public hearings and they are as follows: The applicant is
471 allowed ten minutes to present the request, and time may be reserved for responses to
472 testimony. Opposition is allowed a cumulative ten minutes to present its concerns,
473 meaning everybody that wants to speak should fit within ten minutes. Commission
474 questions do not count into those time limits. The Commission may waive the limits for
475 either party at its discretion, and the comments must be directly related to the case
476 under consideration.

477

478 Ms. Broughton - Thank you.

479

480 Mr. Leabough - Thank you. These are recorded proceedings, so if you don't
481 mind, please state your name for the record.

482

483 Ms. Broughton - Gayle Broughton. I'm Chairman of the board of directors for
484 Chatham Square, which is the adjoining property.

485

486 We have no objections to the fence. It was my understanding, or misunderstanding, that
487 it was going to come all the way down to the Chatham Square fence. However, now I
488 understand that there's a whole lot in between this lot and our fence. We were just
489 concerned about how it would connect, but obviously it's not going to connect at all. And
490 I'm assuming it's going to go to the back of that property.

491
492 Mr. Baka - Not all the way to the rear. It stops.

493
494 Ms. Broughton - Okay. And then whomever purchases the second lot would
495 be responsible for the frontage, fencing, or whatever's there, in between what we're
496 talking about and the Chatham Square property. Is that correct?

497
498 Mr. Emerson - Yes ma'am, that would be correct. It would have to go
499 through the same process. If they wanted to place a structure such as this, they'd have
500 to come back in front of this body for the same approval.

501
502 Ms. Broughton - Okay. And if I understand what you've just said that it is—is
503 it VDOT's responsibility or City of Richmond's responsibility to take care of the
504 vegetation in front of the fencing?

505
506 Mr. Emerson - I believe it would be the city.

507
508 Ms. Broughton - Okay. That's all we need to know. Thank you so much for
509 your time.

510
511 Mr. Leabough - Thank you. Mr. Baka, would you like the applicant to come
512 forward?

513
514 Mr. Baka - Not unless there are any other questions from the
515 Commission.

516
517 Mr. Leabough - Sir, are you here in opposition?

518
519 Mr. Coley - [Off microphone] No, I have a question.

520
521 Mr. Leabough - Please come forward. I apologize. I didn't see you with your
522 hand up earlier, so my mistake.

523
524 Mr. Coley - Good morning. My question is, I live on Concord. When they
525 start developing that property, I want to know whether the commercial vehicles are
526 going to be coming up and down Concord or not. That's what I want to know. Or are
527 they going to access it from Scott Road? I live right there and Concord is a residential
528 street. Big trucks and things, we don't want them coming down there. Are they going to
529 build the wall before they start construction on the houses?

530
531 Mr. Emerson - Sir, I would first ask if you'd state your name for the record.

532 Mr. Coley - Pardon me?
533
534 Mr. Emerson - Would you please state your name for the record? We do
535 record the minutes.
536
537 Mr. Coley - All right. My name is Edward Coley. C-o-l-e-y.
538
539 Mr. Emerson - Thank you, Mr. Coley.
540
541 Mr. Coley - I live on North Concord Avenue, 900.
542
543 Mr. Emerson - And that's off Scott Road?
544
545 Mr. Coley - No. Concord runs from Brook Road down where it goes to a
546 dead end street. You can access Concord from Parham Road, Aberdeen. Scott Road
547 becomes Athens Avenue. If you go south, you can access Concord.
548
549 Mr. Emerson - Yes, sir. Mr. Coley, this is not that case. That case was
550 acted on a few minutes ago.
551
552 Mr. Coley - Pardon me?
553
554 Mr. Emerson - This is not the Scott Glen case. That is not being considered
555 right now. Mr. Kennedy, could you go out in the foyer with Mr. Coley and see if you can
556 answer his questions?
557
558 Mr. Leabough - Thank you, sir. We're on a different case that we're covering
559 at this point. So our apologies.
560
561 Mr. Coley - Okay.
562
563 Mr. Baka - If there are no other questions, I'm ready.
564
565 Mr. Leabough - Yes, please.
566
567 Mr. Baka - At this time, I would go ahead and move that SUB2017-
568 00027, Pangraze Residence, be approved subject to the annotations on the plan and
569 conditions 1 through 3 listed in the agenda.
570
571 Mr. Witte - Second.
572
573 Mr. Leabough - We have a motion by Mr. Baka, a second by Mr. Witte. All in
574 favor say aye. Those opposed? There is no opposition; that motion passes.
575

576 The Planning Commission granted alternative fence height approval to SUB2017-
577 00027, Pangraze Residence, subject to the annotations on the plans, and the following
578 additional conditions:
579

- 580 1. The property shall be developed as shown on the plan filed with the case and no
581 changes or additions to the layout shall be made without the approval of this
582 Commission.
- 583 2. The owner shall have a set of approved plans available at the site at all times
584 when work is being performed. A designated responsible employee shall be
585 available for contact by County Inspectors.
- 586 3. The fence shall be maintained in good repair by the owner. Trash and debris
587 should not be allowed to accumulate along the fence.
588

589 Mr. Emerson - Mr. Chairman, we now move on to page 15 of your regular
590 agenda and page 2 of your amended agenda for POD2017-00134 and POD2017-
591 00135, Koth Consulting, PC for Par 3 Development Group, LLC. The staff report will be
592 presented by Mr. Mike Kennedy.
593

594 **LANDSCAPE AND LIGHTING PLAN**
595

596 597 598 599 600 601	POD2017-00134 & POD2017-00135 Dollar General Mountain Road – 10710 John Cussons Drive	Koth Consulting, PC for Par 3 Development Group, LLC: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24- 106.2 of the Henrico County Code. The 1.24-acre site is located at the northwestern corner of Mountain Road and John Cussons Drive, on parcel 770-767-5189. The zoning is B-2C, Business District (Conditional). County water and sewer. (Brookland)
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602 Mr. Garrison - Mr. Kennedy is out helping the resident real quick. He'll be
603 right back.
604

605 Mr. Emerson - Oh, I'm sorry.
606

607 Mr. Leabough - Is there anyone present who is opposed to POD2017-00134
608 and POD2017-00135, Dollar General Mountain Road? If you are, please raise your
609 hand high. We have opposition. Thank you. Is there anyone else? Thank you, we have
610 opposition in the back.
611

612 Mr. Emerson - We'll have Mr. Kennedy back in just a second.
613

614 Mr. Leabough - If you all will just bear with us, we appreciate it.
615

616 Mr. Emerson - He's coming back in now.
617

618 Mr. Leabough - You can't be in two places at the one time, Mr. Kennedy?
619

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659

Mr. Kennedy - I have a twin.

Mr. Leabough - Thank you, sir.

Mr. Kennedy - Good morning, again.

The proposed landscape and lighting plan is for the Dollar General currently under construction at 10710 John Cussons Drive. The plan of development was approved by the Planning Commission at its February 24, 2016 meeting.

The proposed landscape and lighting plan satisfies the proffers of rezoning case C-072C-88 and all related code requirements. The plan satisfies proffer 2 which requires a minimum 10-foot transitional buffer adjacent to the 100-year floodplain, which is here.

Mr. Leabough - Mr. Kennedy? I'm not sure if everyone can hear you. Do you mind getting close to the mic, please?

Mr. Kennedy - I can do that, yes sir.

Mr. Emerson - Mike, if you would, you could just pull it up some. There you go.

Mr. Leabough - Thank you.

Mr. Kennedy - To restate, the plan satisfies proffer #2, which requires a 10-foot transitional buffer adjacent to the floodplain and that will be planted to the 10-foot transitional buffer requirements. That's in this area here. In addition, the plan satisfies proffer #3, which requires a minimum 20-foot-wide buffer adjacent to Mountain Road, which will be planted to the 25-foot transitional buffer requirements. It also requires a transitional buffer adjacent to the residential property which is owned by the church in this area here. So all those three things are satisfied and the plan satisfies the tree and peripheral parking and landscape requirements.

The peripheral landscaping planting along John Cussons Drive will be in addition to the existing tree save area along John Cussons Drive. So they are adding trees to the existing trees. There are five existing oak trees. Staff did not provide any credit for the existing trees because we felt they were not in adequate condition to survive a long time. When they constructed the parking lot, they cut the roots on that side of the trees. So we're allowing them to stay, but we did not count them toward the credits that they need for landscaping requirements. If those trees do die, they do not have to replace them because they supplemented them with additional trees to make up for the loss already. We thought this was the best possible response to maintain them if possible, but if not, making sure that there were additional trees. Normally trees every 40 feet along this section of the road would be required. At this time, they have trees every 20 feet.

660

661 The plan provides landscaping in this area here with arborvitae to screen the loading
662 area as you're coming down the road. It provides wax myrtles here to screen as you're
663 driving down this section of the road. The wax myrtles have increased in size, and the
664 shrubs that are in the front here have increased in quantity at the request of staff.

665

666 In addition, the proposed lighting plan satisfies proffer 8, which requires structures and
667 fixtures to match the colonial design of the building. The lighting fixtures will be colonial
668 style on decorative poles.

669

670 Finally, a freestanding monument sign and a wall-mounted building sign on the gable
671 above the main entrance will be indirectly illuminated by sharp cutoff colonial-style
672 fixtures. Both signs will have opaque black lettering on an opaque white background so
673 they will be indirectly illuminated. It's not backlit so it won't glow. It won't be the typical
674 yellow and blue signs that you have on a typical Dollar General. It'll be black and white.

675

676 The freestanding sign will be located in this area here. It will be a 5-by-10-foot sign on
677 top of a 3-foot base. The base will be constructed of bricks. It will be a brick monument
678 sign with a maximum height of 8 feet. This is the rendition of the sign. As you can see,
679 it's a 3-foot base and a 5-foot-wide side and is indirectly lit. Holly bushes will be planted
680 on the base of the sign as well.

681

682 Staff recommends approval of the plan subject to the annotations on the plan and
683 standard conditions for landscape and lighting plans. I'm available to answer questions
684 and so is the engineer for the project, Lance Koth.

685

686 Mr. Leabough - Are there any questions from the Commission for
687 Mr. Kennedy?

688

689 Mr. Witte - Not at this time.

690

691 Mr. Baka - One question. On the western side of the building, what's the
692 setback on the rear of the building? Is there zero setback required?

693

694 Mr. Kennedy - Yes. Zero setback is required. They have approximately five
695 feet. It's a solid brick wall.

696

697 Mr. Baka - Thank you.

698

699 Mr. Leabough - Any other questions for Mr. Kennedy? If not, Mr. Witte, we
700 do have opposition.

701

702 Mr. Witte - Would anybody like to speak?

703

704 Mr. Leabough - I think I saw two hands at least. If you would, please come
705 forward to the podium and state your name for the record.

706

707

Ms. Clements - Good morning, Mr. Chairman, members of the committee. My name is Jane Clements. I'm a resident of Deer Springs, which is the subdivision directly behind the new Dollar General Store.

708

709

710

711

My concern is for the lighting in the parking area and how it will affect the residents that live within a block or two of the store. I would like to request that the lighting be no higher than the trees that are adjacent to the building, that there be some protection, some shielding, for the lights to be aimed more at the store so they have a minimal impact on the houses that are close to the new building. So, pole height at tree length.

712

713

714

715

716

We'd like the intensity of the lighting—or at least I would—to match the lighting of the stores that are across the street. There's a service station and the Glen Allen Supermarket that have really minimal lighting at night. Certainly you can see the business names as the lighting currently exists on those other buildings. We would hope that the Dollar General would follow suit as the neighborhood is established already. If, for the sign, the lighting could be dimmed or turned off during the overnight hours so, again, that the residences of the community would feel the least impact possible from the store.

717

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724

Deer Springs is a subdivision that's been in existence—I've lived there 23 years. I'm on the corner of John Cussons and Pine Lodge Court. I'm the first street in the subdivision. The houses across the street from me on either side are probably most impacted, but my house will actually face the Dollar General Store, as will others on the block that I live. So we respectfully request your consideration of minimizing the impact of the Dollar General Store's lighting on the neighborhood. Thank you.

725

726

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731

732

Mr. Leabough - Thank you, ma'am. Is there anyone else that would like to speak in opposition?

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744

Mr. Williams - Good morning. My name is Earl Williams. I live at 10308 Southford Court, Glen Allen, in the Britton Wood subdivision. I've been opposed to the Dollar General from the very beginning, as you know. I have no problem with this sign. And if I'm out of order this morning, I apologize for it. I'm here to bring attention to the sign that has been erected at the Cultural Arts Center next to the Walkerton. It looks like something that should be at a tattoo parlor or a strip club. I find it offensive for the County. You want to make Henrico beautiful, and you put a sign up like that for the Cultural Arts Center? I don't understand how you go about deciding what sign goes where. The sign that you're going to put up at the Dollar General Store is more in with the area than the one down at the Cultural Arts Center. That's all I have to say.

745

746

747

748

749

Mr. Witte - Thank you, sir. Just to comment on that, you're not alone. I've received many calls, but I don't believe that sign came before this Board.

750

751

Mr. Emerson - No it did not, Mr. Witte.

752 Mr. Witte - I didn't know about it until it was up.
753
754 Mr. Williams - I don't travel that area daily, and I don't know when the thing
755 came up. Right next to the Walkerton? That is the biggest disgrace to be put there.
756 There's bound to be something else.
757
758 Mr. Witte - It's commonly been referred to me as a juke box.
759
760 Mr. Williams - Well yes, you could throw that in there as well.
761
762 Mr. Emerson - Mr. Williams, you might want to find out when the board of
763 the directors of the Cultural Arts Center are meeting and express your feelings to them.
764
765 Mr. Williams - I will do that, yes. When you're trying to keep things in that
766 area looking nice, like you were opposed to the Dollar General Store—change the
767 windows, change this, to keep it all within the area, and this sign is—if any of you have
768 a chance to go by there and look at it, it's totally . . .
769
770 Mr. Witte - Thank you, sir.
771
772 Mr. Williams - It's like if you went out here and constructed something like
773 that out there in the parking lot. Thank you for your time.
774
775 Mr. Witte - Thank you, sir.
776
777 Mr. Leabough - Appreciate it. Anyone else in the audience that would like to
778 speak to this case? Mr. Witte, I'm sure you'd like the applicant to come forward and
779 address some of the concerns that have been shared with us.
780
781 Mr. Witte - You hit the nail on the head.
782
783 Mr. Koth - I'm Lance Koth, representing Par 5 Development, the
784 engineer that's been working on the project. I heard the concerns about the lighting
785 plan. I think that was the crux of the whole discussion. I can say without getting into
786 numbers and details that we started out with a lighting plan, something that we felt met
787 code. We met with staff, with Mike—and Mr. Emerson might have been in that meeting;
788 I'm not even sure—and discussed the lighting plan and some of the proffers in there
789 and what they called for, which is the decorative fixtures.
790
791 As we went through the design—and I don't put together the lighting design, although
792 I'm part of the plan preparation and that kind of thing. But as the lighting plan came
793 together, the selection of fixtures out there, I haven't seen it that level of difficulty. Just
794 for information, to find a commercial fixture with a colonial-type appearance with the
795 LED standard, which is what they're going for, it's more energy efficient, turned out to
796 be very difficult. I have to believe what the designers are telling me, but it was extremely
797 difficult.

798

799 And not that this is any concern, but the lighting package actually quadrupled in cost as
800 a result. So it was an expensive endeavor and it was very carefully done. The ultimate
801 result of it is that there are actually more lighting fixtures there than what I would
802 normally see because they are smaller and softer light. The effect that will have is that it
803 would spread as far. So it is accomplishing some of these things. I haven't stood on the
804 doorsteps to see what you can see. The difficulty is when we work with a lighting plan
805 and we go out to the property line, we meet the code which is, correct me if I'm wrong, I
806 think it's 0.1—is it's 0.05 or 0.1 now?

807

808 Male - 0.5.

809

810 Mr. Koth - Point five candle power at the property line. And we can
811 meet the code. That's a light traveling out. If you're standing away from the site looking
812 at the site, you can see a whole lot less than that. So it's not that you won't see a light. It
813 does meet the code. With the trees that she's talking about, when they're planted they
814 probably won't be taller. But the ultimate height of these trees is generally taller around
815 the site. What's inside the site and in the islands is shorter because they're crape
816 myrtles. They'll do better in the islands, and that was something that Mike and I had
817 talked about as well. We do have some taller trees around the outside. We have some
818 arborvitaes that'll get tall and will shield these things.

819

820 So I think we've accomplished shielding the subdivision from these lights as best we
821 can. That's not to say that you won't know they're there. It's hard to put a number on
822 whether you'll stand a half a mile away and they'll look like a porch light or a half a mile
823 away and it'll look like a spotlight. I don't know how to put that into any kind of terms that
824 are relatable here. But I will say that the fixtures are of that decorative nature. They are
825 the downward directional, the cutoff fixtures, as they're called. Definitely the design
826 intent was there to do exactly what they're talking about. But again, like I say, that's not
827 to say you won't know they're there. There are reflections and things like that. But it
828 shouldn't be a blinding light as you're standing on your front porch looking at it.

829

830 Mr. Witte - Can you put the foot candle plan up, Mike? Can you enlarge
831 that a little bit? To the right side is the main side. The other side. That's the side they'll
832 see.

833

834 Mr. Koth - Right. These numbers along here, if I'm reading them—

835

836 Mr. Leabough - Feel free to zoom in closer.

837

838 Mr. Witte - Yes, zoom in closer on that section so the rest of us can see
839 it. There you go. Virtually invisible.

840

841 Mr. Koth - It is. As you go that direction, it gets down to the .04 at the
842 buffer line. That's not actually quite out to the roadway. But the .04. And then at the
843 north end it's .01. What this doesn't take into account is the shade trees that are behind

844 that, they are a screening tree. The lighting plan doesn't take that into account. So it's
845 probably—

846
847 Mr. Witte - But they are shown on this.

848
849 Mr. Koth - Yes.

850
851 Mr. Witte - Mike, what kind of trees are those?

852
853 Mr. Kennedy - First let me just state that the parking lot is 150 feet away
854 from the creek. So the nearest light pole is more than 150 feet away from any other
855 property. And then this lighting over here is about 60 feet away. So it's another 60 feet
856 of—or 90 feet before you get to the creek. So the lighting level is actually negligible at
857 that point. The light poles themselves, the details—

858
859 Mr. Emerson - What type of trees, Mike?

860
861 Mr. Kennedy - Arborvitaes in this area in here. In this area here are oak
862 trees, I believe, and wax myrtles, which will grow high as well.

863
864 Mr. Witte - The flowering dogwoods are not in that area, is that correct?

865
866 Mr. Kennedy - The flowering dogwoods are in front of the arborvitaes.

867
868 Mr. Witte - Okay.

869
870 Mr. Kennedy - So the decorative plants are in front of the screen. So this
871 area here, which is the loading area, that's where they are. The light poles themselves
872 are 16 feet in height.

873
874 Mr. Witte - Sixteen feet.

875
876 Mr. Kennedy - Sixteen feet, sir.

877
878 Mr. Witte - So that's about the height of the existing trees along John
879 Cussons right now.

880
881 Mr. Kennedy - Lower than that, actually. Those trees are about 25 to 30
882 feet high. These are the light fixtures, the decorative colonial style. The light element is
883 actually in the top and reflects down, so you don't see the element. Traditional cutoff.
884 The poles themselves are on a decorative base and decorative poles as well. They're
885 made to be carriage lights not parking lot lights. So they're not shoebox fixtures at all;
886 they're all colonial design. The lights on the building are similar, that gooseneck design,
887 just to make sure they're shielding, and look in character.

888

889 Mr. Witte - I have one more question. Has it been discussed about the
890 after-hours minimum security lighting? I know the police department had some input into
891 that. They have to have a certain amount of security lighting.

892
893 Mr. Kennedy - We have not, but the lighting on the building itself should
894 provide sufficient security. So they should be able to turn off the lights in the parking lot,
895 the pole lights, when they close for business.

896
897 Mr. Witte - All right. I have no further questions.

898
899 Mr. Leabough - Any other questions for Mr. Kennedy?

900
901 Mr. Witte - Ms. Clements, did that answer your questions?

902
903 Ms. Clements - [Off microphone] That helps. Thank you.

904
905 Mr. Witte - Yes ma'am.

906
907 Mr. Leabough - I see no other questions, Mr. Witte.

908
909 Mr. Witte - All right, Mr. Chairman. I move approval of the landscape
910 and lighting plans for POD2017-00134 and POD2017-00135, Dollar General Mountain
911 Road, subject to the annotations on the plans and the standard conditions for
912 developments of this type and applicable lighting plans.

913
914 Mr. Leabough - Second.

915
916 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Leabough.
917 All in favor say aye. Those opposed? There is no opposition; that motion passes.

918
919 The Planning Commission approved the landscape and lighting plan for POD2017-
920 00134 and POD2017-00135, Dollar General Mountain Road, subject to the standard
921 conditions attached to these minutes for landscape and lighting plans.

922
923 Mr. Emerson - Mr. Chairman, we now move on to page 17 of your regular
924 agenda for POD2016-00576 and POD2016-00577, Cite Design for HCA Health
925 Services of VA, Inc. and Henrico Doctor's Hospital FCP, LLC. The staff report will be
926 presented by Mr. Greg Garrison.

927
928 **LANDSCAPE AND LIGHTING PLAN**

929
POD2016-00576 &
POD2016-00577
Henrico Doctors' Hospital
Forest Campus MOB 4 –
1602 Skipwith Road

**Cite Design for HCA Health Services of VA, Inc. and
Henrico Doctors' Hospital FCP, LLC:** Request for
approval of a landscape and lighting plan, as required by
Chapter 24, Sections 24-106 and 24-106.2 of the Henrico
County Code. The 7.64-acre site is located approximately

700 feet west of Skipwith Road at the northern terminus of Parkline Drive, on part of parcels 761-745-3004 and 760-744-1430. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

930

931 Mr. Leabough - Is there anyone present who is opposed to the landscape
932 and lighting plan for POD2016-00576 and POD2016-00577, Henrico Doctors' Hospital
933 Forest Campus MOB 4? We have opposition. Thank you. Mr. Garrison.

934

935 Mr. Garrison - Good morning. This is a request for approval of a landscape
936 and lighting plan for the recently approved Henrico Doctors' Hospital MOB 4. The plan
937 meets the proffered conditions from REZ2015-00032 with the provision of a 35-foot
938 buffer along the southern property line adjacent to Tuckahoe Hills planted to a 35-foot
939 transitional buffer standard, with the first 10 feet planted with 10-foot tall arborvitaes, 10
940 feet on center.

941

942 Along the east property line, adjacent to Three Chopt Elementary School, a 25-foot
943 buffer is proposed planted with a double row of 6-foot tall arborvitaes, 10 feet on center,
944 with supplemental plant material.

945

946 The lighting plan meets proffered conditions as well with the provision of 25-foot-tall
947 concealed-source parking lot light fixtures. The seven light fixtures along the south
948 property line and the east property line will have house-side shields to further mitigate
949 glare. The parking lot lighting is proposed to be reduced after business hours with the
950 exception of minimum lighting requirements for security purposes.

951

952 Staff recommends approval subject to the standards conditions for landscape and
953 lighting plans. Staff and representatives of the applicant are available to answer any
954 questions that you may have.

955

956 Mr. Leabough - Are there any questions for Mr. Garrison? No questions.
957 Mrs. Marshall, I'm sure you'd like the opposition to come forward.

958

959 Mrs. Marshall - Yes, please.

960

961 Mr. Leabough - Would the opposition please come forward? Just as a quick
962 reminder, you have a cumulative of ten minutes to share your comments, and please
963 state your name for the record.

964

965 Mr. Grieves - I'm Jeff Grieves. I live at 7516 Woodley Road. I border the
966 property. First, I want to point out that there was some miscommunication when the lot
967 was cleared. The majority of the large trees that were earmarked to remain were
968 removed. We had to actually go out and stop the bulldozer guy and have some people
969 come out there. In our opinion, the entire lot would have been cleared if we hadn't gone
970 out there.

971

972 I kind of would like to get some clarification, especially in the bamboo area. When I went
973 up there to originally look at this—again, I appreciate the bamboo staying. When
974 everything got cut out, obviously more light and everything got in, so it's going to grow.
975 If you look at the plan with the legend there, just using a hypothetical figure, there's 42
976 feet there if you look on the right. Are they come in and measure 42 feet and they're
977 going to go from there and say okay, everything within 42 feet we're going to remove?
978 It's obviously grown more than 42 feet. In our opinion, we'd like that to stay. It's far less
979 than 42 feet now. So we'd like some clarification with that. Is that going to be the case
980 or is that not the case? It actually stops at my property line. But on the left it goes further
981 than that. It goes onto Jenny's property line. I'd like some clarification with that, Jenny
982 would like some clarification on that, and Rob would like some clarification with that. We
983 don't know that answer.

984
985 Mrs. Marshall - Okay. Mr. Garrison?

986
987 Mr. Garrison - I would probably leave it up to the applicant to decide if they
988 were going to keep it or not. But staff would not advocate to preserve an invasive
989 species. There's nothing in our code that prohibits them to keep the bamboo, but I don't
990 think that we would advocate to preserve it. So I would leave it to the applicant. If they
991 want to keep it, they can keep it.

992
993 Mrs. Marshall - Okay, let me hear from the applicant, please.

994
995 Mr. Grieves - It's an excellent screen. Obviously, we don't want to look at
996 it. We don't want to see it. It's a great screen. No offense to—

997
998 Mr. Bleckley - Andrew Bleckley with Cite Design. I'm representing the
999 applicant here. I'm a landscape architect. We've worked with the community here to
1000 preserve the bamboo growth that's existing as noted on the plan. We'd be happy to
1001 maintain the growth if it is beyond the bounds of what we've shown on the plan
1002 currently. As Mr. Garrison has noted, it is an invasive species. That's kind of the nature
1003 of the plant material. It's going to grow and continue to grow and expand its footprint as
1004 it's exposed to more sunlight and matures.

1005
1006 Mrs. Marshall - But we're going to keep the amount that—what did you say,
1007 42 feet?

1008
1009 Mr. Grieves - I'm just throwing that out as a number. I don't know if it's
1010 exactly 42 feet. My question is are they going to look at the plan and say okay, it's
1011 exactly 42 feet. Anything within the 42 feet we're going to remove. I'm just throwing that
1012 out as a number when they look at the plan.

1013
1014 Mr. Bleckley - The intent is to keep the bamboo as it is. That's been the
1015 conversation we've had, so far, to preserve it as-is. We've been on site and field-
1016 surveyed it. That was probably 2 to 2-1/2 months ago that we field-surveyed it. And
1017 these were the bounds of where the bamboo was existing at that time. If it's expanded

1018 beyond that, we are willing to preserve that beyond those bounds at the time of planting
1019 for the buffer.
1020
1021 Mrs. Marshall - Okay. As far as the bamboo goes, when it exceeds your
1022 property line, who is responsible for that?
1023
1024 Mr. Bleckley - Right. If it's not on our property, it's not our responsibility. If
1025 it's within the neighbor's yards, then that's up to them how they treat their property with
1026 the bamboo.
1027
1028 Mrs. Marshall - Okay.
1029
1030 Mr. Garrison - We may want to have Mr. Ladd reiterate some of the
1031 concerns that he expressed to me earlier about maintenance of the bamboo as it does
1032 spread and as it starts to take over the desirable species that are being planted. So I'm
1033 going to let Mr. Ladd kind of explain his concerns.
1034
1035 Mr. Leabough - Can we just let him share his concerns and then let you all
1036 address his concerns after he's finished? Just so we don't have the back-and-forth with
1037 multiple people, if you don't mind. Sir, could you finish sharing your concerns? And then
1038 we'll have the applicant address any additional concerns you share.
1039
1040 Mr. Grieves - That's my main concern there. My only other concern is
1041 there have been numerous times that we've had miscommunications with the working
1042 hours. There have been several times that we have been beating our heads in trying to
1043 get that straight. It's been a very severe headache.
1044
1045 Mrs. Marshall - Are they exceeding the hours? Is it early morning, evening,
1046 weekends?
1047
1048 Mr. Grieves - All of the above.
1049
1050 Mrs. Marshall - All the above.
1051
1052 Mr. Grieves - Yes. I know work is supposed to start at 8:00, but 8:00
1053 should also include warming up your vehicles. You shouldn't start warming up your
1054 vehicles at 7:45.
1055
1056 Mrs. Marshall - Correct.
1057
1058 Mr. Grieves - Because diesel engines are—we don't want to listen to it.
1059
1060 Mrs. Marshall - I agree. I will check on that for you.
1061
1062 Mr. Grieves - It's not an issue now because they're done with that portion.
1063 But for several months it was a real pain.

1064
1065 Mrs. Marshall - Let me ask you this. As far as the trees that were removed,
1066 thinking back to the earlier time, the ones that should have not been removed, have
1067 they been replaced?
1068
1069 Mr. Grieves - You're not going to replace a 30-to-50-foot tree.
1070
1071 Mrs. Marshall - Correct. But any re-plantings?
1072
1073 Mr. Grieves - Not yet. And it's probably not going to happen. But it's in the
1074 construction phase now. But on the whole left-hand side, the majority of those are gone,
1075 and they're going to be permanently gone. Like I said the majority, a lot of them.
1076
1077 Mr. Leabough - Any other comments you want to share with us,
1078 Mr. Grieves?
1079
1080 Mr. Grieves - No, I'll turn it over to Jenny.
1081
1082 Mr. Leabough - Thank you, sir.
1083
1084 Ms. Jones - My name is Virginia Jones, and I live at 7518 Woodley Road.
1085 I just had some questions. Who is going to do this planting? I can ask my questions and
1086 then you can reply. Who is going to do the planting? When is it going to start? How long
1087 will it take? Is there any kind of barrier or any kind of thing between my property line and
1088 when they come in with their machines and their digging and so forth? And also, still
1089 concerned about the lighting because it will come right into my backyard. I want to make
1090 sure that it will be dimmed in the evening and that there will be shades on it to keep it
1091 from doing that. I guess that's basically just some questions, some clarifications. Like
1092 when it's going to start, how long it's going to take, what will the impact of all of that
1093 digging be on my property, and will there be any kind of buffer between what they are
1094 doing and my—and when they come into my yard.
1095
1096 Also, when it's completed, who's going to be in charge? If a plant dies, who takes care
1097 of that, who do you call? Can we have some contacts to take care of that kind of thing?
1098
1099 Those are basically my concerns and questions.
1100
1101 Mr. Leabough - Thank you.
1102
1103 Mrs. Marshall - Thank you.
1104
1105 Mr. Leabough - Anyone else here to speak in opposition? Yes, sir. Could you
1106 please come forward? How much time do we have, Mr. Emerson?
1107
1108 Mr. Emerson - We have about four minutes.
1109

1110 Mr. Dotson - My name is Greg Dotson. I live at 7602 Parkline Drive, and I
1111 share some of the previously mentioned concerns. First, I moved in several weeks
1112 before the initial clearing of the property to the rear. By appearance, it certainly looked
1113 like larger trees were removed, some of the ones that were marked, as my neighbor,
1114 Jeff, just mentioned. And I don't know what we do to address that, other than perhaps in
1115 the replant that some of the trees that were planted that more mature trees be used to
1116 replace that and to provide at least some of the height that was lost in the vegetation
1117 there. That's my first concern.

1118

1119 My second concern—and just a brief review of what was described. I thought I heard a
1120 border of arborvitae? My understanding was it was Leyland cypress. So I just would like
1121 some clarification as far as that goes. Ten feet was mentioned, and I thought I had
1122 heard that they were going to be eight feet apart.

1123

1124 And I do share my neighbor's concern about the lighting. We're next door neighbors
1125 virtually. Our property corners abut to the rear. There appears to be—and I would like
1126 maybe a zoom-in on the one light that would be in her backyard and my backyard. And I
1127 express my concern over the brightness of that. I know it's back-shielded, so I wanted to
1128 address that issue as well.

1129

1130 And one final issue is there is existing debris and structures that are in the buffer area
1131 directly behind the residential property. Directly behind my property, there is a power
1132 pole or a panel that has a weather head to it, that it appears that Three Chopt
1133 Elementary had erected for some purposes, maybe a ball field or something. That's still
1134 on the property. Just behind the temporary fence that HCA has put up there.

1135

1136 Those are my concerns. That's I wanted to address and maybe they can address these
1137 maybe one by one.

1138

1139 Mr. Leabough - Thank you.

1140

1141 Mrs. Marshall - Thank you.

1142

1143 Mr. Leabough - Is there anyone else that would like to speak to this case? All
1144 right. Now would the applicant please come forward again? Please try to address the
1145 questions that were shared by the community.

1146

1147 Mr. Ladd - Good morning. My name is Tommy Ladd. I'm the in-house
1148 architect for Henrico Doctors' Hospital. I manage all the construction and development
1149 on the campus. I'll try and hit all of the concerns brought up. I apologize if I miss any,
1150 but please keep me on point.

1151

1152 I'll start at the beginning with the bamboo. We do not take objections in maintaining the
1153 bamboo as it is now. Our only concern from our side is, as was previously stated, there
1154 is more light, it's a very invasive species, so it is going to spread very fast and very
1155 thick. So when it comes to a point where it starts to impact the new plantings that we're

1156 putting into that buffer zone, we're going to have to at some point address that issue so
1157 it doesn't invade and take over the entire buffer area. We will not remove what's there
1158 currently and we'll try and maintain it as existing size and placement as it is now. But as
1159 it encroaching into the buffer zone and into the new plantings, we will have to attend to
1160 that so that it doesn't take over the entire area.

1161

1162 In regards to the comment about the trees that were removed that were supposed to
1163 stay on site, I was never made aware of any of that. I know that we've had multiple
1164 people out there to mark the trees that were to stay given the caliper size that we all
1165 agreed to in the proffers. I've never heard anything in difference to that, so I'm not
1166 aware of any plantings. Obviously if there are trees that were taken out that were
1167 supposed to remain, we will replant to replace those. But I haven't been made aware of
1168 any specific trees or areas that have been affected in that regard.

1169

1170 Mrs. Marshall - If we go back to the rezoning case when this took place,
1171 there were trees that were removed that were not tagged to be removed. So I think
1172 there are things that need to be put back. Of course they're not going to grow to 30 feet
1173 overnight, but I think there are certain things that maybe we can get together and
1174 discuss what needs to go into that area.

1175

1176 Mr. Ladd - Okay, certainly.

1177

1178 In regards to the lighting comments, as you're well aware, we have put shields on there.
1179 They're concealed-source lighting. We do have back shields on there. We've agreed
1180 that they will be reduced in the lighting to what's required for security during the off
1181 hours of the building. Aside from that, I'm not sure what else we could do to eliminate
1182 the lighting other than just turning them off, which would be a security concern. I've had
1183 conversations with the police department in regards to that, so I believe we're meeting
1184 the requirements from security and code standpoints with the lighting. So I believe that
1185 it's not going to be as big of an impact to the neighbors as they're expecting. But I'm not
1186 sure what else we can do to the source of the light fixtures beyond what we've already
1187 done and agreed to do.

1188

1189 As far as the plantings, I'm going to ask Andrew to come back up and discuss the
1190 specific species and size and distance apart, as well as the concerns with when we
1191 actually do plant the material itself.

1192

1193 Mr. Bleckley - Hi again. We did make a change from—

1194

1195 Mr. Leabough - State your name, please.

1196

1197 Mr. Bleckley - Yes, Andrew Bleckley with Cite Design. We did make a
1198 change from the Leyland cypress from the original zoning case, as directed by the
1199 Planning staff to replace that with the arborvitae species which has a better root system.
1200 It's a faster grower and will provide more of a screen earlier in the process for the

1201 neighbors. We felt like that was a healthy alternative and change that would be
1202 favorable for everyone in the equation.

1203

1204 In terms of the spacing, I don't recall it being eight feet on center when I got involved
1205 with the project. I remember ten feet on center being the—

1206

1207 Mrs. Marshall - It's ten?

1208

1209 Mr. Bleckley - It's always been ten feet, so that has not changed through
1210 the process to my knowledge. I think I got everything.

1211

1212 Mr. Leabough - I think there were a couple other questions.

1213

1214 Mrs. Marshall - When the planting was going to start.

1215

1216 Mr. Ladd - That's probably going to occur later in the fall when it's a
1217 better season and when the site has been developed to the point where we're not going
1218 to impact those after they've been planted. We expect the project to be finished in
1219 November, so I expect some time in the early fall, that the plantings would go in around
1220 September.

1221

1222 Mrs. Marshall - And who is doing the planting?

1223

1224 Mr. Ladd - Offhand I'm not sure who the exact contractor is, but I can
1225 find out and report back. Brasfield & Gorrie is our general contractor who is managing
1226 the entire project. I'm not sure who they've hired on as the subcontractor to do that
1227 work.

1228

1229 Mrs. Marshall - Okay. As far as planting goes, whose job is it to take care of
1230 the plants?

1231

1232 Mr. Ladd - Well they'll be on our property, so it'll be the hospital's job to
1233 do it. We currently contract with James River Grounds Management to do all of the
1234 management across our campus. So they would be responsible for it as well. I would be
1235 the contact if anybody has any questions. I believe most of the neighbors here already
1236 have my contact information. I'll be happy to give it to them against afterwards. But I
1237 would be the one to call if there are any issues or concerns with the plantings, and then
1238 we can address it as needed.

1239

1240 Mrs. Marshall - The reason I bring that up is that I know in the past there
1241 have been plantings there on the HCA side that have died and have not been taken
1242 care of.

1243

1244 Mr. Ladd - Correct.

1245

1246 Mrs. Marshall - So it's been a thorn in their side, I know for sure. I just want
1247 to make sure that that's something that's going to continually be looked at it so that it's
1248 taken care of.
1249
1250 Mr. Ladd - Absolutely. I've been with the hospital for 2-1/2 years. There
1251 was an issue with some of the plantings that had died based on a previous POD
1252 approval. And when we were made aware of that, we have actually now gone back and
1253 replaced any of the plantings that were required and needed to be there based on that
1254 prior POD. I will assume that role to take care of the same going forward with this
1255 project.
1256
1257 Mrs. Marshall - I just want to make sure we're on the same page. The
1258 bamboo is going to stay.
1259
1260 Mr. Ladd - Correct.
1261
1262 Mrs. Marshall - Where it is now. The only thing that you would do is remove,
1263 if necessary, if it was strangling out the new vegetation that is being put in.
1264
1265 Mr. Ladd - Correct.
1266
1267 Mrs. Marshall - And you will maintain it on your property and the neighbors
1268 will maintain it on their property. Is that correct?
1269
1270 Mr. Ladd - Yes ma'am.
1271
1272 Mrs. Marshall - Okay. And Mr. Garrison is it possible to pull up the lighting
1273 for where their houses are? Can you show us that?
1274
1275 Mr. Garrison - This is the photometric plan that shows—I guess the term I
1276 would use is maximum output. I'll just point you to some numbers here to just get a
1277 general idea. You see 4.2, 5.2. If you go to the next plan, this is the reduced-level plan.
1278 For the same area: 1.4, 2. 5, 2.0, 1.0, etc. So they are proposing to drop the levels
1279 after—
1280
1281 Mr. Baka - But at the property line it's much lower.
1282
1283 Mr. Garrison - Oh, absolutely, yes.
1284
1285 Mrs. Marshall - And can you explain the house shield? What is its purpose?
1286
1287 Mr. Garrison - The house shield is just about a 2-to-3-inch basically piece
1288 of metal that's riveted onto the fixture itself. It just kind of helps prevent a glare. You're
1289 still going to see the light, but it helps to mitigate the visibility of the bulb itself so you're
1290 not looking right at a bulb.
1291

1292 Mrs. Marshall - Okay. Mr. Grieves, would you like to come back up and ask
1293 a question?
1294
1295 Mr. Grieves - [Off microphone] I just want to know what time the light
1296 switches over. You said it goes to a reduced level. Is there a specific time it goes to a
1297 reduced level?
1298
1299 Mr. Garrison - I don't know if the time was ever discussed. It says close of
1300 business.
1301
1302 Mrs. Marshall - We're talking about the outdoor lighting?
1303
1304 Mr. Garrison - Yes.
1305
1306 Mr. Grieves - The tall lights that are on the property line or in our backyard.
1307
1308 Mr. Leabough - I guess – what are their hours of operation?
1309
1310 Mrs. Marshall - Yes, what are their operational hours?
1311
1312 Mr. Ladd - It's a medical office building, so it's a business occupancy.
1313 Typical hours are 8 to 5. So I would say by certainly no later than 7 p.m. To give people
1314 ample time to finish their business and get out of the building that we could reduce the
1315 lighting starting at 7 p.m.
1316
1317 Mr. Grieves - [Off microphone] Well, in the summertime it stays light until
1318 9:30, 10:00 most summer nights.
1319
1320 Mr. Ladd - [Off microphone] Well, we have to have the lights for
1321 security.
1322
1323 Mrs. Marshall - For security, in the winter.
1324
1325 Mr. Ladd - But in the wintertime it's getting dark by the time you hit 4:00.
1326 So we still need the lights for security and people to travel across the parking lot and
1327 around the area.
1328
1329 Mr. Grieves - Okay, so in the summertime they won't be on late at night.
1330
1331 Mr. Ladd - Yes, it'll be a moot point, so it's not an issue.
1332
1333 Mr. Dotson - [Off microphone] A follow up on mine. I didn't hear any
1334 addressing of—
1335
1336 Mr. Witte - Sir, can you step up to the mic?
1337

1338 Mr. Leabough - Could you step to the mic and please state your name?
1339

1340 Mr. Dotson - Greg Dotson, again. I didn't hear any addressing of existing
1341 structures there. Like I mentioned, there's a panel that's there on a pole and there's
1342 fencing that is on the grounds in that 35-foot buffer area. And also as a practical matter,
1343 how will the temporary fence and the new plantings happen and the order of the—are
1344 you going to take the temporary fence down, put in all your new vegetation, and then
1345 put the permanent black chain link? And as a practical matter too, how will you have
1346 access to maintain your vegetation back there? Behind my yard, you almost have to
1347 walk in my yard to get back there. How will they provide that they can have access to
1348 that buffer zone which is going to be behind the fence? That gives me a little concern is
1349 are they really going to maintain it and how that would happen with trucks and so on
1350 and so forth.
1351

1352 Mr. Ladd - Tommy Ladd again. In regards to the structures that are on
1353 the property already, I've spoken to Mr. Dotson about this—or he brought it to my
1354 attention about the electrical panel he referenced. I brought it up to our general
1355 contractor. They are currently investigating if that panel feeds anything on the property
1356 or on the school property. It is certainly our intent, and I've given direction to the
1357 contractor, to remove that panel. Our intent with the entire buffer zone is that it would be
1358 landscape only. So any structures or downed debris or anything in that area that we find
1359 or come across we certainly will remove. The panel specifically has not been removed
1360 yet as we're still investigating whether it's currently still powered or active.
1361

1362 In regards to the maintenance, yes there's a fence between our parking lot and the
1363 buffer zone. However, the fence does not encompass the entire campus. So our
1364 grounds maintenance crew will simply just have to walk around the fence to get back
1365 there to do any kind of replacement or replanting as required, as well as maintenance.
1366 They're used to walking around the campus, and I'll give them specific direction to take
1367 special care and give that special attention in that area so that it does maintain to proper
1368 conditions.
1369

1370 Mrs. Marshall - Are you okay with Mr. Dotson and Mrs. Jones and
1371 Mr. Grieves contacting you if there are problems with plants that have died and not
1372 being replaced in a timely manner?
1373

1374 Mr. Ladd - Certainly, yes. Yes. I've received calls from them whenever
1375 they have issues. They've called me, and we've talked through whatever problems
1376 there are, whatever issues there are. So I have no problem whatsoever with them
1377 contacting me about anything.
1378

1379 Mrs. Marshall - All right. Thank you so much.
1380

1381 Mr. Ladd - You're welcome.
1382

1383 Mr. Leabough - All right. Any other questions from the Commission? No
1384 other questions, Mrs. Marshall. How would you like to proceed?
1385

1386 Mrs. Marshall - Mr. Chairman, I move the landscape and lighting plan for
1387 POD2016-00576 and POD2016-00577, Henrico Doctors' Hospital Forest Campus MOB
1388 4, be approved subject to the annotations on the plans and the standard conditions for
1389 landscape and lighting plans.
1390

1391 Mr. Baka - Second.
1392

1393 Mr. Leabough - We have a motion by Mrs. Marshall, a second by Mr. Baka.
1394 All in favor say aye. Those opposed? There is no opposition; that motion passes.
1395

1396 The Planning Commission approved the landscape and lighting plan for POD2016-
1397 00576 and POD2016-00577, Henrico Doctors' Hospital Forest Campus MOB 4, subject
1398 to the standard conditions attached to these minutes for landscape and lighting plans.
1399

1400 Mr. Emerson - Mr. Chairman, we now move on to the next item on your
1401 agenda which is the consideration of approval of your minutes from the March 22nd
1402 meeting. I do not believe there is an errata sheet this morning. We will certainly
1403 entertain any changes or corrects if you have any. They are in front of you for your
1404 consideration.
1405

1406 APPROVAL OF MINUTES: March 22, 2017 Minutes
1407

1408 Mr. Leabough - Are there any corrections to the minutes as presented? If
1409 not, I will entertain a motion.
1410

1411 Mr. Witte - I make a motion to approve the minutes.
1412

1413 Mr. Baka - Second.
1414

1415 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Baka. All in
1416 favor say aye. Those opposed? There is no opposition; that motion passes.
1417

1418 The Planning Commission approved the March 22, 2017 minutes as submitted.
1419

1420 Mr. Leabough - Do we have any other business to come before the
1421 Commission, Mr. Emerson?
1422

1423 Mr. Emerson - Yes sir, Mr. Chairman, you do have a discussion item this
1424 morning which is a presentation and public input regarding the code update. We have
1425 with us this morning our consultants, which is led by Clarion Associates, who you may
1426 remember they were our lead consultant in the Comprehensive Plan update for the
1427 2026 plan. They can give you just a little bit of background. Along with Clarion, sub-
1428 consultants are Dover, Kohl and Associates; Renaissance out of Charlottesville; and

1429 Greenhan, Taves, Pandak & Stoner on the legal end. With us this morning we have
1430 Craig Richardson, Greg Dale, and Tim Richards. I'll let Craig introduce the rest of his
1431 team that he has here. But with that said, Mr. Chairman, they have a presentation for
1432 you. After that we will open the floor for any comments from the public.

1433

1434 **DISCUSSION ITEM:** Updating Chapters 19 and 24 of the Henrico County Code (the
1435 Zoning and Subdivision Ordinances)

1436

1437 Mr. Leabough - Good morning, sir.

1438

1439 Mr Richardson - Good morning, Mr Chairman. It's a pleasure for us to be
1440 here. Joe introduced our team. I'm Craig Richardson. I'm a director with Clarion
1441 Associates. With me is Greg Dale with McBride Dale Clarion, Tim Richards with our
1442 firm, and Nate Baker with our firm. So it's a real pleasure for us to be here.

1443

1444 In terms of where we would like to go—we're going to take about 10 or 15 minutes for a
1445 presentation. We're actually excited to be here working with you. We are working with
1446 you in updating the Zoning Ordinance and the Subdivision Ordinance.

1447

1448 As many of you I'm sure are aware, it's been over 50 years since both of these
1449 ordinances have been comprehensively updated. I would say typically in communities
1450 where we have worked—and we do a lot of work throughout the Southeast and the East
1451 Coast and really throughout the country. Most communities do a comprehensive update
1452 about every 25 or 30 years, so it's been a long time since there's been a comprehensive
1453 update. Obviously there have been a lot of amendments, but typically what you see
1454 when there has been a real lengthy period without a comprehensive review is there are
1455 inconsistencies and there are provisions in the code that have been incorporated and
1456 making it difficult to understand and navigate for a lot of people. And I think that
1457 certainly is the case here.

1458

1459 With respect to the issues I'm going to touch on in the presentation, I'm going to hit four
1460 or five. One, I'm just going to—Joe introduced our team, but I'm going to take a few
1461 more minutes and give you a little bit more background about us and the other
1462 professionals that we have involved in the project. I then want to take about four or five
1463 minutes and go through with you the actual work plan, in other words how we're going
1464 to get this project done. It's a big undertaking. It's going to take about two years to do.
1465 We don't just go out in a few months and revise your code. There is going to be a lot of
1466 opportunity for your input, for the Board's input, and for the public's input as we go
1467 through the process. And I'll highlight that for you.

1468

1469 And then one of the things that we like to do at the beginning of a project like this with
1470 all the communities we work with is to get your thoughts on some goals that you have
1471 for the project. We clearly have been looking at your existing Comprehensive Plan for
1472 policy direction and things that need to be changed. We met very briefly with the Board
1473 about a month ago. We've talked to staff.

1474

1475 We've also established a website. If you're interested, the website address is
1476 zoningupdate.henrico.us. I mention this for several reasons. One is on that website, we
1477 have included at this juncture in the project a survey questionnaire for anyone in the
1478 community to fill out about the issues or concerns that they have with the existing
1479 regulations and things they think need to be changed, as well as identification of the
1480 overriding goals they think need to be accomplished in the update moving forward. So
1481 we will be compiling that information over the next month or so and synthesizing them.
1482 We'll be letting you know what we hear. But this is for anyone to respond to. So we're
1483 getting those responses in addition to what we'll hear today, what we've heard when we
1484 met with the Board, and what we're going to hear from you today. It's important that we
1485 identify at this early juncture what you think are *the* most important things that we need
1486 to achieve in this update over the next two years.

1487
1488 In terms of us, in terms of Clarion, we are a midsize planning and zoning consulting firm
1489 of about 20 professionals. Our two offices are in Chapel Hill in the Research Triangle
1490 Park in North Carolina, and Denver, Colorado. We have affiliate offices. McBride Dale
1491 Clarion is one of them in Cincinnati. We have another affiliate in Chicago and also one
1492 in Philadelphia.

1493
1494 We really, as a firm, do several things. One is we work with local governments in
1495 comprehensively updating development regulations, development codes like here in
1496 Henrico. The other is we work with local governments in updating comprehensive plans.
1497 Just examples of some of the work that we've done is we are actually at the very latter
1498 stages of rewriting the Norfolk, Virginia, code. In fact, it is about ready for public hearing
1499 or will be in the next couple of months. That's been about a 2, 2-1/2-year project. We
1500 worked in Portsmouth. We're working in Prince George's County, Maryland right now,
1501 which is one of the larger urban counties between Washington and Baltimore.

1502
1503 In a lot of respects, there are similarities between you and them, even though they have
1504 a larger population, in that there are different development contexts in counties of your
1505 size and Prince George's size. We're working in Columbia, South Carolina, updating
1506 their code right now. We completed the Daytona Beach code about a year and a half
1507 ago. So we work throughout the Southeast as well as the East Coast generally and the
1508 West.

1509
1510 We've got three or four sub-consultants on the team. I want to highlight several of them.
1511 One is McBride Dale Clarion. Greg, who is here with me today, led the update along
1512 with—well as a consultant with your staff—of the Comprehensive Plan. They will be
1513 assisting on plan policy direction as well as doing the testing of these revised
1514 regulations, which I'll talk about in a few minutes.

1515
1516 In addition to that, we've got other consultants that will provide expertise in very specific
1517 areas. One is Dover, Kohl and Partners. They are a design and architectural firm with
1518 really tremendous expertise in form-based coding work. One of the things that we are
1519 proposing to do is to develop one incentive-based, form-based district for a location in
1520 Henrico County. And Dover Kohl has done that in a lot of places. I think one of the most

1521 successful efforts that they have been involved in is the Columbia Pike form-based code
1522 up in Arlington County, which really was done about ten years ago. But they've actually
1523 gone back in and made some refinements in the last few years. But it has had very,
1524 very successful results.

1525
1526 Another consultant that will work with us specifically on street design standards and
1527 parking and loading standards is Renaissance Planning. Their offices are in
1528 Charlottesville, and they've done a lot of work in road design and mobility issues
1529 throughout Virginia and really the country.

1530
1531 And we'll have legal counsel on our project who will be working very closely with your
1532 legal staff. And that is Greehan, Taves, and Pandak. Sharon Pandak will actually be the
1533 lead counsel for us on the project.

1534
1535 So that's our team.

1536
1537 In terms of the work program, I want to highlight three or four key points. We've got a
1538 six-task process. It is one that we have mapped out based upon the experience that
1539 we've had in updating development codes over really a number of 20 or 30 years. It's
1540 actually pretty straightforward. A couple of things I want to emphasize. One is—and I
1541 said it earlier—it's going to be about a two-year process. And secondly, we have a
1542 number of systematic steps where there will be opportunities for you, the Board, and the
1543 public to interject and to respond to us as we go through the drafting process. We are
1544 not going to go back and draft an entire ordinance and come back to you with it. We are
1545 going to take incremental steps as we go through this process so that we can make
1546 corrections as we go through the process.

1547
1548 We are on the very first task now, and that is really getting us familiar with your
1549 conditions and really discussing with the community the goals for the project.

1550
1551 We are then going to a second step. It's an interim step between where we are now and
1552 the actual when we start drafting. And that is the preparation of what we are calling a
1553 *code assessment*. That code assessment will do several things. Number one, it will
1554 identify the overriding goals or objectives for the project. Based upon those goals, we
1555 will then evaluate your current regulations and answer the question, "Are the current
1556 regulations achieving those goals?" If they are not, what needs to be done to address
1557 those objectives that we have in this project. That will be written in laymen's terms. It'll
1558 be about a 50-page documents, and we will identify the goals, the gaps, and then
1559 provide recommendations for you based upon our experience and best practices as to
1560 how you can best achieve those goals. And we'll conclude that assessment with a
1561 detailed outline of what the new regulations would look like if those recommendations
1562 were followed.

1563
1564 That document will be available and ready for review in two to three months. We will
1565 publish it on the website, make it available to you, and then come back and have
1566 meetings with you after you have reviewed it, and ask you the question, "Have we got it

1567 right or do we need to make changes to this?" We always make refinements. You never
1568 get it right at the beginning.

1569
1570 It's that interim step. And what it does is it takes us from talking about these broad,
1571 general things we need to do, making this document user-friendly to sort of much more
1572 detailed about how we're going to do it, how we're going to make it user-friendly or how
1573 we are going to remove obstacles for redevelopment in certain locations. Along your
1574 corridors, for example.

1575
1576 So that's the interim step. And once we complete that process, we are at the point
1577 where we have the detailed outline that we can follow. And everyone knows exactly
1578 where we're going because we'll have this outline.

1579
1580 And this is when we start the drafting. Because these two ordinances are lengthy and
1581 they are complex, we don't draft all at one time either. We will break it into three
1582 installments, and logical installments. Typically we'll do all the procedural provisions or
1583 all of the zoning districts, all the development standards. So we'll break it into
1584 installments. When we've completed one of those installments, that document will be
1585 made available for public review. We will conduct meetings on that installment, take
1586 input, and that's how we move through the process.

1587
1588 Once that is completed and we're getting input all along, we will then do some testing.
1589 What I mean by testing is that we will actually take these draft regulations and we will
1590 identify some sites in the County, a selected number of sites, and say under the old
1591 regulations this is what you could develop on this site. Under the new regulations, *this* is
1592 what you could develop on the site. We do that testing to really answer the question are
1593 we achieving the objectives we want to achieve with these new regulations. That
1594 information would also be made available to the public and we'll have meetings on it.
1595 We invariably make revisions based upon the testing. But at least at that point after the
1596 testing and after the revisions, it has gone through a number of opportunities for public
1597 input and also actual testing of the regulations.

1598
1599 This is where, in task five, we will put everything together into a comprehensive public
1600 hearing draft. At that point we think it'll be ready for public hearing. After that process is
1601 completed, after the ordinances are ready for public hearing, we will then prepare what
1602 we're calling a procedures manual and an application manual where we'll put all the
1603 application materials and all the other related, real detailed nuts-and-bolts stuff that you
1604 don't want in your ordinance in that document.

1605
1606 So that's the process. It's going to be about a two-year process. But, that is where we
1607 are going.

1608
1609 I'm going to conclude with just highlighting for you some thoughts based upon our
1610 review of the plans and discussions with staff of some of the potential goals that we
1611 think might be relevant for the County just to sort of trigger your thinking and the public's

1612 thinking about where we need to go with this identification of goals. And then I'll be
1613 happy to take questions and your input about the project.

1614
1615 One of the things we need to do is implement the Henrico County Vision 2026
1616 Comprehensive Plan. In other words, places in the code that aren't actually
1617 implementing that plan. And I've identified on this slide at least some of the goals that
1618 we think are important that we do need to really focus on and make some changes in
1619 your regulations. For example, one of them is promoting reinvestment and compatible
1620 infill redevelopment in the older neighborhoods, and I'll also mention along some of your
1621 older commercial corridors, which we think are in need of redevelopment. Another is
1622 encouraging development—in other words, really providing an opportunity for a wider
1623 variety of housing types. Making your pedestrian environment more appealing as new
1624 development occurs. These are just some of them. And a lot of these other goals I
1625 mentioned are really linked to a lot of the Comprehensive Plan goals we have on this
1626 slide.

1627
1628 This really relates to this whole issue of redevelopment. One of the things that we have
1629 discovered in the last 10 years probably or 12 years where we have really—a lot of our
1630 work has been with cities on the East Coast and the Southeast that are mature built
1631 places. You've got built places and you've got greenfield areas in the County. So there
1632 are these two that we are going to have to address in your development regulations.

1633
1634 But one of the things with respect to built areas that we have learned is that if you are
1635 going to have a set of development regulations that are going to support the type of
1636 redevelopment and reinvestment that you want to see that you're going to have to have
1637 some different provisions for those areas, and you're going to have to provide some
1638 more flexibility. A lot of these sites are older and they could have been developed years
1639 ago. They could be on smaller lots. There are dimensional standards issues and other
1640 constraints. So you need some flexibility provisions. And there are a number of them
1641 that you could provide. I've just identified some here, like alternative forms of
1642 compliance in your parking standards. A lot of modern codes are doing that.
1643 Administrative adjustments which allow for minor variations on some of the dimensional
1644 standards. That's something that's been authorized by the Code of Virginia. And a
1645 number of communities in the modern codes have been including that.

1646
1647 What I call *contextual dimensional standards*. If you're not familiar with that, basically it's
1648 a standard that would be applied in built areas. It's especially helpful in residential areas
1649 where you've got a lot of small lots and they're non-conforming. Basically, instead of
1650 having—you can still move forward with your lot area minimums, but if you want to,
1651 what you can say if the standard we're really going to apply that's going to override the
1652 minimum lot area standard is a standard that would look at the block—as long as you're
1653 within 15 percent of the average minimum lot on the block then that's the standard you
1654 can use. You're conforming if you do that.

1655
1656 So those are some of the ideas. Another thing, and I've talked about it, is making the
1657 regulations more user-friendly. There have been tremendous advances in software

1658 technology in the last decade. There are things that we can do in a development code
1659 now that we could not do ten years ago in terms of integrating graphics and
1660 photographs, three-dimensional drawings to explain zoning concepts. We can do that.
1661 One of the things that most modern codes do also is more logically organize the code
1662 into procedures, standards, zoning districts. Those are the types of things that we think
1663 would go a long way in making your code a lot more user-friendly and understandable.
1664

1665 Streamlining some of the review processes. I think there you have some opportunities
1666 to do that. I think one of the examples is just really clarifying some of your provisions in
1667 terms of when a POD applies verses an administrative site plan. But also a lot of
1668 communities are also providing staff more responsibility to review the smaller site plans
1669 instead of coming to the Planning Commission. Or allow the staff to review the smaller
1670 stuff with an appeal to the Planning Commission. Those types of things we will also look
1671 at.
1672

1673 Your zoning districts, we will look at those. I think there are some opportunities for
1674 refinement. Our thinking right now is we'll carry forward a lot of your existing districts,
1675 your residential districts, your commercial districts. I mentioned this idea of establishing
1676 an incentive-based, form-based code, which will really act as an incentive. And then to
1677 the extent that there are any antiquated districts that are not being used, we would
1678 certainly recommend that those be deleted.
1679

1680 Then updating and modernizing your development standards. I think if you looked at
1681 your parking standards and compared them to a lot of modern codes and recent ITE
1682 studies, you would see that there are opportunities to revise some of your parking
1683 standards.
1684

1685 It was interesting this morning to hear some of your applications. One of the issues that
1686 we invariably hear in development codes and one issue that we have been dealing with
1687 in our development codes is what we call *neighborhood compatibility issues*. You heard
1688 a lot of comments about lighting, about the location of parking in relationship to single-
1689 family neighborhoods. I think probably in 100 percent of the development codes that
1690 we've updated in the last decade, one of the things that we have done is we have
1691 included neighborhood compatibility standards. What those standards do is they
1692 establish a minimum measurable set of standards in situations where commercial
1693 properties, industrial properties, high-density multi-family properties or development is
1694 located adjacent to single-family areas. And they deal with those edge areas and things
1695 like lighting, things like where parking is going to be located, how you deal with outdoor
1696 dining areas, or where do you put a drive-through or do you allow a drive-through within
1697 a certain distance, and other operational standards.
1698

1699 What we have found is that if we have these neighborhood compatibility standards in a
1700 code and they're measurable, it creates a minimum for the code. Our experience has
1701 generally been that it provides the neighbors, those in single-family areas, a lot more
1702 sense of security that at least if lighting is going to be located adjacent to us it's only going
1703 to be a certain height, it can't go any higher, and we're going to have cutoff

1704 requirements on the lighting, and parking can only be located in certain areas, and
1705 there's going to be a certain amount of buffering. So that's the kind of thing that we
1706 would certainly look at with respect to updating and clarifying your development
1707 standards.

1708
1709 And then finally is just looking at your regulations to promote—not require but remove
1710 obstacles to certain types of environmentally friendly development whether it involves
1711 making it really clear about the fact that solar panels are a permitted accessory use on
1712 homes, community gardens are allowed in certain districts, allowing small scale wind
1713 facilities, and also looking at providing incentives for certain types of environmental
1714 practices in communities.

1715
1716 That is sort of my overview of some of the goals we've been thinking about. We'd really
1717 welcome any questions or any input that you have about the project. Thank you, Mr.
1718 Chairman.

1719
1720 Mr. Leabough - Thank you, sir. Are there any questions for Mr. Richardson
1721 from the Commission? Do you have a question, Mr. Baka?

1722
1723 Mr. Baka - Yes, I have one question to follow up. One of the goals in the
1724 Comprehensive Plan was to promote mixed use and planned large-tract development.
1725 So along those lines, Henrico has the UMU zone, used to the success at Rocketts
1726 Landing and elsewhere. To what extent would you build—investigate or review TND,
1727 Traditional Neighborhood Design standards for large tracts remaining in the County that
1728 are not entirely a mix of commercial and residential, that would be focused primarily on
1729 residential uses only?

1730
1731 Mr. Richardson - We will be looking at where the options are. Our thinking, at
1732 least, with respect to mixed-use development is that we would provide options, but there
1733 will be no requirements. One of the things, for example, in looking at your current code
1734 that I've been thinking about is the idea that—I think that you could, for example, have
1735 three different types of planned development options, one residential, which would be
1736 primarily residential; one for commercial where the focus would be on commercial
1737 development, which would allow mixed use, but it would be a light touch. And then as
1738 an option a TND planned development.

1739
1740 I think where communities have done the TND planned development it would be a
1741 situation where no one's going to be required to do it, but if they do it, they really do
1742 need to design a true traditional neighborhood. There are certain elements that could go
1743 into a traditional neighborhood development.

1744
1745 The other thing that I mentioned that we are also thinking about, and one of the reasons
1746 we included Dover Kohl on the team, was the idea of creating an incentive-based
1747 Traditional Neighborhood District, which would really act as an overlay. Sort of like what
1748 they did in Arlington along Columbia Pike. If you wanted to establish the district and you
1749 created an overlay, you don't have to use the district, but there would be some pretty

1750 powerful incentives if you did use that district in terms of the uses, in terms of the
1751 density and the intensity. So does that answer your question?

1752

1753 Mr. Baka - Yes.

1754

1755 Mr. Leabough - Any other questions from the Commission? Thank you, sir.

1756

1757 Mr. Richardson - Thank you.

1758

1759 Mr. Leabough - So we need to open it up for public comment, Mr. Emerson?

1760

1761 Mr. Emerson - Yes sir, Mr. Chairman. I think some of these folks may have
1762 some thoughts about things they'd like to see included in the code for us to take a look
1763 at it. So yes sir, we'd like to open it up to the floor.

1764

1765 Mr. Leabough - Are we giving folks kind of a one- to two-minute window?

1766

1767 Mr. Emerson - I would say keep your comments to around two minutes.

1768

1769 Mr. Leabough - So no dissertations or anything like that.

1770

1771 Mr. Emerson - Well this is just the beginning. We do have a website. The
1772 idea is to kind of find out generally what people's goals are, what they would like to see,
1773 thoughts. I know there have been comments made to me regarding parking standards,
1774 more flexibility in residential zones, the form-based options that Craig has mentioned.
1775 Certainly we've had those requests from the office park developers primarily. I'm not
1776 sure if I see any of those folks here this morning. But those are kind of some of the
1777 comments I've heard from the development community, so we would like to hear more
1778 from those of you who would like to speak.

1779

1780 Mr. Leabough - Please come forward, Ms. Wilson. And I saw your email this
1781 morning.

1782

1783 Ms. Wilson - Hi, good morning. Thank you. Glad to be here. Lynn Wilson,
1784 citizen. I also work with the Soil and Water District, Herrickopolis. So I'm really excited
1785 about this process.

1786

1787 I would like for you to please clarify for me, and probably for others, the relationship
1788 between the ordinances and the Comprehensive Plan. I was very involved with the
1789 Comprehensive Plan formation last time around. And it seems to me at this point to be a
1790 very stale plan. It's been a very long time since we have as citizens been invited to the
1791 table. So as I said before, I'm very excited about this.

1792

1793 But I'm somewhat curious that we are doing the subdivisions ordinances now, so
1794 important, haven't been looked at in a comprehensive way since the '50s, before a
1795 revision of the Comp Plan. So if you could just clarify that for the record. I would just

1796 really like to be able to talk to my friends and neighbors and colleagues about this very
1797 thing.

1798
1799 Anyway, I plan to follow this process. Thank you very much, and I look forward to your
1800 answer.

1801
1802 Mr. Leabough - Thank you, Ms. Wilson. Do you mind speaking to that?

1803
1804 Mr. Emerson - Absolutely. To clarify, the Comprehensive Plan relationship
1805 to the Code is that it does set the goals and objectives of the overall development
1806 pattern of the County. The codes then are developed to reflect that plan. I don't know
1807 that I share your opinion that it's a stale document. It has been a fairly active document;
1808 it's been amended several times. And we have several focus area studies underway
1809 now. It is meant to be in place until 2026, so I think it is still relevant in many, many
1810 ways.

1811
1812 The goals were set forth in that document for different zoning categories, different
1813 density patterns, different types of goals for different areas of the County. And certainly
1814 that will be a guiding element of what we consider as we develop these codes. And
1815 while both the Subdivision and the Zoning Ordinance are in excess of 60 years old, they
1816 have been amended numerous times, which is one of the reasons that a large part of
1817 this exercise will be cleaning it up, getting it in working order so people can understand
1818 it easier, getting the terminology more modern. That's a big, big part of this effort, along
1819 with adding new tools.

1820
1821 Mr. Leabough - Thank you, sir. Dr. Nelson.

1822
1823 Dr. Nelson - Good morning, Mr. Chairman, members of the Board. I'm
1824 Henry Nelson from 3600 New Market Road in the Varina District. Although I'm here as
1825 an embryonic person from the community and not knowledgeable about the intricacies
1826 of many things that go on in Planning, I have some things that I would like to be
1827 included in the comprehensive planning that's being revised, if appropriate.

1828
1829 I noticed one of the goals was to refine zoning districts. One thing I'd like to emphasize
1830 is that I would not like to see the agricultural areas disappear because at one time that
1831 was a proposal that we opposed, and it was re-included, which we appreciate.

1832
1833 We as a community, Varina community, hired two consultants—Randall Arndt and Ed
1834 McMahon. He's not the guy that worked with Johnny Carson, just so you'll know. And
1835 we looked at various components that could make our community have a higher quality
1836 of life. They suggested certain things based on their premise and what they do for a
1837 living. One of those was to have an architectural theme for commercial buildings in and
1838 of corridor areas. This has been done in Chesterfield County along the Route 10 area in
1839 and around the courthouse, if you take a look at it.

1840

1841 Also at Midlothian where they have the Midlothian Village and Sycamore Square and so
1842 forth, we asked for a colonial design on commercial buildings because we're the second
1843 oldest community in the USA, English-speaking that is. And so we thought that
1844 reflection to make our area a destination rather than just another location would be a
1845 good way to have sustainable value. In fact, Mr. McMahon has said that picking an
1846 architectural theme like that can perpetuate sustainable value on commercial buildings
1847 relative to their use and style 400 to 600 percent above what it would be if you just
1848 accept the cookie-cutter versions that are provided by development which make you
1849 Anywhere, USA, which we don't want to be because we're special. We know that.

1850

1851 Also, we have a program. We worked with a consultant from VCU and came up with a
1852 design for a Varina Village to be located in and/or near the confluence of the roads of
1853 Strath and Route 5. We'd like to see that inclusive in this plan, if appropriate. Those are
1854 just some of the things that we want.

1855

1856 And also if it's appropriate, the Route 5 corridor and the Osborne corridor have been in
1857 our 2026 Plan. They've been adopted, but they've not been fleshed out as to what this
1858 will mean. And we're very anxious to get that in writing in a way that can be applicable
1859 to those things we do. And I don't know if that's appropriate in what you're doing, but if it
1860 is, we'd like to be making sure that that's inclusive.

1861

1862 Without taking further time and at the confluence of the time frame you gave me, that's
1863 what I'd like to see included, if appropriate. Thank you.

1864

1865 Mr. Leabough - Thank you, sir. Anyone else? Yes sir. Please come forward.

1866

1867 Mr. Quackenbush - Good morning. My name is Eric Quackenbush. I am part of
1868 the Route 5 Corridor Coalition that I believe Henry is a part of through a couple
1869 adjoining groups. I'm part of their Land Use and Steering Committee, but they actually
1870 sent me here just to be their ears, not their voice, so I'm not speaking for the coalition
1871 today. I'm just going to speak as a citizen.

1872

1873 We're a wide coalition of business owners and community associations, conservation
1874 groups, nonprofits, and other groups and citizens that all have an interest in kind of the
1875 New Market Route 5 corridor, but also in the larger future of the East End of the County.
1876 And we're interested in promoting sustainable growth in that corridor and in that area of
1877 the County. Our main focus is on the viewshed of historic Route 5, but it does expand
1878 out beyond that due to the various groups that are part of us.

1879

1880 We're very interested in how the East End is going to be developed and we hope that it
1881 will be developed carefully in a thought-out manner that can preserve its historic nature
1882 and its existing potential as an agricultural- and tourism-focused area of the County.
1883 And we'd love to act as a resource for Clarion and the County during this whole
1884 process. We'd love to be involved as you guys kind of interpret the 2026 Plan and the
1885 effects that will have on the zoning ordinances.

1886

1887 So I'm kind of just here to hear your introduction, tell you that we're really happy to be
1888 involved. We'd love to be involved. We're happy that this process is occurring. That's all
1889 I had.

1890

1891 Mr. Leabough - Thank you, sir. Anyone else that would like to speak? Yes,
1892 Mr. Bleckley.

1893

1894 Mr. Bleckley - Hello again. Andrew Bleckley with Cite Design. Although I'm
1895 not currently a citizen of Henrico, I come before this Board periodically. We do a lot of
1896 work in Henrico County. I first of all just want to applaud this effort. As a designer in the
1897 community, we are very excited to hear that you guys are motivated to adapt code and
1898 you're listening to citizens who really want to care about the community in a thoughtful
1899 manner.

1900

1901 One question that I wanted to present today is just a thought about roads. I heard the
1902 presentation talk a lot about TND and form-based codes. One of the things that we've
1903 run into a lot as designers is how to comply with traffic and fire standards for roads while
1904 also creating a walkable streetscape that's compliant with TND standards, creating a
1905 very livable neighborhood. I know that that's something that we've dealt with in the past
1906 and we'd like to see addressed through this process, how do we create a toolkit of sorts
1907 that meets all the requirements from each department as it stands today. Thank you.

1908

1909 Mr. Leabough - Thank you, sir. Anyone else that would like to speak?

1910

1911 Mr. Kukoski - Hi. I'm Mark Kukoski. I'm with Eagle Construction. I wanted
1912 to follow along with what Andrew said.

1913

1914 We've worked on a couple UMUs, and would like to see the processes integrated with
1915 the other departments—Utilities, Public Works, and Fire—so that everything works
1916 together on the roads. We struggled with the public roads to try to make UMUs work
1917 with public roads and the different requirements from the different departments are kind
1918 of mutually exclusive. When you're trying to make a compact TND UMU, sight distances
1919 and easements and all that kind of are at cross-purposes. And when you try to have a
1920 compact development like that, it would be good to bring all the departments in and their
1921 ordinances. Thank you.

1922

1923 Mr. Leabough - Thank you, sir. Anyone else? Speak now or forever hold
1924 your peace. No, this is an evolving process. There will be other opportunities.

1925

1926 Mr. Emerson - Mr. Chairman, I would like to add, if no one else wants to
1927 speak at this time, this will probably be a 24- or 30-month process. We do anticipate
1928 additional meetings probably with a more concentrated user group. And then of course
1929 everything will be posted on the website. We look for that being one of our main tools
1930 that we're going to reach out and try to gain input because that's the most accessible
1931 tool that we can provide to the public, I believe. And the website is designed to do that.
1932 All the documents as they're updated when we receive your input will be posted so we

1933 can gain your input. And again, right now we're just at the beginning of this process, and
1934 we are beginning to just get our arms around the structure or how we're going to
1935 approach the code update. We appreciate the interest.

1936
1937 In response to some of the Route 5 comments, we do have a meeting about a study
1938 that we've begun, and we want to gain citizen input and involvement. And that will occur
1939 on May 11th. It will be very similar to what we've done this morning. It's prior to the
1940 regular Planning Commission meeting, which begins at seven. That will begin at six,
1941 and we'll go over with you some of the data that we've gathered briefly, tell you about
1942 the tools, and begin to gain a little input as we did this morning so we can better
1943 formulate the process that we'll follow there. So that's forthcoming as well.

1944
1945 Mr. Leabough - Just a quick point of clarification. So, the website is pretty
1946 much the primary place that folks can look to find out when public meetings are.

1947
1948 Mr. Emerson - Absolutely, yes sir.

1949
1950 Mr. Leabough - So those of you who are interested, please check that
1951 website frequently. Anything else for the Commission or any other comments?

1952
1953 Mr. Emerson - I don't believe I have anything to add. Mr. Blankinship, do
1954 you have anything that you'd like to add? Ben will be our project manager on staff. I
1955 don't know if he has anything that he'd like to add at this point or not.

1956
1957 Mr. Blankinship - Just to say that we have copies of the presentation that will
1958 be out on the table in the back for anyone who wants to take one. It'll also be posted on
1959 the website.

1960
1961 Mr. Leabough - Great.

1962
1963 Mr. Archer - Mr. Chairman, I was trying to decide whether or not I was
1964 going to mention this, but I guess I should because it's a matter of public information.
1965 Most of you, probably all of you, received an email yesterday from someone about a
1966 zoning classification, a person that couldn't be here. If not, I'll have to forward it to you.
1967 But I think everybody should have received it in their email. It had to do with a person
1968 who has a problem with a zoning classification that's next to their residence. It was sort
1969 of disturbing, to tell you the truth. I think it's too early in this process now to address
1970 that, but I just want us to keep it in mind as we go forward because it's something that I
1971 think we should probably make note of at some point in the future.

1972
1973 Mr. Emerson - Yes sir. I believe everybody got that email. We've been
1974 working with those folks. What that is is the agricultural use is being pursued on a
1975 residential lot next to established residences. The way the current code is written, those
1976 uses are allowed. That's become quite a nuisance for that neighborhood.

1977
1978 Mr. Archer - I can see why it would be.

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Mr. Emerson - There's not a lot of enforcement activity that we can take and certainly that is one of the things that having a code that was developed in the late '50s and adopted in 1960 where the anticipation was probably somebody would have a backyard garden. In this case, someone has purchased an undeveloped lot in this development and has turned it into essentially what they call a farming operation. It's right on the edge. From an enforcement standpoint, we can't do a whole lot about it based on the way the code is written because they're within those parameters. But it's certainly become a large nuisance for that neighborhood.

Mr. Archer - It has, yes.

Mr. Emerson - And that's a valid concern. That lady's goal in sending us that information and wanting to talk to us about it is that it doesn't happen to others.

Mr. Archer - I think she was very nice in her comments about realizing what could probably happen now, which is almost nothing.

Mr. Emerson - That's right.

Mr. Archer - But I didn't want us to forget it going forward because it might be something that we can have an impact on before we conclude this process.

Mr. Emerson - Absolutely, yes sir.

Mr. Leabough - Any other comments? Concerns? Questions? If not, I'll entertain a motion for adjournment.

Mr. Archer - I move for adjournment, Mr. Chair.

Mrs. Marshall - Second.

Mr. Leabough - All right. We have a motion by Mr. Archer a second by Mrs. Marshall. All in favor say aye. Those opposed? There is no opposition; that motion passes.



Mr. Eric S. Leabough, C.P.C., Chairperson



Mr. Joseph Emerson, Jr., Secretary

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **April 26, 2017**, which shall be as much a part of this approval as if details were fully described herein. Nine (9) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised October 2015)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.

11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature. **(For POD which includes lighting plan approval)**
12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. **(Revised January 2008)**
17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the POD.
20. The approved Plan of Development is granted by the Planning Commission only to the owners(s)/applicant(s) listed on the Plan of Development application on file for this project. Upon written notification to the Director of Planning, the Plan of Development approval may be transferred to subsequent owner(s) subject to approval by this Commission, or approval by the Director of Planning provided the property is transferred to new ownership no later than 24 months following initial construction plan approval. **(Revised August 2016)**

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 **April 26, 2017**, which shall be as much a part of this approval as if all details were fully described herein. Four (4) sets of prints of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Conventional Single-Family Subdivisions Served By Public Utilities

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of sixteen (16) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on-site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 26, 2017**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **April 25, 2018**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Conventional Single-Family Subdivisions Not Served By Public Utilities

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of eleven (11) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **April 26, 2017**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **April 25, 2018**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Residential Townhouse for Sale (RTH) Subdivisions

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 26, 2017**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **April 25, 2018**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Zero Lot Line Subdivisions

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 26, 2017**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **April 25, 2018**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Road Dedication with No Lots

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of sixteen (16) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **April 26, 2017**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **April 25, 2018**, 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.