

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, February 22, 2017.
4

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
Ms. Sharon Smidler, P.E., Traffic Engineer
Mr. Gary A. DuVal, P.E., Traffic Engineer
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.**

8
9 Mr. Leabough - I call this meeting of the Henrico County Planning
10 Commission to order. This is our subdivisions and plans of development meeting. I ask
11 that everyone mute or silence your cell phones. And as you do that, please rise with the
12 Commission for the pledge of allegiance.
13

14 Do we have anyone from the news media in the audience? I don't believe we do, but if
15 so, please identify yourself. No news media here present.
16

17 I'd like to take this opportunity to thank Mr. Nelson for being with the Commission this
18 year. Mr. Nelson, thank you for being here. All Commission members are present. So
19 with that, I'd like to turn the agenda over to our secretary, Mr. Joe Emerson.
20

21 Mr. Emerson - Thank you, Mr. Chairman. First item on your agenda this
22 morning are the requests for deferrals and withdrawals. Those are presented by Ms.

23 Leslie News, but this morning we do not have any deferrals or withdrawals that have
24 been requested. Is that correct, Ms. News?

25
26 Ms. News - That's correct.

27
28 Mr. Emerson - However, if the Commission has any deferrals that they
29 would like to enter, now would be the time to do so.

30
31 *(Deferred from the February 9, 2017 Meeting)*

32 **REZ2017-00006 James W. Theobald for WAM Associates, LLC:** Request to
33 conditionally rezone from O-3C Office District (Conditional) to UMUC Urban Mixed Use
34 District (Conditional) Parcel 747-761-9275 containing 4.081 acres located at the
35 southeast intersection of Innslake Drive and Dominion Boulevard. The applicant
36 proposes a mixed-use development of residential apartments and office uses. The uses
37 will be controlled by zoning ordinance regulations and proffered conditions. The 2026
38 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Innsbrook
39 Redevelopment Overlay District.

40
41 Mrs. Marshall - Mr. Chairman, I do have a deferral this morning.

42
43 Mr. Leabough - Okay, Ms. Marshall.

44
45 Mrs. Marshall - Mr. Chairman, I move that REZ2017-00006, James W.
46 Theobald for WAM Associates, LLC, be deferred to the March 22nd meeting at the
47 request of the Commission.

48
49 Mr. Baka - Second.

50
51 Mr. Leabough - We have a motion by Mrs. Marshall, a second by Mr. Baka.
52 All in favor say aye. All opposed say no. The ayes have it; the deferral passes.

53
54 At the request of the Commission, the Planning Commission deferred REZ2017-00006,
55 James W. Theobald for WAM Associates, LLC, to its March 22, 2017 meeting.

56
57 *(Deferred from the February 9, 2017 Meeting)*

58 **PUP2017-00004 James W. Theobald for WAM Associates, LLC:** Request for a
59 Provisional Use Permit Under Sections 24-32.1(a)(n)(s)(t)(v)(z) and (aa), 24-120 and 24-
60 122.1 of Chapter 24 of the County Code to allow for the following on Parcel 747-761-
61 9275: outdoor vending; parking garages without ground floor retail uses; heights greater
62 than 60'; density greater than 30 dwelling units per acre; open space less than 20%;
63 commercial or office square footage less than 25% of total square footage; for-lease
64 multifamily dwellings to exceed 30% of total units; and a parking plan, located at the
65 southeast intersection of Innslake Drive and Dominion Boulevard. The existing zoning is
66 O-3C Business District (Conditional). The 2026 Comprehensive Plan recommends
67 Urban Mixed-Use. The site is in the Innsbrook Redevelopment Overlay District.

69 Mrs. Marshall - Mr. Chairman, I move that PUP2017-00004, James W.
70 Theobald for WAM Associates, LLC, be deferred to the March 22nd meeting at the
71 request of the Commission.

72
73 Mr. Archer - Second.

74
75 Mrs. Marshall - We have a motion by Mrs. Marshall, a second by Mr. Archer.
76 All in favor say aye. All opposed say no. There's no opposition; that motion passes.

77
78 At the request of the Commission, the Planning Commission deferred PUP2017-00004,
79 James W. Theobald for WAM Associates, LLC, to its March 22, 2017 meeting.

80
81 Mr. Emerson - Mr. Chairman, if there are no further deferrals to be entered
82 by the Commission, next on your agenda are expedited items. Those will be presented
83 by Ms. Leslie News.

84
85 Ms. News - Thank you, Mr. Secretary. Good morning, members of the
86 Commission. We have four items on our expedited agenda this morning. The first is
87 found on page 3 of your agenda and located in the Varina District. This is POD-06-87,
88 NuCo2, which was formerly Thrifty Car Rental, TOA. Staff recommends approval.

89
90 **TRANSFER OF APPROVAL**

91
POD-06-87 **Lowell Smith, Jr. for Aragon Group, A VA Ltd.**
POD2016-00536 **Partnership:** Request for transfer of approval as required
NuCo2 (Former Thrifty Car by Chapter 24, Section 24-106 of the Henrico County
Rental) – 5914 Lewis Code from A&A Auto Rental to Aragon Group. The 2-acre
Road site is located on the west line of Lewis Road,
approximately 400 feet north of Charles City Road, on
parcel 818-708-7808. The zoning is M-1, Light Industrial
District and ASO, Airport Safety Overlay District. County
water and sewer. **(Varina)**

92
93 Mr. Leabough - Is there anyone present who is opposed to the transfer
94 request for POD-06-87 (POD2016-00536), NuCo2 (former Thrifty Car Rental)? I see no
95 opposition. With that, I move that the transfer request for POD-06-87 (POD2016-00536),
96 NuCo2 (former Thrifty Car Rental), 5914 Lewis Road, be approved subject to previously
97 approved conditions with the POD on the expedited agenda.

98
99 Mr. Witte - Second.

100
101 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Witte.
102 All in favor say aye. All opposed say no. No opposition; the motion passes.

103

104 The Planning Commission approved the transfer of approval request for POD-06-87
105 (POD2016-00536), NuCo2 (former Thrifty Car Rental), from A&A Auto Rental to Aragon
106 Group, subject to the standard and added conditions previously approved.
107

108 Ms. News - The next item is on page 4 of your agenda and is located in
109 the Three Chopt District. This is POD and lighting plan for POD2017-00011, Sadler
110 Crossing Section 2. Staff recommends approval.
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112 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**
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POD2017-00011 Sadler Crossing Section 2 – 11311 Wonder Lane	Bay Companies. Inc. for ME Sadler, LLC: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 22 two-story detached condominium units. The 6.75-acre site is located on the west line of Sadler Grove Road at its intersection with Sadler Road, the north line of future Sadler Road relocated, and the southern line of Sadler Grove Subdivision, on part of parcel 746-764-2092 and 746-765-0309. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. (Three Chopt)
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115 Mr. Leabough - Is there anyone present who is opposed to POD2017-00011
116 and the lighting plan for Sadler Crossing Section 2? There's no opposition.
117

118 Mrs. Marshall - Then Mr. Chairman, I move that POD2017-00011, Sadler
119 Crossing Section 2, be approved on the expedited agenda subject to the annotations on
120 the plan, the standard conditions for developments of this type, and additional conditions
121 11B and 29 through 35.
122

123 Mr. Witte - Second.
124

125 Mr. Leabough - We have a motion by Mrs. Marshall, a second by Mr. Witte.
126 All in favor say aye. All opposed say no. No opposition; that motion passes.
127

128 The Planning Commission approved the POD and lighting plan for POD2017-00011,
129 Sadler Crossing Section 2, subject to the annotations on the plans, the standard
130 conditions attached to these minutes for developments of this type, and the following
131 additional conditions:
132

133 11B. Prior to the approval of an electrical permit application and installation of the site
134 lighting equipment, a plan including light spread and intensity diagrams, and
135 fixture specifications and mounting heights details shall be revised as annotated
136 on the staff plan and included with the construction plans for final signature.

- 137 29. Prior to issuance of a certificate of occupancy for any building in this development,
138 the engineer of record shall certify that the site has been graded in accordance
139 with the approved grading plans.
- 140 30. The proffers approved as a part of zoning case REZ2016-00039 shall be
141 incorporated in this approval.
- 142 31. A note in bold lettering shall be provided on the erosion control plan indicating that
143 sediment basins or traps located within buildable areas or building pads shall be
144 reclaimed with engineered fill. All materials shall be deposited and compacted in
145 accordance with the applicable sections of the state building code and
146 geotechnical guidelines established by the engineer. An engineer's report
147 certifying the suitability of the fill materials and its compaction shall be submitted
148 for review and approval by the Director of Planning and Director of Public Works
149 and the Building Official prior to the issuance of any building permit(s) on the
150 affected sites.
- 151 32. The pavement shall be of an SM-2A type and shall be constructed in accordance
152 with County standard and specifications. The developer shall post a defect bond
153 for all pavement with the Department of Planning - the exact type, amount and
154 implementation shall be determined by the Director of Planning, to protect the
155 interest of the members of the Homeowners Association. The defect bond shall
156 remain in effect for a period of three years from the date of the issuance of the
157 final occupancy permit. Prior to the issuance of the last Certificate of Occupancy,
158 a professional engineer must certify that the roads have been designed and
159 constructed in accordance with County standards.
- 160 33. Approval of the construction plans by the Department of Public Works does not
161 establish the curb and gutter elevations along the Henrico County maintained
162 right-of-way. The elevations will be set by Henrico County.
- 163 34. Prior to construction plan approval, a draft of the covenants and deed restrictions
164 for the maintenance of the common area by a homeowners association shall be
165 submitted to the Department of Planning for review. Such covenants and
166 restrictions shall be in a form and substance satisfactory to the County Attorney
167 and shall be recorded prior to issuance of a certificate of occupancy.
- 168 35. The location of all existing and proposed utility and mechanical equipment
169 (including HVAC units, electric meters, junction and accessory boxes,
170 transformers, and generators) shall be identified on the landscape plans. All
171 equipment shall be screened by such measures as determined appropriate by the
172 Director of Planning or the Planning Commission at the time of plan approval.

173
174 Ms. News - The next item is on page 6 of your agenda and located in the
175 Fairfield District. This is POD2017-00006. And this also includes a lighting plan for Brook
176 Commons Center. Staff recommends approval.

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183 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

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POD2017-00006
Brook Commons Center – **Willmark Engineering, PLC for Ball Robert B Sr. & Edna Estates, Robert B. Ball, Sr. Family, LLC, and OAP Brook Road, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a new shopping center consisting of a one-story 7,627 square foot retail building and a one-story 6,283 square foot retail building. The 3.56-acre site is located at the northeast corner of the intersection of Brook Road (U.S. Route 1) and Wilkinson Road, and on the west line of Seminary Avenue, on parcels 784-754-6140, 784-754-6324, 784-754-6505, 784-754-7628, 784-754-8004, and 784-754-8014. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Fairfield)**

185

186 Mr. Leabough - Is there anyone present who is opposed to POD2017-00006,
187 Brook Commons Center, 7701 Brook Road? I see no opposition, Mr. Archer.

188

189 Mr. Archer - Mr. Chairman, with that I will move for approval of POD2017-
190 00006, Brook Commons Center, subject to standard conditions for developments of this
191 type and the additional conditions 11B and 29 through 43.

192

193 Mr. Baka - Second.

194

195 Mr. Leabough - We have a motion by Mr. Archer, a second by Mr. Baka. All in
196 favor say aye. Those opposed? That motion passes.

197

198 The Planning Commission approved the POD and lighting plan for POD2017-00006,
199 Brook Commons Center, subject to the annotations on the plans, the standard conditions
200 attached to these minutes for developments of this type, and the following additional
201 conditions:

202

203 11B. Prior to the approval of an electrical permit application and installation of the site
204 lighting equipment, a plan including light spread and intensity diagrams, and fixture
205 specifications and mounting heights details shall be revised as annotated on the
206 staff plan and included with the construction plans for final signature.

207 29. Only retail business establishments permitted in a B-2 zone may be located in this
208 center.

209 30. The ground area covered by all the buildings shall not exceed in the aggregate 25
210 percent of the total site area.

211 31. No merchandise shall be displayed or stored outside of the building(s) or on
212 sidewalk(s).

213 32. The right-of-way for widening of Brook Road (U.S. Route 1) as shown on
214 approved plans shall be dedicated to the County prior to any occupancy permits

- 215 being issued. The right-of-way dedication plat and any other required information
216 shall be submitted to the County Real Property Agent at least sixty (60) days prior
217 to requesting occupancy permits.
- 218 33. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be
219 approved by the Virginia Department of Transportation and the County.
- 220 34. A notice of completion form, certifying that the requirements of the Virginia
221 Department of Transportation entrances permit have been completed, shall be
222 submitted to the Department of Planning prior to any occupancy permits being
223 issued.
- 224 35. A concrete sidewalk meeting County standards shall be provided along the
225 northern side of Wilkinson Road and along the eastern side of Brook Road (U.S.
226 Route 1).
- 227 36. Outside storage shall not be permitted.
- 228 37. The proffers approved as a part of zoning case REZ2016-00028 shall be
229 incorporated in this approval.
- 230 38. The developer shall install an adequate restaurant ventilating and exhaust system
231 to minimize smoke, odors, and grease vapors. The plans and specifications shall
232 be included with the building permit application for review and approval. If, in the
233 opinion of the County, the type system provided is not effective, the Commission
234 retains the rights to review and direct the type of system to be used.
- 235 39. In the event of any traffic backup which blocks the public right-of-way as a result
236 of congestion caused by the drive-up delivery facilities, the owner/occupant shall
237 close the drive-up delivery facilities until a solution can be designed to prevent
238 traffic backup.
- 239 40. Approval of the construction plans by the Department of Public Works does not
240 establish the curb and gutter elevations along the Henrico County maintained
241 right-of-way. The elevations will be set by Henrico County.
- 242 41. Approval of the construction plans by the Department of Public Works does not
243 establish the curb and gutter elevations along the Virginia Department of
244 Transportation maintained right-of-way. The elevations will be set by the
245 contractor and approved by the Virginia Department of Transportation.
- 246 42. Evidence of a joint ingress/egress and maintenance agreement must be
247 submitted to the Department of Planning and approved prior to issuance of a
248 certificate of occupancy for this development.
- 249 43. The location of all existing and proposed utility and mechanical equipment
250 (including HVAC units, electric meters, junctions and accessory boxes,
251 transformers, and generators) shall be identified on the landscape plan. All
252 building mounted equipment shall be painted to match the building, and all
253 equipment shall be screened by such measures as determined appropriate by the
254 Director of Planning or the Planning Commission at the time of plan approval.

255
256 Ms. News - The final item is on page 9 of your agenda and located in the
257 Varina District. This is SUB2017-00008, Settlers Ridge (February 2017 Plan) for 70 lots.
258 Staff recommends approval.

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SUBDIVISION

SUB2017-00008
Settler's Ridge (February
2017 Plan) – 1501 Burning
Tree Road

Engineering Design Associates for Siddiqi Aimal and David Gripehover: The 18.8-acre site proposed for a subdivision of 70 zero lot line single family homes is located on the southern line Burning Tree Road, approximately 1,300 feet west of its intersection with South Laburnum Avenue and along the north line of Pocahontas Parkway (State Route 895), on parcel 805-692-5206. The zoning is R-5AC, General Residential District (Conditional). County water and sewer. **(Varina) 70 Lots**

263

264 Mr. Leabough - Is there anyone present who is opposed to SUB2017-00008,
265 Settlers Ridge (February 2017 Plan)? There's no opposition. So with that I move that
266 SUB2017-00008, Settlers Ridge (February 2017 Plan), be approved subject to the
267 annotations on the plans, standard conditions for zero-lot-line subdivisions, and the
268 additional conditions 13 and 14 as noted on the agenda.

269

270 Mr. Witte - Second.

271

272 Mr. Leabough - We have a motion by Mr. Leabough, a second by Mr. Witte.
273 All in favor say aye. All opposed? Being no opposition, that motion passes.

274

275 The Planning Commission granted conditional approval to SUB2017-00008, Settlers
276 Ridge (February 2017 Plan), subject to the standard conditions attached to these
277 minutes for subdivisions served by public utilities, the annotations on the plans, and the
278 following additional conditions:

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280 13. Prior to requesting the final approval, a draft of the covenants and deed
281 restrictions for the maintenance of the common area by a homeowners
282 association shall be submitted to the Department of Planning for review. Such
283 covenants and restrictions shall be in a form and substance satisfactory to the
284 County Attorney and shall be recorded prior to recordation of the subdivision plat.

285 14. The proffers approved as part of zoning case C-74C-03 shall be incorporated in
286 this approval.

287

288 Ms. News - That completes our expedited agenda.

289

290 Mr. Emerson - Mr. Chairman, we now move to Subdivision Extensions of
291 Conditional Approval. Those will be presented by Ms. Kate McMillion. There is no action
292 required of the Commission this morning.

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297

298 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**
 299 **EXTENSIONS - FOR INFORMATIONAL PURPOSES ONLY**

300

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2013-00218 Sadler Green (February 2014 Plan)	1	1	2	Three Chopt	February 28, 2018

301
 302 Ms. McMillion - Good morning. There is one informational conditional
 303 subdivision extension on the agenda this morning. The map indicates in red the location
 304 of the subdivision Sadler Green (February 2014 Plan), which is presented for extension
 305 of conditional approval. The case, located in the Three Chopt District, is eligible for a
 306 one-year extension, which does not require Commission action.

307
 308 I'm available for any questions you may have.

309
 310 Mr. Leabough - Are there questions from the Commission? I see no
 311 questions. Thank you, ma'am.

312
 313 Mr. Emerson - Mr. Chairman, we now move on to your regular agenda, page
 314 10, for SUB2017-00004, Youngblood, Tyler, and Associates for Youngblood Properties,
 315 LLC. The staff report will be presented by Mr. Matt Ward.

316
 317 **SUBDIVISION MTP SETBACK EXCEPTION**

318
 SUB2017-00004 **Youngblood, Tyler, and Associates for Youngblood**
 Twin Oaks Section 1 Block **Properties, LLC:** Request for an exception pursuant to
 A Lot 8 – 8560 Hungary Sections 19-4(a) and 24-94(aa) of the Henrico County
 Road Code, to reduce the increased major thoroughfare setback
 Road along the rear yard of Lot 8 along Hungary Road. The
 0.46-acre site is located along the north line of Hungary
 Road, approximately 300 feet west of Hill Trace Court, on
 part of parcel 763-761-8543. The zoning is R-2, One-
 Family Residence District. County water and sewer.
(Brookland) 1 Lot

319
 320 Mr. Leabough - Is there anyone present who is opposed to SUB2017-00004,
 321 Twin Oaks Section 1 Block A Lot 8? I see no opposition. Mr. Ward, good morning.

322
 323 Mr. Ward - Good morning. The applicant has requested the Planning
 324 Commission grant a 20-foot reduction in the increased Major Thoroughfare Plan rear
 325 yard building setback from 80 to 60 feet along the northern line of Hungary Road. This
 326 exception would apply Lot 8. As approved on July 25th, 2016, the buildable area was
 327 meeting the 80-foot rear setback. The current buildable area, which is considered here

328 outside this dashed area, yields .46 acres and roughly .49 acres would result with
329 granting the exception.

330

331 This exception request is allowed by code, provided that the following is met:

332

333 1. The exception substantially complies with the provisions of this chapter, does not
334 defeat the chapter's purpose, and protects public interest;

335 2. The exception will not be detrimental to the public safety, health, welfare, or
336 injurious to the surrounding property or improvements;

337 3. The conditions on which the exception request is based are unique to the
338 property, are not generally applicable to other properties, and do not create mere
339 inconvenience; and

340 4. The exception is not based exclusively on financial considerations.

341

342 In the general vicinity, there are five existing homes, along the southern line of Hungary
343 Road. The exception is going to be generally in this area. From what we gathered, 59
344 feet is the average rear yard setback along this part of Hungary Road, ranging anywhere
345 between 40 and 70 feet. Furthermore, the applicant has provided to do a small berm and
346 plantings in a 25-foot-wide landscape strip along this side of Hungary Road.

347

348 And as the normal procedure, staff does not make any recommendations regarding the
349 exception request. However, I'm happy to answer any questions the Commission may
350 have of me. We have Adam Werner, engineer with Youngblood and Tyler, as well as
351 Mr. Youngblood, owner, should you have any questions of them.

352

353 Mr. Leabough - Are there questions from the Commission for Mr. Ward?

354

355 Mr. Witte - I have one, Mr. Ward. Just for the record, the landscape plan
356 will be coming back to the staff for approval?

357

358 Mr. Ward - That's correct.

359

360 Mr. Witte - And we will see a berm landscaped on both sides and the
361 top?

362

363 Mr. Ward - Correct.

364

365 Mr. Witte - And that's agreeable with the applicant is my understanding.

366

367 Mr. Ward - Yes sir.

368

369 Mr. Witte - Okay.

370

371 Mr. Leabough - The request does meet the threshold requirements for
372 granting an exception?

373

374 Mr. Ward - It does.
375
376 Mr. Leabough - Thank you.
377
378 Mr. Emerson - Mr. Witte, would you like the applicant to come forward and
379 confirm your understanding for the record?
380
381 Mr. Witte - Sure.
382
383 Mr. Emerson - He was nodding in agreement. But normally I know you like to
384 have that in the minutes.
385
386 Mr. Witte - Yes.
387
388 Mr. Werner - Adam Werner from Youngblood, Tyler, and Associates. We
389 can confirm that the berm will be provided on Lot 1 along the frontage of Hungary Road,
390 and then on Lot 8, and then also the common area behind Lot 7.
391
392 Mr. Witte - Okay. As I've expressed before, my concern is a nice berm
393 that's aesthetically pleasing and it detracts away from anything that may be going on in
394 the backyard, swimming pools, whatever. So it's as much a safety thing as an aesthetic
395 thing.
396
397 Mr. Werner - Correct. Yes sir.
398
399 Mr. Witte - And you're agreeable.
400
401 Mr. Werner - Yes sir.
402
403 Mr. Witte - Thank you.
404
405 Mr. Werner - Thank you.
406
407 Mr. Witte - I'm good.
408
409 Mr. Leabough - All right. Any other questions from the Commission? No other
410 questions, Mr. Witte.
411
412 Mr. Witte - All right, Mr. Chairman, I move approval of Subdivision Major
413 Thoroughfare Setback, as presented, for SUB2017-00004, Twin Oaks Section 1 Block A
414 Lot 8. And I believe it was dated July 25, 2016.
415
416 Mr. Baka - Second.
417
418 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Baka. All in
419 favor say aye. All opposed say no. The ayes have it; the motion passes.

420

421 The Planning Commission granted approval of the subdivision MTP Setback Exception
422 for Twin Oaks Section 1 Block A Lot 8 for the Subdivision MTP Setback Exception,
423 subject to the standard conditions attached to these minutes for subdivisions served by
424 public utilities and the annotations on the plans.

425

426 Mr. Emerson - Mr. Chairman, we now move on to page 12 of your regular
427 agenda and page 13 of your regular agenda, as well as page 1 of your amended
428 agenda. You have two companion cases. They will be presented together. I will call them
429 together, but they will require separate motions. The first case is POD2017-00071, Eagle
430 Construction of VA, LLC for ME Nuckols, LLC.

431

432 **LANDSCAPE PLAN**

433

434 POD2017-00071 435 GreenGate Phase II – 436 Commercial East– West 437 Broad Street (U.S. Route 438 250)	Eagle Construction of VA, LLC for ME Nuckols, 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 7.65-acre portion of the 66.9-acre site is located along the southern line of West Broad Street (U.S. Route 250), approximately 540 feet west of its intersection with North Gayton Road, on part of parcel 731-764-5533. The zoning is UMUC, Urban Mixed Use District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)
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435 Mr. Emerson - And you also have the companion case, POD2017-00072,
436 Eagle Construction of VA, LLC for ME Nuckols, LLC. Of course it is at the same location
437 with the same informational criteria. The staff reports will be presented by Mr. Greg
438 Garrison.

439

440 **LANDSCAPE PLAN**

441

442 POD2017-00072 443 GreenGate Phase III – 444 Commercial West– West 445 Broad Street (U.S. Route 250)	Eagle Construction of VA, LLC for ME Nuckols, 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 8.18-acre portion of the 66.9-acre site is located along the southern line of West Broad Street (U.S. Route 250), approximately 1,030 feet west of its intersection with North Gayton Road, on part of parcel 731-764-5533. The zoning is UMUC, Urban Mixed Use District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)
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443 Mr. Leabough - Is there anyone present who is opposed to POD2017-00071,
444 GreenGate Phase II – Commercial East or POD2017-00072, GreenGate Phase III –
445 Commercial West? No opposition, Mr. Garrison.

446
447 Mr. Garrison - Good morning. This is a request for a landscape plan for
448 GreenGate Commercial East and GreenGate Commercial West. Both phases include
449 the entire frontage of West Broad Street and are subject to the West Broad Street
450 Overlay requirements and proffered conditions from REZ2014-00009, as well as
451 conditions from PUP2014-00006.
452
453 The applicant has been working with staff to provide additional plant material along West
454 Broad Street to meet the minimum requirements for the West Broad Street Overlay
455 District. That's in this area right here. The revised plan in your addendum reflects these
456 changes for staff to recommend approval subject to the annotations on the plans and the
457 standard conditions for landscape plans.
458
459 I would like to remind you that you will need to waive the time limits, as the revised plans
460 were received yesterday afternoon.
461
462 I'm available to answer any questions that you may have. And Natalie Croft is also
463 available to answer any questions that you may have.
464
465 Mr. Leabough - Any questions from Mr. Garrison? I see none. Would you like
466 to hear from the applicant, Mrs. Marshall?
467
468 Mrs. Marshall - Yes. Ms. Croft, please.
469
470 Ms. Croft - Good morning.
471
472 Mr. Leabough - Could you please state your name for the record?
473
474 Ms. Croft - My name is Natalie Croft. I'm with Eagle Construction.
475
476 Mr. Leabough - Thank you.
477
478 Ms. Croft - Thank you.
479
480 Mr. Gurley - My name is J. B. Gurley. I'm with Markel | Eagle.
481
482 Mr. Leabough - Thank you, sir.
483
484 Mrs. Marshall - If you could, could you explain to the Commission the
485 reduction that you're interested in on frontage of Broad Street?
486
487 Ms. Croft - We have been working with staff to hopefully consider the
488 West Broad Street Overlay District from the perimeter of our site, from one side to the
489 other, cumulatively. When we do that, we do meet exactly the number of trees required
490 in the West Broad Street Overlay District. That being said, to count it cumulatively, we

491 would be including four extra trees provided in West to count for East. But when you look
492 at it as a whole, we meet the number of trees required.

493
494 Mrs. Marshall - Okay. And what is the reasoning for having less trees along
495 Broad Street?

496
497 Ms. Croft - We were hoping to provide more visibility to the site as you
498 come west down West Broad Street. We have increased the number of trees on the
499 West section to sort of compensate for that. But we didn't want to take away from our
500 front door to West Broad Street. The architecture is stunning, and we didn't want to hide
501 it.

502
503 Mr. Gurley - I guess all that I would add on that point is that taken as a
504 whole—and the development really is one project—we meet the requirement across the
505 entirety of the Broad Street frontage. So it's kind of a quirk of our approval that we've got
506 an east and west, when really it's one project. If you drove by there today, it's all under
507 construction. And I think it's viewed by the community as one place.

508
509 Mr. Leabough - Are there any other questions from the Commission?

510
511 Mr. Baka - Just one other question. I realize this is approval of a
512 landscape plan. As you're coming off Broad Street and you come several hundred feet
513 back at the intersection there, can you describe any of the traffic calming techniques that
514 are going to be used here in addition to landscaping? Is there raised pavement within
515 that crosswalk area?

516
517 Mr. Gurley - There is not. I'm sorry; I'm not sure exactly where you're
518 looking.

519
520 Mr. Baka - As you come off Broad and come 200, 300 feet back at that
521 intersection. In the middle of the development where—

522
523 Mr. Gurley - Okay. It's not raised.

524
525 Mr. Baka - Is there any landscaping in the middle there?

526
527 Mr. Gurley - Yes. I'm sorry. I understand you now 100 percent. So there
528 we have pedestrian crosswalks. And the center of the development will be landscaped,
529 and it's also a place that—art is a very big part of the entirety of this project. We have Ed
530 Trask, who is a pretty well-known muralist who is going to have a complete program. So
531 art will be used as a focal point of the development and also as a place to credibly do
532 some screening. In that location, we plan to have a sculpture piece.

533
534 Mr. Baka - Okay.

535

536 Mr. Gurley - Haven't figured out what it's going to be yet, but we have a
537 pretty healthy budget and some pretty creative and talented folks that are going to help
538 us select that.

539
540 Mr. Baka - That's it exactly. In addition to the sculpture and ground
541 landscaping, sometimes even that is a traffic calming technique to slow busy commercial
542 traffic down.

543
544 Mr. Gurley - It'll catch your eye, that's for sure.

545
546 Mr. Baka - I appreciate seeing that. Thank you very much.

547
548 Mr. Gurley - Yes sir.

549
550 Mr. Leabough - Any other questions from the Commission? There are no
551 other questions, Mrs. Marshall. How would you like to proceed?

552
553 Mrs. Marshall - Mr. Chairman, I move to waive the time limits for POD2017-
554 00071, GreenGate Phase II – Commercial East.

555
556 Mr. Archer - Second.

557
558 Mr. Leabough - We have a motion by Mrs. Marshall, a second by Mr. Archer.
559 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

560
561 Mrs. Marshall - Mr. Chairman, I move that POD2017-00071, GreenGate
562 Phase II – Commercial East, be approved subject to the annotations on the plan and the
563 standard conditions for developments of this type, including the revised plans in the
564 addendum.

565
566 Mr. Witte - Second.

567
568 Mr. Leabough - We have a motion by Mrs. Marshall, a second by Mr. Witte.
569 All in favor say aye. All opposed. There's no opposition; that motion passes.

570
571 The Planning Commission approved the landscape plan for POD2017-00071,
572 GreenGate Phase II – Commercial East, subject to the annotations on the plans and the
573 standard conditions attached to these minutes for developments of this type, including
574 the revised plans in the addendum.

575
576 Mrs. Marshall - Mr. Chairman, I move to waive the time limits for POD2017-
577 00072, GreenGate Phase III – Commercial West.

578
579 Mr. Archer - Second.

580

581 Mr. Leabough - We have a motion by Mrs. Marshall, a second by Mr. Archer.
582 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
583

584 Mrs. Marshall - Mr. Chairman, I move that POD2017-00072, GreenGate
585 Phase III – Commercial West, be approved subject to the annotations on the plan and
586 the standard conditions for developments of this type, including the revised plans in the
587 addendum.
588

589 Mr. Baka - Second.
590

591 Mrs. Marshall - We have a motion by Mrs. Marshall, a second by Mr. Baka.
592 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
593

594 The Planning Commission approved the landscape plan for POD2017-00072,
595 GreenGate Phase III – Commercial West, subject to the annotations on the plans and
596 the standard conditions attached to these minutes for developments of this type,
597 including the revised plans in the addendum.
598

599 Mr. Leabough - Before we move forward, Mr. Emerson, I believe we have
600 someone from the media in the audience. Welcome. Thank you for being here.
601

602 Mr. Emerson - Mr. Chairman, next on your agenda is the discussion item. As
603 you know, we've been reviewing your Rules and Regulations, and we did discuss two
604 changes that we needed to make to update the rules and regs. The first one appears on
605 page 6, item 7, and that is the number of days. It currently reflects 90. It's being changed
606 to 100 reflect state code. And then the second item will be on page 7 regarding
607 temporary plans of development. It's under item 2. It currently says 6 months, for a
608 period not to exceed 6 and is changing to a period not to exceed 12 to be consistent with
609 the Zoning Code of the County.
610

611 Other than that, the rules and regs remain unchanged. These do not require a public
612 hearing; they just require a vote confirming those changes. We will make them
613 accordingly, provide everybody with a clean copy, and post it online.
614

615 Mr. Leabough - Are there any questions from the Commission. If not, I'll
616 entertain a motion to adopt the Rules and Regulations as presented by Mr. Emerson.
617

618 Mr. Witte - So moved.
619

620 Mr. Baka - Second.
621

622 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Baka. All in
623 favor say aye. All opposed say no. The ayes have it; the motion passes.
624

625 Mr. Emerson - Mr. Chairman, the next item on your agenda is the
626 consideration of your minutes from you January 25, 2017, meeting. I do not believe I
627 have an errata sheet this morning.

628
629 APPROVAL OF MINUTES: January 25, 2017

630
631 Mr. Leabough - We'll entertain a motion for approval of the minutes.

632
633 Mrs. Marshall - So moved.

634
635 Mr. Leabough - Second. We have a motion by Mrs. Marshall, a second by
636 Mr. Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion
637 passes.

638
639 The Planning Commission approved the January 25, 2017 minutes as presented.

640
641 Mr. Leabough - Is there any other business to come before the Commission,
642 Mr. Emerson?

643
644 Mr. Emerson - Mr. Chairman, I don't have any other business for you. I will
645 let you know that I'm going to make a presentation to the Board during their work session
646 at their upcoming meeting next Tuesday introducing them to the consultants for the
647 Zoning Code update. If things move as we currently plan, we'll be having a similar
648 meeting with the Planning Commission and kick off this process. At that point, we'll ask
649 for public input and begin the process. But I wanted to make you aware that that piece
650 was moving forward, and I will be back to you after that meeting with the next steps as to
651 how we're proceeding.

652
653 Mr. Leabough - Thanks for that update. It's been a long time coming, right?

654
655 Mr. Emerson - It has, yes sir.

656
657 Mr. Leabough - Only since what, '52? Fifties, sixties?

658
659 Mr. Emerson - I found a letter from where the work was awarded for the
660 current ordinance, and it's signed 1957.

661
662 Mr. Leabough - Fifty-seven.

663
664 Mr. Emerson - So it was actually adopted, I believe, in '59, effective in '60.

665
666 Mr. Leabough - With that, if there's no other business, I'll entertain a motion
667 for adjournment.

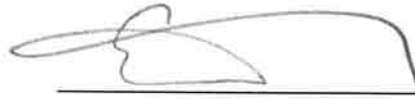
668
669 Mr. Archer - Mr. Chairman, there being no further business, I move that
670 we immediately adjourn.

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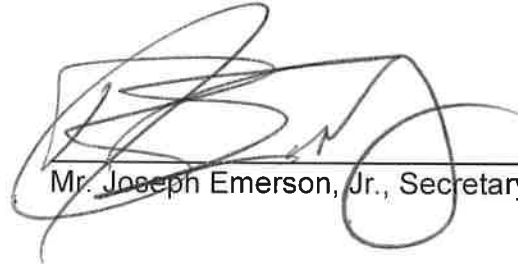
Mr. Witte - Second.

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

This meeting is adjourned.



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 **February 22, 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 **February 22, 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-inflammable cleaning solvents and have fully enclosed cleaning and solvent reclamation processes and fully enclosed pressing equipment with no outside steam exhaust.

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

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

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

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

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

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

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

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

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Conventional Single-Family Subdivisions Served By Public Utilities

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of sixteen (16) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on-site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **February 22, 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 **February 21, 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 **February 22, 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 **February 21, 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 **February 22, 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 **February 21, 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 **February 22, 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 **February 21, 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 **February 22, 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 **February 21, 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.

