

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County,
2 held in the Board Room of the County Administration Building in the Government
3 Center at Parham and Hungary Springs Roads beginning at 9:00 a.m. Wednesday,
4 January 28, 2009.

5
Members Present: Mrs. Bonnie-Leigh Jones, Chairperson (Tuckahoe)
Mr. E. Ray Jernigan, C.P.C., (Varina)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Tommy Branin (Three Chopt)
Mr. R. Joseph Emerson, Jr., Director of Planning, Secretary
Mr. James B. Donati (Varina)
Board of Supervisors Representative

Members Absent: Mr. Ernest B. Vanarsdall, C.P.C., Vice Chairperson (Brookland)

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning
Ms. Leslie A. News, CLA, Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Mrs. Aimee Berndt, County Planner
Mr. Jonathan W. Steele, G.I.S. Manager
Mr. Mike Jennings, Traffic Engineer
Mr. Tommy Catlett, Traffic Engineer
Ms. Kim Vann, Police Division
Ms. Holly Zinn, Recording Secretary

6
7 **Mr. James B. Donati, the Board of Supervisors' representative, abstains from**
8 **voting on all cases unless otherwise noted.**

9
10
11 Mrs. Jones - I'd like to call this meeting of the Planning Commission to
12 order. First order of business, please rise and we'll say the Pledge of Allegiance to the
13 Flag.

14
15 Thank you. I'd like to welcome you to our Planning Commission meeting for
16 subdivisions and plans of development. I would like to ask at this time that everyone,
17 including the Commission, make sure that their cell phones are in a "muted" or "off"
18 position. Also, I'd like to welcome our representative from the Board of Supervisors this
19 year, Mr. Jim Donati. We're happy you're with us, and thank you very much.
20

21 Mr. Donati - Thank you. I look forward to the year. It also gives me an
22 opportunity to have a refresher course in zoning, planning, and POD's. I'm looking
23 forward to working with you.

24
25 Mrs. Jones - Thank you very much, and we with you as well.

26
27 At this point, I would like to turn the meeting over to our secretary, Mr. Emerson.

28
29 Mr. Emerson - Thank you, Madam Chairman. We may also want to note
30 that Mr. Vanarsdall is not with us today; he is out of town.

31
32 That takes us to the first item on our agenda, the requests for deferrals and
33 withdrawals. Those will be presented by Ms. Leslie News.

34
35 Ms. News - Good morning, Madam Chairman, members of the
36 Commission.

37
38 Mrs. Jones - Good morning.

39
40 Ms. News - We have two requests for deferrals and withdrawals on our
41 agenda this morning. The first is found on page 10 of your agenda and is located in the
42 Brookland District. This is SUB-29-08, Dumbarton (December 2008 Plan), for nine lots.
43 The applicant has requested a deferral to the February 25, 2009 meeting.

44
45 **SUBDIVISION** (*Deferred from the December 17, 2008 Meeting*)

46
SUB-29-08 **M-Squared Engineering, LLC for Tetra Assoc., LLC:**
Dumbarton The 3.309-acre site proposed for a subdivision of 9 new
(December 2008 Plan) single-family homes is located along the south line of
Irisdale and Greenway between Irisdale Avenue and the north line of Greenway
Avenues Avenue, approximately 200 feet east of Greendale Road
on parcels 775-745-8761, 9463, 9842, 776-745-0165,
0968, 2271, and 1246. The zoning is R-4, One Family
Residence District. County water and sewer. **(Brookland)**
9 Lots

47
48 Mrs. Jones - Do we have any opposition to the deferral of SUB-29-08
49 Dumbarton (December 2008 Plan)? No opposition.

50
51 Mr. Archer - Madam Chair, I move for deferral of SUB-29-08 Dumbarton
52 (December 2008 Plan) to the February 25, 2009 meeting at the applicant's request.

53
54 Mr. Branin - Second.

55
56 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Branin. All in favor
57 say aye. All opposed say no. The ayes have it; the motion passes.

58
59 At the request of the applicant, the Planning Commission deferred SUB-29-08
60 Dumbarton (December 2008 Plan), to its February 25, 2009 meeting.

61
62 Ms. News - The next item is on page 11 of your agenda and is located in
63 the Tuckahoe District. This is POD-68-07, The Shire @ Pump and Church. The
64 applicant is requesting a deferral to the February 25, 2009 meeting.

65
66 **PLAN OF DEVELOPMENT & MASTER PLAN**
67 *(Deferred from the November 19, 2008 Meeting)*
68

POD-68-07
The Shire @ Pump and
Church – Church Road
and Pump Road

Kimley Horn for Kevin McFadden and The Rebkee Company: Request for approval of a plan of development and master plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct five, one-story retail buildings (Buildings 1-5) totaling 50,480 square feet and a master plan for a future one-story retail building (Building 6) totaling 12,900 square feet. The 21-acre site is located at the southwest corner of the intersection of Pump and Church Roads on parcels 739-754-7156 and 739-753-1396. The zoning is B-2C, Business District (Conditional), C-1C, Conservation District, RTHC, Residential Townhouse District (Conditional) and R-3AC, One-Family Residence District (Conditional), B-3, Business District and R-5A, General Residence District. County water and sewer. **(Tuckahoe)**

69
70 Mrs. Jones - Is there opposition to the deferral of POD-68-07, The Shire
71 @ Pump and Church? No opposition. Therefore, I move that POD-68-07, The Shire @
72 Pump and Church, be deferred to the February 25, 2009 meeting, by request of the
73 applicant.

74
75 Mr. Jernigan - Second.

76
77 Mrs. Jones - Motion by Mrs. Jones, and a second by Mr. Jernigan. All in
78 favor say aye. All opposed say no. The ayes have it; the motion passes.

79
80 At the request of the applicant, the Planning Commission deferred POD-68-07, The
81 Shire @ Pump and Church to its February 25, 2009 meeting.

82
83 Ms. News - We're aware of no further requests.

84
85 Mr. Emerson - Madam Chair, that takes us to the next items on the agenda,
86 which are the expedited items. These will also be presented by Ms. Leslie News.

87

88 Ms. News - We have two items on our expedited agenda this morning.
89 The first item is on page 3 of your agenda and is located in the Tuckahoe District. This
90 is a transfer of approval for POD-83-98, Plaza Del Sol. Staff recommends approval.
91

92 **TRANSFER OF APPROVAL** (*Deferred from the December 17, 2008 Meeting*)
93

POD-83-98 **James D. Thorton for McAndrew Properties, LLC:**
Plaza Del Sol - Request for transfer of approval as required by Chapter
10442 Patterson Ave. 24, Section 24-106 of the Henrico County Code from
DelSol Properties, LLC, Carlos E. Sol, Patricia V. Sol, Del
Sol, Inc, and Norman M. Morgan to McAndrew Properties,
LLC. The 0.07-acre site is located approximately 800 feet
east of Pump Rd. on Patterson Ave., on parcel 742-742-
5224. The zoning is R-1, One Family Residence District
and O-2, Office District. County water and sewer.
(Tuckahoe)

94
95 Mrs. Jones - Do we have opposition to POD-83-98, Plaza Del Sol? No
96 opposition. Then I will move approval of transfer of approval for POD-83-98, Plaza Del
97 Sol, on the expedited agenda.
98

99 Mr. Jernigan - Second.
100

101 Mrs. Jones - Motion by Mrs. Jones, seconded by Mr. Jernigan. All in
102 favor say aye. All opposed say no. The ayes have it; the motion passes.
103

104 The Planning Commission approved the transfer of approval request for POD-83-98,
105 Plaza Del Sol, from DelSol Properties, LLC, Carlos E. Sol, Patricia V. Sol, Del Sol, Inc,
106 and Norman M. Morgan to McAndrew Properties, LLC, subject to the standard and
107 added conditions previously approved.
108

109 Ms. News - The second item is on page 4 of your agenda and is located
110 in the Fairfield District. This is a transfer of approval for POD-150-86, Parham Road
111 Office Park, Phase 1, which is formerly Parham Place, Phase 1. Staff recommends
112 approval.
113

114 **TRANSFER OF APPROVAL**

115

POD-150-86 **Thalhimer for JEDD of South Carolina, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from IMG/Parham Associates Limited Partnership and Parham Place I Assoc., LLC to JEDD of South Carolina, LLC. The 5.37-acre site is located on the north line of E. Parham Road, approximately 1,800 feet east of Woodman Road, on parcel 777-758-2319. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Fairfield)**

116

117 Mrs. Jones - Is there any opposition to transfer of approval for POD-150-
118 86, Parham Road Office Park, Phase 1 (formerly Parham Place, Phase 1)? No
119 opposition.

120

121 Mr. Archer - Madam Chair, I move for approval of transfer of approval for
122 POD-150-86, Parham Road Office Park, Phase 1 (formerly Parham Place, Phase 1), on
123 staff recommendation.

124

125 Mr. Branin - Second.

126

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

129

130 The Planning Commission approved the transfer of approval request for POD-150-86,
131 Parham Road Office Park, Phase 1 (formerly Parham Place, Phase 1), from
132 IMG/Parham Associates Limited Partnership and Parham Place I Assoc., LLC to JEDD
133 of South Carolina, LLC, subject to the standard and added conditions previously
134 approved.

135

136 Ms. News - That completes our expedited agenda.

137

138 Mr. Emerson - Madam Chair, that takes us to the next item on the agenda,
139 which is Subdivision Extensions of Conditional Approval. Those will be presented by Mr.
140 Lee Parnbid.

141

142 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**
 143 **FOR PLANNING COMMISSION APPROVAL**
 144
 145

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Lafayette Park (formerly Malvern Hill)	121	80	7	Varina	01/27/10

146
 147 **FOR INFORMATIONAL PURPOSES ONLY**
 148
 149

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Hoke Brady Farms (Oct. 2005 Plan)	43	43	2	Varina	01/27/10
Shady Oaks Farm (Jan. 2006 Plan)	16	16	2	Varina	01/27/10
Westin (Jan. 2005 Plan)	34	34	3	Three Chopt	01/27/10
Grey Oaks (formerly XYZ subdivision) (Jan. 2004 Plan)	208	105	1	Three Chopt	01/27/10

150
 151 Mr. Pambid - Good morning, members of the Planning Commission. This
 152 morning we have a total of five extensions of conditional subdivision approval. Four
 153 subdivisions are eligible for administrative extensions; however, we do have 80 lots in
 154 Lafayette Park, formerly known as Malvern Hill, that require Planning Commission
 155 approval. For financial reasons, the applicant is not able to move forward at this time. I
 156 do have the engineer, Byron Traynham with E. D. Lewis, and the developer here to
 157 answer any questions you might have about Lafayette Park. Do you have any questions
 158 about any of these?

159
 160 Mrs. Jones - Questions from the Commission for Mr. Pambid?

161
 162 Mr. Jernigan - I don't have any, Madam Chair. I discussed this with Mr.
 163 Pambid earlier.

164
 165 Mrs. Jones - All right. How would you like to proceed then?

166
 167 Mr. Jernigan - I'd like to move for approval of the subdivision extension of
 168 Lafayette Park, which is formerly Malvern Hill, for an additional year.
 169

170 Mr. Archer - Second.
171
172 Mrs. Jones - Motion by Mr. Jernigan, seconded by Mr. Archer. All in favor
173 say aye. All opposed say no. The ayes have it; the motion passes.
174
175 At the request of the applicant, the Commission approved subdivision extension of
176 Lafayette Park (formerly Malvern Hill) for an additional year.
177
178 Mr. Jernigan - Mr. Emerson, let me ask you something. I saw in the Senate
179 bills the other day they want to extend the subdivision time from five years to ten years.
180
181 Mr. Emerson - Yes, sir.
182
183 Mr. Jernigan - This has seven extensions, but I remember when this came
184 through. Is there something different on this one?
185
186 Mr. Emerson - No, sir, there's not anything different. On the bill itself, is
187 that your question?
188
189 Mr. Jernigan - Well, the bill says we're going from five years to ten years.
190
191 Mr. Emerson - Right.
192
193 Mr. Jernigan - But this has had seven. It says previous extensions, seven
194 times. Why would we have to extend it seven times if it's five years?
195
196 Mr. Emerson - Our extension are running—Ms. News, would you like to
197 explain that, the timeline on our extensions?
198
199 Ms. News - Sure. The State Code currently permits extensions up to
200 five years administratively. Past that, the Planning Commission can extend it at their
201 discretion. So, they are trying to vest, as I understand it, extension rights to the
202 developer for ten years without Commission input.
203
204 Mr. Jernigan - Okay. I guess my question was we've had seven extensions
205 on this.
206
207 Ms. News - That's why you're acting on it now. Up to five, it's done
208 administratively. The cases that are administrative can go up to five years. Once it
209 passes that fifth year, then we bring it to the Commission to extend it each year.
210
211 Mr. Jernigan - I see. When you give it a five-year extension, it's not one, it's
212 five.
213
214 Ms. News - Correct.
215

216 Mr. Jernigan - Okay. Now, that clears it up. Thank you so much.

217

218 Mr. Emerson - Just for the record, we are opposing that additional five-year
219 extension on subdivisions. There are several bills like that that are floating around the
220 General Assembly right now. It's an interesting year at the General Assembly. It
221 always is.

222

223 Madam Chair, that takes us to the three cases to be heard today on your regular
224 agenda.

225

226 **ALTERNATIVE FENCE HEIGHT PLAN - RESIDENCE**

227

F-193
Thomas Residence –
7611 Chamberlayne
Avenue

Faith Thomas: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-95(l)(7)b and 24-106.2 of the Henrico County Code, to allow a fence exceeding a height of 42 inches in a front yard. The 0.35-acre site is located approximately 750 feet east of Brook Road (U.S. Route 1) at the southeast corner of the intersection of Wilkinson Road and Chamberlayne Avenue, on parcel 785-754-3502. The zoning is R-3, One Family Residence District. **(Fairfield)**

228

229 Mrs. Jones - Is there any opposition to alternative fence height plan, F-
230 193, Thomas Residence? No opposition. Mr. Pambid?

231

232 Mr. Pambid - Good morning, again. The applicant has requested an
233 alternate fence height of six feet within the required front yard of 40 feet in an R-3, One-
234 Family Residence District. Normally, a maximum height of 3 feet 6 inches, or 42 inches
235 total, is permitted. The requested deviation is 2-1/2 feet over the maximum. A deviation
236 is necessary for approximately 40 feet of fence on Wilkinson Road and 80 feet of fence,
237 including the driveway opening and front gate, on Chamberlayne Avenue. I did want to
238 make the distinction between Chamberlayne Avenue and Chamberlayne Road; this is
239 Chamberlayne Avenue, not Route 301.

240

241 The Traffic Division of Public Works indicates that while the fence does not pose issues
242 to sight distance or traffic and pedestrian safety, the owner will be responsible for
243 moving the fence should Wilkinson Road ever be widened. A condition has been
244 recommended to that effect. An existing hedge along Chamberlayne Avenue frontage
245 should also be included if the Planning Commission deems the request has merit and
246 grants approval to the alternate fence height.

247

248 The applicant has also cited various reasons for the fence in a letter, and that's
249 included in your packet. Going back to the condition, the recommended condition, the
250 following additional condition should be included: The homeowner shall be responsible
251 for the cost of the fence relocation should Wilkinson Road ever be constructed to the

252 ultimate section for the Major Thoroughfare Plan. There is more exact wording in your
253 agenda on that.

254
255 While staff customarily does not make recommendations on requests of this type, no
256 adverse effects were noted by staff pursuant to the provisions stated in the ordinance.

257
258 This concludes my presentation, and I'd be happy to try to answer any questions you
259 might have. Additionally, Mr. Thomas Oommen, the applicant's husband and
260 representative, is here to answer any questions you might have regarding the
261 application.

262
263 Mrs. Jones - Are there questions for Mr. Pambid?

264
265 Mr. Archer - I have none, Madam Chair, but I would like to hear from the
266 applicant.

267
268 Mrs. Jones - All right. Thank you, Mr. Pambid. Would the applicant
269 please come forward? Could you come to the microphone, please? We need to have
270 you say your name and address, and these proceedings are recorded. That's why we're
271 asking you to speak into the mic.

272
273 Mr. Oommen - Good morning.

274
275 Mrs. Jones - Good morning.

276
277 Mr. Oommen - My name is Thomas. Last name is Oommen. Address,
278 7611 Chamberlayne Avenue, Richmond, Virginia, 23227.

279
280 Mrs. Jones - Thank you.

281
282 Mr. Archer - Good morning, sir.

283
284 Mr. Oommen - Hi.

285
286 Mr. Archer - In reading the letter that accompanied the information in our
287 packet, I noticed you all have had quite a bit of trouble.

288
289 Mr. Oommen - Yes. We have had vandalism, breaking of my cars, throwing
290 beer bottles, beer, stuff like that. There is traffic. Every minute, I think 30 vehicles pass.
291 On my BMW and another vehicle, the windshields were broken. And there was an
292 incident of a person who went into one of my cars and tried to steal it, and I called the
293 police. So, I have issues.

294
295 Mr. Archer - The person was actually in the car when the police arrived?

296

297 Mr. Oommen - Yes. And he was arrested. I have two dogs, so the dogs
298 alerted us. So, I was able to look through the window, and I called the police.
299
300 Mr. Archer - Have other houses along your block been having similar
301 occurrences?
302
303 Mr. Oornmen - No, because mine is on the street, yes.
304
305 Mr. Archer - What about the house—
306
307 Mr. Oommen - My house is over built in that property, so this is one of the
308 biggest houses there. I have many vehicles. I have seven vehicles parked in my yard.
309 Maybe that is one reason, you know.
310
311 Mr. Archer - Mr. Pambid, could you put up one of the pictures of the
312 house? It shows the Wilkinson Road side, or the one maybe right at the corner. Oh,
313 you have all of them. In the first picture, the one at the top, it's kind of hard to see
314 because of the car. The hedges are quite a bit above the fence. I understand that the
315 height limitations for hedges are seven feet, and the fence is six feet. Could you sort of
316 alleviate that a little bit?
317
318 Mr. Oommen - Yes, I can do that. That's no problem. I can cut the height of
319 the hedges.
320
321 Mr. Archer - Do you understand the condition about what would happen if
322 the highway had to be—
323
324 Mr. Oommen - Oh, yes, yes.
325
326 Mr. Archer - You would have to be responsible for that.
327
328 Mr. Oommen - Oh, yes. Definitely I'd do that.
329
330 Mr. Archer - I don't have any questions, unless somebody else does. Do
331 you, Mrs. Jones?
332
333 Mrs. Jones - My only concern, which I discussed before our meeting
334 started with Mr. Archer, was the fact that the height ordinance in Henrico County is
335 there in order to present a pleasing and uniform landscape along our roads. I
336 understand you may have a special situation here that requires a little more attention
337 to—
338
339 Mr. Oommen - Yes, ma'am.
340
341 Mrs. Jones - —giving you some protection. We are considering that. I
342 would request—and Mr. Archer has said that he would also—that the hedges that are

343 part of your front landscape be kept trimmed and neat and tidy even though they're a
344 little higher than the ordinance, if we allow this exception. I think that could be a
345 pleasing look, and that's really one of the reasons why the height ordinance is in place.
346

347 Mr. Oommen - I will definitely do that. I'll comply with that.
348

349 Mrs. Jones - Okay, thank you, sir.
350

351 Mr. Oommen - You're welcome.
352

353 Mr. Archer - Mr. Thomas, the other thing that I would caution you about is
354 fences can become unkempt from time to time; the boards sometimes tend to want to
355 curl up. So, keep your eye on that and manage it as well as you can so it doesn't
356 appear to be an eyesore for the neighborhood.
357

358 Mr. Oommen - Oh, I'll do that.
359

360 Mr. Archer - All right. Thank you, sir. In any event, I think that the
361 applicant's reasons for wanting this fence deviation are plausible. In fact, I feel sorry for
362 all the trouble that he's had, not because of the lack of a fence, but just because of
363 those who are mean-spirited. With that, I will move for approval of alternative fence
364 height plan F-193, Thomas Residence, subject to staff recommendation, and the
365 conditions on the staff report, and the special condition.
366

367 Mr. Jernigan - Second.
368

369 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Jernigan. All in favor
370 say aye. All opposed say no. The ayes have it; the motion passes.
371

372 The Planning Commission granted approval to alternative fence height plan, F-193,
373 Thomas Residence, subject to the standard conditions attached to these minutes and
374 the following additional condition:
375

376 6. The homeowner shall be responsible for the cost of the fence relocation should
377 Wilkinson Road ever be widened to the ultimate section per the Major
378 Thoroughfare Plan.
379

380 Mr. Emerson - Madam Chair, that takes us to the next item on the agenda
381 which is on page 7 and also appears on your amended agenda.

382 **LANDSCAPE & LIGHTING PLAN**

383

LP/POD-46-05
Preston Square – 5411
Twin Hickory Road

E.D. Lewis and Associates, P.C. for Preston Square, 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 5.0-acre site is located on the west side of Twin Hickory Rd., approximately 1,500 feet east of Nuckols Rd., on parcels 747-773-5194, 5197, 5292, 5386, 5389, 747-774-4426, 4523, 4617, 4620, 4712, 4715, 4809, 4903, 5000, 5337, 5637, 5938, 6121, 6239, 6501, 6539, 6801, 7102, 7403, 7525, 7528, 7622, 7717, and 7720. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

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Mr. Garrison - Good morning, Madman Chairman, Planning Commission members. The applicant is requesting approval of a landscape and lighting plan for Preston Square townhouses. During the original POD review, staff worked to preserve a specimen oak tree adjacent to Twin Hickory Road and within the required landscape buffer. However, per the applicant's request, staff, in conjunction with the Assistant Regional Forester for the Virginia Department of Forestry, has confirmed that the tree is in decline due to recent construction activities, as well as damage by lightening. Its viability and stability are of concern. Drastic pruning would be necessary to remove dead and dying material, which would alter the architecture of the tree to a point that it would no longer serve at the aesthetic symbol it was hoped to provide. Additionally, there would be excessive weight on the south side of the tree, creating a hazard to the road. Therefore, it is necessary to remove the tree.

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To compensate for the loss of the oak tree, additional plant material was provided to meet the requirements set forth by rezoning case C-50C-04. However, staff still has concerns regarding the time and manner in which the landscaping along Twin Hickory Road will be installed. The owner of the adjacent parcel to the west where the Shoppes at Twin Hickory (POD-22-06) is located, is required to install plantings along Twin Hickory Road prior to construction of the building. Currently, two townhouse buildings have been constructed on the site. In order to achieve some cohesiveness, staff is requesting that, at a minimum, the Twin Hickory Road landscape buffer be installed prior to issuance of a Certificate of Occupancy for the third townhouse building, but the applicant is reluctant to agree to this condition.

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415

Staff can recommend approval of LP/POD-46-05, subject to annotations on the plans, standard conditions for landscape and lighting plans, and the added condition #7 in your addendum that states, "prior to issuance of a Certificate of Occupancy for the third townhouse building, the landscape buffer adjacent to Twin Hickory Road shall be installed." Staff and representatives of the applicant are here to answer any questions that you may have.

416
417 Mrs. Jones - Questions?
418
419 Mr. Branin - I have none for staff, but I would like to hear from the
420 applicant.
421
422 Mrs. Jones - All right. Would the applicant come down please?
423
424 Mr. Scottow - Good morning, Madam Chairman, members of the
425 Commission. My name is Gary Scottow, and I am with E. D. Lewis and Associates.
426
427 Mrs. Jones - Sir, I guess we really don't need your address, but I do thank
428 you for identifying yourself.
429
430 Mr. Branin - Mr. Scottow, do you know why you all are not in agreement
431 with #7?
432
433 Mr. Scottow - Yes. I have conferred with my client, and we don't agree
434 with the condition for several reasons. First of all, everybody knows the housing market
435 is pretty much in crisis right now. Because of that downturn, houses aren't selling.
436 Because of that, banks are very reluctant to release any kind of funding for anything
437 that is not going to be a return on their investment. In addition, the landscaping that
438 was proposed and has been included on the plan has a bond attached to it that will
439 ensure that this planting is done. We think that imposing a condition that's going to
440 require our client to go in there and put in landscaping along a road in order to be more
441 pleasing in a time when the housing market is in financial straits is undue hardship.
442
443 Mr. Branin - Are you familiar with the history of this project?
444
445 Mr. Scottow - Yes, sir, I sure am.
446
447 Mr. Branin - Are you familiar with the community's opinion of this project
448 over the period of time.
449
450 Mr. Scottow - Yes, I am.
451
452 Mr. Branin - Are you familiar with that we had to hold up a separate case
453 because of this case?
454
455 Mr. Scottow - Yes.
456
457 Mr. Branin - You are. And you don't think it's necessary to put some
458 additional landscaping out there in a timely manner?
459
460 Mr. Scottow - I agree that the landscaping is going to be done, but it needs
461 to be done consistent with what's going on in the housing market. It's a \$10,000

462 landscape planting just for the buffer along Twin Hickory Road, and to confine or
463 constrain my client into being required to do that when homes are not selling, I think
464 that's really unfair.

465
466 Mr. Branin - Thank you.

467
468 Mr. Scottow - Okay. Any other questions?

469
470 Mrs. Jones - I would simply ask whether you don't feel that enhancing
471 landscaping is a benefit.

472
473 Mr. Scottow - In dealing with this client, I believe that he agrees to do
474 things to help out when the market improves. With the way the market is right now,
475 homes aren't selling anywhere. I don't think by going in there and putting in a \$10,000
476 investment, and making the landscaping look pretty along that road is going to really
477 spur any kind of increase in the sales right now. I just don't believe that's going to
478 happen. I have projects all over the entire Richmond area. It doesn't matter how much
479 landscaping you put in, nobody is willing to make that kind of an investment right now. I
480 think if it's a prudent buyer, if they go and do their investigative homework when they go
481 to buy a home, and they see the amount of landscaping that we have included in our
482 plans, as well as the sign package and things like that, and the type of product that
483 they're going to be buying, they'll understand the fact that that's going to be done. As
484 I've said earlier, this buffer—as well as all the rest of the plantings within the project—is
485 all proffered to be installed, so the County is pretty much guaranteed that it's going to
486 be done.

487
488 Mr. Branin - Mr. Scottow, I'm more concerned about the citizens I
489 represent, especially the community that surrounds this project—

490
491 Mr. Scottow - Correct.

492
493 Mr. Branin - —and what an eyesore this project has been for several,
494 several years, what a nuisance to its neighbors it's been for several, several years. So,
495 Madam Chair, I'm going to ask for a deferral to give the applicant an opportunity to
496 rethink it and get back to me on it.

497
498 Mrs. Jones - All right, Mr. Branin, would you like to put that in the form of
499 a motion?

500
501 Mr. Branin - Absolutely. The next date would be February 25th. I'd like to
502 move for deferral of LP/POD-46-05, Preston Square, to the February 25, 2009 meeting,
503 per my request.

504
505 Mr. Jernigan - Second.

506

507 Mrs. Jones - Motion from Mr. Branin, seconded by Mr. Jernigan. All in
508 favor say aye. All opposed say no. The ayes have it; the motion passes.
509

510 At the request of the Commission, the Planning Commission deferred LP/POD-46-05
511 Preston Square, to its February 25, 2009 meeting.
512

513 Mr. Branin - Thank you, Mr. Scottow.
514

515 Mr. Scottow - Thank you very much.
516

517 Mr. Emerson - Madam Chair, if I might add a few comments on that case.
518 One of the primary reasons staff feels strongly that that condition is important is really
519 based upon the comments that Mr. Scottow did make. We're not sure the site may—
520 while the landscaping is guaranteed in the future, we don't know how far in the future
521 that may be, how long that site may sit with just a few townhomes developed. We're
522 seeing this in several different areas of the County, and we're becoming very concerned
523 about it based on the economy. Therefore, you will see requests like this one coming
524 forth from us that landscaping and other finishing touches to sites be completed
525 because these sites may sit there for a while undeveloped. I think it's important once
526 they're cleared, in order for the community to remain whole, that these sites do have
527 some landscaping.
528

529 Mrs. Jones - Thank you for those comments, Mr. Emerson. Obviously, I
530 think we're all working within different times at the moment, and I think, hopefully, this
531 can be resolved in the next month.
532

533 Mr. Emerson - Madam Chair, that takes us to the next item on your agenda
534 which is on page 8.
535

536 PLAN OF DEVELOPMENT 537

POD-48-08
Golden Care Palace
Nine Mile Rd. and E.
Richmond Rd.

Strange-Boston Associates for Secure Hands Holdings, LLC and Barketali Kabani: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 72,670 square foot, 118-unit Alzheimer care facility. The 5.80-acre site is located approximately 400 feet east of E. Richmond Rd. on the north line of Nine Mile Rd. (State Route 33), and approximately 200 feet north of Nine Mile Rd. on the east line of E. Richmond Rd., on parcel 809-722-2386. The zoning is R-6C, General Residence District (Conditional) and ASO Airport Safety Overlay District. County water and sewer. **(Varina)**

538

539 Mrs. Jones - Before Mr. Pambid begins, I need to state for the record that
540 while I will continue to chair the meeting during the hearing of this case, I will not
541 participate in the discussion, and will abstain from voting due to a representational
542 conflict. Mr. Pambid?

543
544 Mr. Pambid - As Mr. Emerson stated, the proposal is for a 72,670-square
545 foot, 118-bed Alzheimer's facility. Additional right-of-way along Nine Mile Road will be
546 dedicated for a VDOT-standard five-foot-wide sidewalk with a two-foot utility strip. Off-
547 site sewer line improvements in the Hechler Village subdivision directly south of Nine
548 Mile Road are necessary to accommodate this development. That plan has been
549 reviewed by Public Utilities and is acceptable.

550
551 The plan does include proffered buffers along the northern and eastern property lines.
552 Along this M-1 portion here, there is to be a synthetic wood fence.

553
554 Architecturally, the building features a slate green shingle roof and mainly red brick
555 facades with tan EIFS.

556
557 This concludes my presentation. Donald Strange-Boston with Strange-Boston
558 Associates, and the developer, Ali Kabani, are here to answer any questions you might
559 have as well.

560
561 Mrs. Jones - Is there anyone in the audience in opposition to this plan of
562 development? Any questions for Mr. Pambid? All right. Would you like to hear from the
563 developer?

564
565 Mr. Jernigan - No. This was a pretty extensive case when we went through
566 the zoning process. Nothing has really changed, and it's a nice quality building. Mr.
567 Strange-Boston, you are going to have to put in the landscaping.

568
569 Mr. Strange-Boston - [Off mic.] I understand that.

570
571 Mr. Jernigan - Okay. Madam Chair, with that, I will move for approval of
572 POD-48-08, Golden Care Palace, subject to the annotations on the plans, the standard
573 conditions for developments of this type, and the following additional conditions 29
574 through 35.

575
576 Mr. Archer - Second.

577
578 Mrs. Jones - Motion by Mr. Jernigan, seconded by Mr. Archer. All in favor
579 say aye. All opposed say no. The ayes have it; the motion passes.

580
581 I abstain.

582
583 The vote was as follows:

584

585 Mrs. Jones - Abstain
586 Mr. Vanarsdall - Absent
587 Mr. Jernigan - Yes
588 Mr. Archer - Yes
589 Mr. Branin - Yes

590

591 The Planning Commission approved POD-48-08, Golden Care Palace, subject to the
592 annotations on the plans, the standard conditions attached to these minutes for
593 developments of this type, and the following additional conditions:

594

595 29. The entrances and drainage facilities on State Route 33 shall be approved by
596 the Virginia Department of Transportation and the County.

597 30. A notice of completion form, certifying that the requirements of the Virginia
598 Department of Transportation entrances permit have been completed, shall be
599 submitted to the Department of Planning prior to any occupancy permits being
600 issued.

601 31. A concrete sidewalk meeting VDOT standards shall be provided along the north
602 side of Nine Mile Road.

603 32. There shall be no outdoor storage in moveable storage containers including, but
604 not limited to, cargo containers and portable on demand storage containers.

605 33. Outside storage shall not be permitted.

606 34. The proffers approved as a part of zoning case C-9C-08 shall be incorporated in
607 this approval.

608 35. The location of all existing and proposed utility and mechanical equipment
609 (including HVAC units, electric meters, junction and accessory boxes,
610 transformers, and generators) shall be identified on the landscape plans. All
611 equipment shall be screened by such measures as determined appropriate by
612 the Director of Planning or the Planning Commission at the time of plan
613 approval.

614

615 Mr. Emerson - Madam Chair, I think at the beginning of the meeting, just for
616 clarification in the minutes, Mr. Donati, are you going to continue, I guess, the past
617 practice of the Board member abstaining? Do you want the record to reflect that you're
618 abstaining?

619

620 Mr. Donati - Yes.

621

622 Mr. Emerson - We'll take care of that.

623

624 Madam Chair, that completes your public hearing items for the day. We do have a
625 discussion item that we would like to bring back up. You will recall a little over a year
626 ago, I talked with you about the Planning Commission Information Resource Initiative.
627 As it moved through the budget process last year, we did have some priorities that
628 moved in front of some of the desires that staff had in regards to that program, but we
629 have not allowed that to sit idle. We do have a presentation for you today from Mr. Jon
630 Steele, our Division Manager of Planning Systems. We have been actively working on

631 preparing electronic access for the Commission, and we do want to review that with
632 you. We want to provide you with a short survey and talk with you about items that may
633 assist you in doing your job. We may come at it a little differently. As some of our
634 mobile laptop computers become available as they age out—and they do, because we
635 replace them on a three to four-year period—we feel like we may have those to loan to
636 the Commission and set up in order to move us into the electronic age with the
637 Commission, and make you paperless. That, again, is a great cost savings to the
638 County, and I also think it would allow the Commission to have better access to the
639 information in a much more timely fashion than we are currently able to provide it to
640 you.

641
642 With that, I'd like to allow Mr. Steele to make his presentation to the Commission and
643 discuss what he's been working on.

644
645 Mr. Steele - Thank you, Mr. Emerson.

646
647 Mrs. Jones - Good morning, Mr. Steele.

648
649 Mr. Steele - Good morning, Commissioners.

650
651 As Joe said, this is the Information Resource Initiative. The primary objective of this
652 initiative is to provide you with the best service possible through the use of technology.
653 Our plan is to provide you with County network accounts, County e-mail accounts, and
654 most importantly, a dedicated Planning Commission website that we're going to
655 hopefully call, "The Planning Commission Portal." This website will be easily accessible
656 from any computer with an Internet connection, and you can get to it from anywhere in
657 the world. It won't matter, as long you can get to the Internet. It would contain valuable
658 resources such as County e-mail, meeting agendas, staff reports, minutes—and that's
659 just to name a few.

660
661 County e-mail accounts will be left optional for you; however, we feel that they would
662 provide you more capability than you may currently have with your private e-mail
663 accounts. They would be dedicated to Planning Commission business. County e-mail is
664 able to handle large file sizes, as well as provide backup and archive capability that you
665 may not have currently. It would also allow you to interact a little more efficiently with
666 Planning staff, just being able to get to their e-mails a little easier, as well as them to
667 yours.

668
669 Today, I'd like to share three items just to help kind of kick this project off. I'm going to
670 start with the handout that I gave you on top showing the draft design of the Planning
671 Commission Portal. The second item I have for you is behind that, which is an IT form
672 that will allow us to actually create your County network account. The third item will just
673 be a short technology survey.

674
675 I just wanted to go over the actual design of this website. Again, this is just in draft form,
676 but it has come together. If you look at the top left-hand corner, you'll see the meeting

677 information that you'll be able to access for both upcoming meetings, as well as
678 previous meetings. You'll be able to access your agendas, as well as staff reports in
679 full color. The next item below that is the approved proffers and conditions for all
680 conditional rezoning cases, and provisional use permits. The next item would be a
681 wealth of resources, including links to the future Land Use Plan, the Zoning Ordinance,
682 Subdivision Ordinance, Landscape Manual, Multi-Family Guidelines, demographic
683 reports, and County-wide maps. Below that would be a list of websites that may be
684 beneficial to you. We've listed a few out there already. Below that, we're hoping for
685 some sort of bulletin board where Planning staff could actually post requested
686 information from you, especially large files where you can download or view the files
687 there. It would serve as kind of a temporary storage just so you could quickly get
688 something you could view and save it to your computer, or just view it.

689
690 If you look across the top, we're planning to provide several links there as well, one
691 being an FAQ page just to help you out with general Planning questions, or questions
692 regarding the Portal, or just general technology questions. We also envision giving you
693 a contact page, kind of providing an organizational chart showing the Planning
694 Department, how it's laid out, and who everybody is, as well as e-mail and phone
695 numbers there so you can quickly get in contact with who you need.

696
697 We're also going to provide you a feedback page where you can provide us feedback
698 on the portal itself. If you have any improvements, or just questions, you could easily
699 get that to us.

700
701 Finally, we'd have a link to your e-mail, your County e-mail account, right from this
702 website.

703
704 That's pretty much it on the Portal for now. I can answer any questions you have on
705 that.

706
707 Mr. Emerson - Madam Chair, if I could just for a second. I do want to
708 emphasize before we get into the Q & A with Jon how powerful a tool this really would
709 be. The e-mail that John talked about, if we set up County e-mail accounts for you—
710 your personal computers at home, if you're using them for e-mail, number one, you
711 really don't want your personal e-mail accounts out to the public. This is an e-mail
712 account you could put out to the public that you could come in to this secure site and
713 check. Number two, the storage capacity of our e-mail accounts is large enough to
714 where you could have people send you information that could be fairly voluminous.
715 You would be able to receive it, open it, and look at it without loading down your
716 personal computer.

717
718 Some of these other websites that we've directed you to—especially the Virginia
719 Municipal League web link for instance—have numerous links for research possibilities
720 that I think you would find very beneficial. Again, as we move through this process, I
721 just believe this will become a very powerful tool for you, and a cost savings for the
722 County. We may be able to provide access for you to other information that currently is

723 only available on the intranet. I believe the Board members have access to a lot of this
724 information, but at this point, the Planning Commission doesn't. This site would be
725 secure. It's a site you would come through with a password. The general public could
726 not get to this. This is your secure site. Again, I think it will be a very useful tool.

727

728 In the future, as we move forward, I think it would also take you paperless. I don't know
729 if you've noticed when you come to the Board meetings, but the Board operates
730 paperless, and Mr. Donati can probably explain this better than I can. They can move
731 back and forth between the presentation using the toggle switches that you have in
732 front of you to pull up Board papers, staff reports, and things of that nature, look at that,
733 and then go back to the staff presentation. Therefore, they're not burdened with
734 bringing all this information, trying to carry everything into a meeting. It allows you to
735 efficiently move back and forth, and not be shuffling back and forth through papers and
736 things. I really think moving this direction will be a huge benefit to you. With that said, I
737 will be quiet and allow you to ask your questions.

738

739 Mrs. Jones - I do have a question or two, does anyone else?

740

741 Mr. Jernigan - Yes, I have one. Go ahead first.

742

743 Mrs. Jones - I just want to say I'm so excited as you're standing there
744 talking about it. I do think that for someone like myself who doesn't necessarily have
745 the experience that some of my fellow Commissioners have, you know, I am constantly
746 asking questions, and trying to find out things that I wasn't part of back in the day.
747 Having some kind of an easy online resource to go to would just be wonderful in many
748 ways. I currently have an issue trying to look up POD's, because I never seem to be
749 able to put in the number the way in which it's on the public side of the website, so
750 maybe I can get that under control.

751

752 I did want to ask, when you have this particular portal up and running, you say there will
753 be no public access to it. So, I was wondering is all of this—I try to be very careful in e-
754 mail because e-mail doesn't go away, and it's there forever should questions arise. Is
755 this the kind of e-mail account, for instance, that could be accessed through the
756 Freedom of Information Act by the public and this kind of thing?

757

758 Mr. Emerson - I can answer that. Yes, ma'am, it would be FOIA-able.

759

760 Mrs. Jones - Okay.

761

762 Mr. Emerson - If you get an e-mail on your personal computer, I believe the
763 County Attorney might tell you that's FOIA-able in your capacity.

764

765 Mrs. Jones - Exactly.

766

767 Mr. Emerson - That's something you have to keep in mind, certainly.

768

769 Mrs. Jones - Okay.
770
771 Mr. Emerson - We live in that electronic age.
772
773 Mrs. Jones - I just wanted to make sure, because I think we want to have
774 access to a lot of information, and we want to have free discussion, but we need to
775 understand that even if it's not public access, everything could be accessed.
776
777 Mr. Emerson - Some of this information is currently out for public access.
778 We're trying to organize it, plus give you additional information that is available
779 internally to staff, but not necessarily externally to the public without coming in and
780 meeting with us, to facilitate your work. Obviously, agendas, staff reports—things like
781 that—we already put out on the Internet and are available to the public. We're just
782 trying to organize where it's more readily accessible to the Commission.
783
784 Mrs. Jones - The bulletin board, when you were talking about the posts
785 for each of our districts here, this is within the department.
786
787 Mr. Steele - Yes. Basically, the thought behind that is things like
788 requesting a photograph, or a specific map, or a detailed plan on a development that
789 maybe you need specifically, staff can easily post that right here. You can just log on
790 and get it there versus blowing up everybody's e-mail account based on just the file size
791 being so big.
792
793 Mrs. Jones - Okay.
794
795 Mr. Steele - Just a way to share information with you.
796
797 Mrs. Jones - Will there be search capabilities with past cases or any of
798 the approved proffers and conditions or search capabilities by keyword?
799
800 Mr. Steele - Yes. A big component of this, which we have not addressed
801 fully yet, is a training session for each of you. One of those would be training through
802 the use—a lot of these files are in Acrobat Adobe format. That software has some
803 search capability built into it. We use that in the Planning Department a lot. Put in a
804 keyword and it searches through a file. You will have as much ability as we have, for the
805 most part, as far as—we still have to manually go through file after file. Even though
806 they are electronic, we still have to thumb through them and make sure, if we're looking
807 for something specific. There's no grand search. I wish there was, but there's not.
808
809 Mr. Emerson - The Zoning Ordinance is set up to where you can do that
810 right now, and so is the Subdivision Ordinance. That's a big assistance to me, versus
811 trying to sit down and flip through my Ordinance. Sometimes I'll just go and put in the
812 keyword. Of course, it'll give me 50 different references, but I'm familiar enough with it
813 that I can go, okay, this is what I'm looking for, and pull it out. It definitely speeds up
814 your ability on the ordinances. On some of the proffers and things, it may be a little

815 more difficult. And, of course, those aren't as long so they're a little bit easier. I'm more
816 prone just to read through those. It's a big assistance with the Ordinance when you
817 have a question, or you're looking for a specific thing.

818
819 Mrs. Jones - On the cases, my reason for asking was that something—
820 the example that jumps immediately to mind is cell tower cases. If I wanted to kind of
821 bring together cell tower cases approved between this year and this year, is that the
822 kind of capability?

823
824 Mr. Steele - That would be a huge benefit for us to have. That's
825 something we're still struggling to find, something that kind of brings different cases
826 together based on proffers. We have some other initiatives going internally, moving kind
827 of more into a database environment where we can actually query cases based on
828 keywords and things like that, really proffers. It would be a good idea on that. We're
829 not there yet, but we're certainly moving in that direction. I know these guys would love
830 to be able to just pull all of that together just like you're saying. But we're not there yet.
831 That's why we have these guys. They would be more than happy to pull all those cases
832 together.

833
834 Mrs. Jones - I do think this is really an exciting prospect. Thank you for
835 that. Anybody else?

836
837 Mr. Jernigan - I'm sure they've taken care of this. I just want to ask. If we
838 go paperless, we won't know any case numbers. So, when you bring up approved
839 proffers and conditions, it'll have a list of all of the cases pending.

840
841 Mr. Steele - Yes. The cases are listed out.

842
843 Mr. Jernigan - Then you just go and put the tab up to it and pull up that
844 case. All right.

845
846 Mr. Archer - I was going to ask, does this entail us getting computers? I
847 heard that at some point.

848
849 Mr. Emerson - I think where we are on that right now, Mr. Archer, is yes, we
850 have computers available that we would be able to loan out.

851
852 Mr. Archer - But we don't have to have them.

853
854 Mr. Emerson - No, sir. If you have the capabilities at home, you could come
855 in through your home computer. I guess the initial drive would be to get this information
856 to where you can access it from your computer, or any other computer you have
857 available. If you need a computer, we can provide one. You may be going out of town,
858 and you may come in and say, "Joe, I'm going out of town on vacation. I'd like to be
859 able to access my information. Do you have a laptop with wireless capability you can
860 loan to me?" The answer to that would be yes.

861
862 Mr. Archer - I was just asking. I guess my wife would kill me if I bought
863 another computer.

864
865 Mr. Emerson - We have equipment we can work with you on. I think
866 eventually, yes, we will get to the point where we would issue computers to the
867 Commission, to the Board members for that year in order to make this information
868 accessible. Obviously, we won't go paperless overnight, but as we move on, that
869 would replace the service that we provide with the generation of paper that we do. I
870 think we will get there in maybe not the too distant future.

871
872 Mr. Jernigan - I think this is good. If you're using your home computer,
873 which we will, you're not tying up any space because everything's stored up here. All
874 you do is access it, get your information, and go out.

875
876 Mr. Branin - Mr. Steele, I have one question for you. I don't know if you
877 misspoke or if I just misunderstood. We will have access to the staff's e-mail and they
878 would have access to our e-mail, meaning sending back and forth, or I can pull up Mr.
879 Pambid's e-mail account and start going through his e-mails.

880
881 Mr. Steele - Oh, no, no, no. They would not have direct access to your
882 e-mail. You would be able to send them e-mail. Yes.

883
884 Mr. Branin - I just wanted to make sure.

885
886 Mr. Jernigan - Yes, Mr. Branin, we don't want that.

887
888 Mr. Emerson - We would only have direct access to your e-mail if you
889 wanted to have that.

890
891 Mr. Branin - That wouldn't be necessary. Thank you, Mr. Secretary.
892 That's the only question I have. Strictly privacy.

893
894 Mr. Emerson - If you do establish e-mail accounts, and we put them out to
895 the public, it would be incumbent upon each of you to check those on a regular basis.
896 What may happen is some of the e-mails that we currently get through, say, Planning,
897 that we need to respond to on your behalf, we might not get; they may come directly to
898 you. You would need to get those and forward them to us so we could assist you in
899 providing a response. That's one thing that it does set up. The Board of Supervisors
900 have their secretaries that monitor their e-mails. They'll send us the e-mail that comes
901 into them along with the Board and say, "Planning staff, please draft a response for Mr.
902 Donati, Mr. Kaechele, or Ms. O'Bannon on the subject," and we do that. That may be
903 something you want to think about, whether or not you want us to do that. Currently,
904 we had not planned on having access to an e-mail account that we set up for you. We
905 don't have that extra administrative capacity that the Board has.

906

907 Mr. Branin - The only reason I would see having access currently, when
908 someone has an action group and they start sending out e-mails, which all of us are
909 very accustomed to getting 100, 200 e-mails in regards to a case, that would be the
910 only time. It's not an issue now with it coming to my personal account, nor would I think
911 it would be an issue. I can't see where the County would need access to any of our e-
912 mail accounts.

913
914 Mr. Emerson - I have no desire to have access to it; I was just pointing out
915 that's the way Board handles it.

916
917 Mr. Branin - Okay.

918
919 Mr. Steele - No further questions? I can move on to the next two items;
920 they're fairly short. I provided each of the Commissioners with an IT form. I think Mr.
921 Donati should have a network account, but for you, this form allows us to go ahead and
922 create those network accounts for the County, which will give us user ID's and things for
923 you. This gets things going. As long as you don't have any objections to that, if you
924 would please sign that form and just hand it to me at the end of the meeting, I'd
925 appreciate that. If you do have some concerns, please share those with Mr. Emerson
926 and myself.

927
928 Mrs. Jones - Mr. Steele, I'm married to a lawyer so I always look at forms
929 a little skewed.

930
931 Mr. Steele - That's a little intimidating.

932
933 Mrs. Jones - Do we need to indicate anything under the systems on
934 access?

935
936 Mr. Steele - It's across the board. We've identified everything that you
937 should need access to. All you have to do is sign and date.

938
939 Mrs. Jones - Okay.

940
941 Mr. Archer - We'll be given an access ID. I guess we can change that
942 anytime we want to?

943
944 Mr. Steele - The user ID is pretty much static once they create that. The
945 password you can change. You will be able to set that yourself.

946
947 Mr. Emerson - The system requires you to change the password. Every 90
948 days or so, a message will come up and tell you to change the password. Your ID
949 account normally is the first three letters of your last name with a number behind it,
950 depending upon where that falls in the hierarchy.

951

952 Mr. Steele - We have some logistics and things to work out with that, but
953 you will be subject to—We do have a three-try timeout, so if you forget your password
954 and you try it three times, it will lock you out, which will require you to make a phone call
955 to me or my staff to unlock the account. You'll be impacted a little bit, once we enter
956 into that realm, of kind of the same thing that all the employees have to deal with.
957

958 The last item I have is just a very short technology survey, which we hope will just give
959 you a little more insight into the project, as well as provide us some necessary feedback
960 on your technology capabilities and comfort level. One of the things we thought about
961 doing is we thought we'd start this project off in a technological direction and do an
962 electronic survey. We're going to do it electronically to move things off in that direction.
963 So, if you would ,right to your right, there is a green button with the word, "Local," on it.
964 What that will do—

965
966 Mrs. Jones - Excuse me. This is not a test.

967
968 Mr. Steele - No, no. This is just a nine-question survey for us. If you click
969 on the, "Local" button, that will put you right into the local computer that's at your feet.
970 You should have on that screen—it should be in the middle, but it should be
971 somewhere in there—an icon that says, "Planning Commission Technology Survey." If
972 you'd double-click that, it should go ahead and open up the survey. If you would please
973 go ahead and take that. If you need any assistance, let me know.
974

975 Mr. Emerson - Madam Chair, if you would like, we could take action on
976 approval of the minutes and adjourn the meeting. Then you could take whatever time
977 you need to complete the survey.
978

979 APPROVAL OF MINUTES: December 17, 2008
980

981 Mrs. Jones - Thank you, Mr. Secretary. I think that's an excellent
982 suggestion. If you all could just turn your attention to the minutes for a moment, we'll
983 get through that. Are there any corrections or additions to the minutes of December 17,
984 2008?
985

986 Mr. Archer - I have none.
987

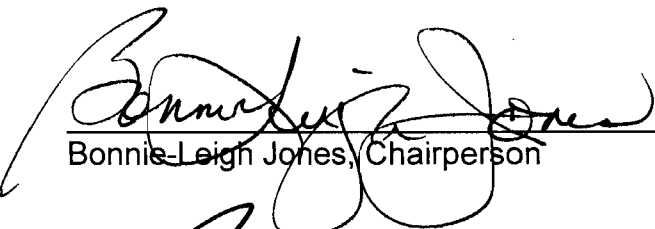
988 Mrs. Jones - If not, I'll entertain a motion.
989

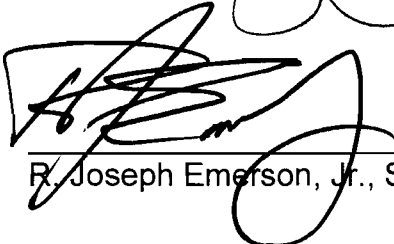
990 Mr. Archer - I move the minutes be approved.
991

992 Mr. Jernigan - Second.
993

994 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Jernigan. All in favor
995 say aye. All opposed say no. The ayes have it; the motion passes. The minutes are
996 approved.
997

998 The Planning Commission approved the December 17, 2008 minutes.
999
1000 Mrs. Jones - Before adjournment, I would like to thank Mr. Emerson for
1001 our group photo, which we have as a memento of our swearing-in.
1002
1003 Mr. Emerson - That's provided by Media Services, so, Ms. McKinney is the
1004 proper person to thank on that.
1005
1006 Mrs. Jones - We obviously appreciate having that photo and look forward
1007 to a good year this year.
1008
1009 I'll entertain a motion for adjournment.
1010
1011 Mr. Jernigan - So moved.
1012
1013 Mr. Archer - Second.
1014
1015 Mrs. Jones - Motion by Mr. Jernigan, seconded by Mr. Archer. All in favor
1016 say aye. All opposed say no. The ayes have it; the motion passes.
1017
1018 The meeting is adjourned.

1019
1020
1021
1022 
1023 _____
1024 Bonnie Leigh Jones, Chairperson

1025
1026
1027 
1028 _____
1029 R. Joseph Emerson, Jr., Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least **48** hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **January 28, 2009**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

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

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

STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **January 28, 2009**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

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SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated January 28, 2009, which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on **January 27, 2010**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **January 28, 2009**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **January 27, 2010**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 28, 2009**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **January 27, 2010**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to the Department of Planning for review, prior to final approval. The proposed Homeowners Association for the project shall be responsible for the exterior maintenance of all buildings and grounds.
13. All block corners shall be monumented and referenced, where possible, to the exterior boundaries of the site
14. The record plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of **(name of subdivision)** and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.

Standard Conditions for Zero Lot Line Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 28, 2009**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **January 27, 2010**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 28, 2009**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **January 27, 2010**, 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.

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