

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, January 23, 2013.
4

Members Present: Mrs. Bonnie-Leigh Jones, Chairperson, C.P.C. (Tuckahoe)
Mr. Eric Leabough, Vice-Chairperson, C.P.C. (Varina)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Tommy Branin (Three Chopt)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mr. Richard W. Glover,
Board of Supervisors' Representative

Member Absent: Mr. Robert H. Witte, Jr. (Brookland)

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning
Ms. Leslie A. News, PLA, Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, AICP, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Aimee B. Crady, AICP, County Planner
Mr. Tommy Catlett, Traffic Engineering
Ms. Holly Zinn, Recording Secretary

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6 **Mr. Richard W. Glover, the Board of Supervisors' representative, abstains from**
7 **voting on all cases unless otherwise noted.**
8

9 Mrs. Jones - I'd like to call this meeting of the Planning Commission to
10 order. I welcome you to our January 23rd Plan of Development and Subdivision meeting.
11 Welcome to those of you who have joined us, to staff, certainly to Mr. Glover,
12 representative from the Board of Supervisors who is sitting with the Planning
13 Commission this year. We welcome him. I'd like to ask that you turn off or mute your cell
14 phones so that the proceedings will be uninterrupted this morning. With that, please join
15 me in standing for the Pledge of Allegiance.
16

17 We do have one commissioner who will not be with us this morning. Mr. Witte will not be
18 here. Thank you very much.

19
20 With that, I would like to begin the meeting by turning this over to our secretary, Mr.
21 Emerson, who will conduct the rest of the agenda.
22

23 Mr. Emerson - Thank you, Madam Chair. First, on your agenda this morning,
24 are the requests for deferrals and withdrawals. Those will be presented by Ms. Leslie
25 News.

26

27 **FOR PLANNING COMMISSION APPROVAL**
28 **SUBDIVISION WITHDRAWAL REQUESTS**

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District
SUB2008-00047 (SUB-28-07) Parkwood Chase (March 2007 Plan)	38	38	3	Fairfield

29

30

31 Ms. News - Thank you, Mr. Secretary. Good morning, members of the
32 Commission, Madam Chair. We have two items on our list for deferrals and withdrawals
33 this morning. The first is found on page two of your agenda and is located in the Fairfield
34 District. This is SUB2008-00047, or SUB-28-07, Parkwood Chase (March 2007 Plan) for
35 38 lots. This was approved by the Planning Commission October 24, 2007, and the
36 applicant would like to withdraw his conditional approval.

37

38 Mrs. Jones - Ms. News, my understanding is this requires no action by the
39 Commission, or should we vote?

40

41 Ms. News - That does require an action.

42

43 Mrs. Jones - Okay. All right, a subdivision would. All right, then. I have the
44 subdivision withdrawal before us. Is there any objection to that? Okay.

45

46 Mr. Archer - I move for withdrawal of SUB2008-00047 (SUB-28-07),
47 Parkwood Chase, at the applicant's request.

48

49 Mr. Branin - Second.

50

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

53

54 At the request of the applicant, the Planning Commission withdrew SUB2008-00047
55 (SUB-28-07), Parkwood Chase (March 2007 Plan), from further consideration by the
56 Commission.

57

58 Ms. News - The second item is found on page nine of your agenda and is
59 located in the Three Chopt District. This is a request for a deferral for LP/POD-34-11,

50 Walgreens at West Broad Street and Pouncey Tract Road. The applicant has requested
61 a deferral to the February 27, 2013 meeting.

62
63 **LANDSCAPE PLAN**
64

LP/POD-34-11
POD2012-00456
Walgreens at W. Broad
Street and Pouncey Tract
Road - 11500 W. Broad
Street (U.S. Route 250)

Vanasse, Hangen, Brustlin, Inc. for Walgreen Co.:
Request for approval of a landscape plan, as required by
Chapter 24, Sections 24-106 and 24-106.2 of the Henrico
County Code. The 1.62-acre site is located at the
northwest corner of the intersection of W. Broad Street
(U.S. Route 250) and Pouncey Tract Road (U.S. Route
271), on parcels 739-762-8217 and 740-762-0017. The
zoning is M-1, Light Industrial District and WBSO, West
Broad Street Overlay District. County water and sewer.
(Three Chopt)

65
66 Mrs. Jones - Is there anyone with us today who objects to the deferral of
67 LP/POD-34-11, Walgreens at West Broad Street and Pouncey Tract Road? None. Mr.
68 Branin?

69
70 Mr. Branin - Madam Chair, I'd like to move that. LP/POD-34-11,
71 Walgreens at West Broad Street and Pouncey Tract Road, be deferred to the February
72 27th meeting per the applicant's request.

73
74 Mr. Leabough - Second.

75
76 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Leabough. All in favor
77 say aye. All opposed say no. The ayes have it; the motion passes.

78
79 At the request of the applicant, the Planning Commission deferred LP/POD-34-11,
80 Walgreens at West Broad Street and Pouncey Tract Road, to its February 27, 2013
81 meeting.

82
83 Mr. Emerson - Madam Chair, that completes your deferrals and withdrawals
84 for this morning unless the Commission has any deferrals they would like to add.

85
86 Mrs. Jones - Any others? There are none.

87
88 Mr. Emerson - That now takes you to the expedited agenda, which also will
89 be presented by Ms. Leslie News.

90
91 Ms. News - The first item on our expedited agenda is found on page three
92 of your agenda and is located in the Varina District. This is a transfer of approval for
93 POD-19-70, Oakmeade Apartments (Formerly Fair Oaks and East Avenue Apartments).
94 Staff recommends approval.

96 **TRANSFER OF APPROVAL**

97
POD-19-70 **Kevin Orth for Oakmeade Associates, LP:** Request for
POD2012-00431 transfer of approval as required by Chapter 24, Section 24-
Oakmeade Apartments 106 of the Henrico County Code from East Avenue Corp
(Formerly Fair Oaks and and Oakmeade Partners to Oakmeade Associates, LP.
East Avenue Apartments) The 7.5-acre site is located on the southeast line of Airport
– 300 Airport Place Drive (State Route 156), approximately 300 feet east of
Nine Mile Road (State Route 33), on parcel 825-721-8368.
The zoning is R-5, General Residential District and ASO,
Airport Safety Overlay District. County water and sewer.
(Varina)

98
99 Mrs. Jones - Is there anyone who objects to the transfer of approval for
100 POD-19-70, Oakmeade Apartments? There is no objection.

101
102 Mr. Leabough - Madam Chair, I move approval for the transfer of approval for
103 POD-19-70, Oakmeade Apartments.

104
105 Mr. Archer - Second.

106
107 Mrs. Jones - Motion by Mr. Leabough, seconded by Mr. Archer. All in favor
108 say aye. All opposed say no. The ayes have it; the motion passes.

109
110 The Planning Commission approved the transfer of approval request for POD-19-70,
111 Oakmeade Apartments (Formerly Fair Oaks and East Avenue Apartments), from East
112 Avenue Corp and Oakmeade Partners to Oakmeade Associates, LP, subject to the
113 standard and added conditions previously approved.

114
115 Ms. News - Next, on page four of your agenda and located in the
116 Tuckahoe District, is transfer of approval for POD-94-84, Best Western Executive
117 (Formerly Shoney’s Inn). Staff recommends approval.

118
119 **TRANSFER OF APPROVAL**

120
POD-94-84 **Mayush Mehta for Palak LTD Liability Company:**
POD2011-00435 Request for transfer of approval as required by Chapter
Best Western Executive 24, Section 24-106 of the Henrico County Code from
(Formerly Shoney’s Inn) – Richmond Hotel Developers Unlimited to Palak LTD
7007 W. Broad Street Liability Company. The 3.54-acre site is located on the
(U.S. Route 250) northwest quadrant of the intersection of W. Broad Street
(U.S. Route 250) and Glenside Drive, approximately 275
feet west of W. Broad Street, on parcel 766-746-7747. The
zoning is M-1, Light Industrial District. County water and
sewer. **(Tuckahoe)**

121

122 Mrs. Jones - Is there anyone here who objects to the transfer of approval
123 for POD-94-84, Best Western Executive? Seeing no one, I will move for the approval of
124 transfer of approval for POD-94-84, Best Western Executive, with the following Condition
125 #1 as listed on the agenda and on the expedited agenda.
126

127 Mr. Branin - Second.
128

129 Mrs. Jones - Motion by Mrs. Jones, seconded by Mr. Branin. All in favor
130 say aye. All opposed say no. The ayes have it; the motion passes.
131

132 The Planning Commission approved the transfer of approval request for POD-94-84,
133 Best Western Executive (Formerly Shoney's Inn), from Richmond Hotel Developers
134 Unlimited to Palak LTD Liability Company, subject to the standard and added conditions
135 previously approved and the following additional condition:
136

- 137 1. Missing trees and landscaping, as identified in a staff report dated June 21, 2012,
138 shall be completed by February 14, 2013.
139

140 Ms. News - Next, on page five and located in the Three Chopt District, is
141 a transfer of approval for POD-03-89, Highwoods Centre Building (Formerly Liberty
142 Mutual Building). Staff recommends approval.
143

144 TRANSFER OF APPROVAL

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POD-03-89
POD2012-00175
Highwoods Centre
Building (Formerly Liberty
Mutual Building) – 4101
Cox Road
Hank Robertson for Highwoods Realty, LP: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Home Beneficial Life and Highwoods/Forsyth LTD, PSH to Highwoods Realty, LP. The 4.487-acre site is located at the northeast corner of the intersection of Cox Road and Innslake Drive, on parcel 749-761-0226. The zoning is O-3C, Office District (Conditional). County water and sewer. (Three Chopt)

146 Mrs. Jones - Is anyone here in opposition to this transfer of approval for
147 POD-03-89, Highwoods Centre Building? There is no opposition.
148
149

150 Mr. Branin - Madam Chair, I'd like to move that transfer of approval of
151 POD-03-89, Highwoods Centre Building, be approved on the expedited agenda.
152

153 Mr. Archer - Second.
154

155 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Archer. All in favor
156 say aye. All opposed say no. The ayes have it; the motion passes.
157

158 The Planning Commission approved the transfer of approval request for POD-03-89,
159 Highwoods Centre Building (Formerly Liberty Mutual Building), from Home Beneficial Life

160 and Highwoods/Forsyth LTD, PSH to Highwoods Realty, LP, subject to the standard and
161 added conditions previously approved.

162
163 Ms. News - The next item is located on page six of your agenda and is
164 located in the Brookland District. This is a transfer of approval for POD-62-88, Verizon
165 Center (Formerly Staples Mills/Crockett Retail Center). Staff recommends approval.

166
167 **TRANSFER OF APPROVAL**

168
POD-62-88 **Hunter Cockrell for Staples Mill Land Company, LLC:**
POD2012-00220 Request for transfer of approval as required by Chapter
Verizon Center (Formerly 24, Section 24-106 of the Henrico County Code from SCK,
Staples Mill/Crockett Inc. and Dublin Associates to Staples Mill Land Company,
Retail Center) – 7300 LLC. The 1.78-acre site is located at the northwest corner
Staples Mill Road (U.S. of the intersection of Crockett Street and Staples Mill Road
Route 33) (U.S. Route 33), on parcel 772-749-9628. The zoning is B-
 2C, Business District (Conditional). County water and
 sewer. **(Brookland)**

169
170 Mrs. Jones - Is there anyone here today in opposition to this transfer of
171 approval for POD-62-88, Verizon Center? No opposition.

172
173 Mr. Branin - Madam Chair, I'd like to move that transfer of approval POD-
174 62-88, Verizon Center, be approved on the expedited agenda.

175
176 Mr. Archer - Second.

177
178 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Archer. All in favor
179 say aye. All opposed say no. The ayes have it; the motion passes.

180
181 The Planning Commission approved the transfer of approval request for POD-62-88,
182 Verizon Center (Formerly Staples Mill/Crockett Retail Center), from SCK, Inc. and Dublin
183 Associates to Staples Mill Land Company, LLC, subject to the standard and added
184 conditions previously approved.

185
186 Ms. News - On page seven of your agenda and located in the Three
187 Chopt District is a transfer of approval for POD-75-95, Deep Run III (Formerly Circuit City
188 Headquarters Building III). Staff recommends approval.

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91 **TRANSFER OF APPROVAL**

92
POD-75-95
POD2012-00393
Deep Run III (Formerly
Circuit City Headquarters
Building III) – 9954
Mayland Drive

Eagle Commercial Realty for DR III, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Bank of America Trust and Greg L. England Trustees to DR III, LLC. The 18.17-acre site is located at Deep Run Business Center, south of Deep Rock Road and Mayland Drive, and north of interstate 64, on parcel 749-758-7718. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

193
194 Mrs. Jones - Is there any opposition to this transfer of approval for POD-
195 75-95, Deep Run III? There is none.

196
197 Mr. Branin - Madam Chair, I'd like to move that transfer of approval POD-
198 75-95, Deep Run III, be approved on the expedited agenda.

199
200 Mr. Archer - Second.

201
202 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Archer. All in favor
203 say aye. All opposed say no. The ayes have it; the motion passes.

204
205 The Planning Commission approved the transfer of approval request for POD-75-95,
206 Deep Run III (Formerly Circuit City Headquarters Building III), from Bank of America
207 Trust and Greg L. England Trustees to DR III, LLC, subject to the standard and added
208 conditions previously approved.

209
210 Ms. News - The next item is on page eight of your agenda and is located
211 in the Fairfield District. This is a transfer of approval for POD-08-69, 28-73, and 64-75,
212 Seven Gables Apartments (Formerly Jarrett Apartments). Staff recommends approval.

213
214 **TRANSFER OF APPROVAL**

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POD-08-69, 28-73, and
64-75
POD2012-00483;
POD2012-00484;
POD2012-00485
Seven Gables Apartments
(Formerly Jarrett
Apartments) – 11 S.
Laburnum Avenue

McGuire Woods for RFI Seven Gables, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Village Venture and Wells Fargo Bank NA, Alliance PP2 FX2 LP, and RFI Alliance II, LLC to RFI Seven Gables, LLC. The 84.22-acre site is located on the east line of N. Laburnum Avenue, approximately 308 feet north of Nine Mile Road, on parcel 810-725-8965. The zoning is R-5, General Residential District. County water and sewer. **(Fairfield)**

216
217 Mrs. Jones - Is there anyone here in opposition to the transfer of approval
218 for POD-08-69, 28-73, and 64-75, Seven Gables Apartments? All right, I need a motion.

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Mr. Archer - Madam Chair, I move for approval of this transfer of approval for POD-08-69, 28-73, and 64-75, Seven Gables Apartments, subject to the staff recommendations and Condition #1.

Mr. Branin - Second.

Mr. Leabough - Abstain.

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

Mrs. Jones - Yes
Mr. Leabough - Abstain
Mr. Archer - Yes
Mr. Branin - Yes
Mr. Witte - Absent

The Planning Commission approved the transfer of approval request for POD-08-69, 28-73, and 64-75, Seven Gables Apartments (Formerly Jarrett Apartments), from Village Venture and Wells Fargo Bank NA, Alliance PP2 FX2 LP, and RFI Alliance II, LLC to RFI Seven Gables, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. The site deficiencies, as identified in the inspection report, dated December 14, 2012, shall be corrected by April 24, 2013.

Ms. News - The next item is found on page ten of your agenda and is located in the Fairfield District. This is POD2012-00389, Bonnie M. Pradhan Addition – Modification. There’s an addendum item on page one of your addendum that indicates the applicant has agreed to Condition #38 requiring removal of either the carwash or the drive-through facilities before signature of the construction plans, which will resolve the vehicle stacking issues. Staff can therefore recommend approval.

254 **PLAN OF DEVELOPMENT**

255 *(Deferred from the December 12, 2012 Meeting)*

256
POD2012-00389
Bonnie M. Pradhan
Addition – Modification –
9999 Brook Rd. (U.S.
Route 1)
(POD-26-05 Rev.)

Zannino Engineering for Bonnie M. Pradhan: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to complete construction of a two-story 6,026 square foot building addition to an existing convenience store with gas pumps, with a 1,512 square foot restaurant with drive-through facilities and a 2,099 square foot retail store on the first floor and a 2,413 square foot office on the second floor. The 1.316-acre site is located at the southeast corner of the intersection of Brook Rd. (U.S. Route 1) and J.E.B. Stuart Pkwy. on parcel 783-769-9052. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

257
258 Mrs. Jones - All right. Is there anyone here in opposition to POD2012-
259 00389, Bonnie M. Pradhan Addition-Modification? I will note for the record that I
260 personally will not be voting on this case; I will abstain. In light of that, Mr. Archer?

261
262 Mr. Archer - Madam Chair, I move for approval of POD2012-00389,
263 Bonnie M. Pradhan Addition-Modification, subject to staff recommendations, conditions
264 29 through 37, and revised condition #38 that is in this morning's addendum.

265
266 Mr. Branin - Second.

267
268 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Branin. All in favor
269 say aye. All opposed say no. The ayes have it; the motion passes.

270
271 Mrs. Jones - Abstain

272 Mr. Leabough - Yes

273 Mr. Archer - Yes

274 Mr. Branin - Yes

275 Mr. Witte - Absent

276
277 The Planning Commission approved POD2012-00389, Bonnie M. Pradhan Addition-
278 Modification, subject to the annotations on the plans, the standard conditions attached to
279 these minutes for developments of this type, and the following additional conditions:

- 280
281 29. Refuse containers or refuse storage facilities shall be serviced only between the
282 hours of 6:00 a.m. and 6:00 p.m.
283 30. Outside storage shall not be permitted.
284 31. The proffers approved as a part of zoning case C-113C-88 shall be incorporated
285 in this approval.

- 286 32. All exterior lighting fixtures shall be designed and arranged so the source of light
287 is not visible from the roadways or adjacent residential properties. The lighting
288 shall be low intensity, residential in character, and the height or standards shall
289 not exceed 15 feet.
- 290 33. The developer shall install an adequate restaurant ventilating and exhaust system
291 to minimize smoke, odors, and grease vapors. The plans and specifications shall
292 be included with the building permit application for review and approval. If, in the
293 opinion of the County, the type system provided is not effective, the Commission
294 retains the rights to review and direct the type of system to be used.
- 295 34. The certification of building permits, occupancy permits and change of occupancy
296 permits for individual units shall be based on the number of parking spaces
297 required for the proposed uses and the amount of parking available according to
298 approved plans.
- 299 35. The owner or manager on duty shall be responsible for temporarily closing the car
300 wash or drive-up facilities when the on-site stacking space is inadequate to serve
301 customer demand to prevent a backup of vehicles onto the public right-of-way.
302 The owner shall arrange with the Traffic Engineer to provide standard traffic
303 control signs to notify customers that stopping or standing on the public right-of-
304 way shall not be permitted near the entrances to the car wash facility. The owner
305 shall close the facilities until a solution can be designed to prevent backup.
- 306 36. The location of all existing and proposed utility and mechanical equipment
307 (including HVAC units, electric meters, junction and accessory boxes,
308 transformers, and generators) shall be identified on the landscape plans. All
309 equipment shall be screened by such measures as determined appropriate by the
310 Director of Planning or the Planning Commission at the time of plan approval.
- 311 37. Except for junction boxes, meters, and existing overhead utility lines, and for
312 technical or environmental reasons, all utility lines shall be underground.
- 313 38. The traffic circulation around the car wash shall be resolved to the satisfaction of
314 the Traffic Engineer prior to construction plan approval. This can be achieved by
315 the removal of the carwash or the removal of the drive-through window and its
316 associated drive-through lane.

317
318 Ms. News - The final item on the expedited agenda is located on page 14
319 of your agenda and is in the Varina District. This is The Village of Rocketts Landing
320 (January 2013 Plan) for three lots. Staff recommends approval.

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24
SUBDIVISION

SUB2012-00174
The Village of Rocketts
Landing (January 2013
Plan)

Shadrach & Associates, LLC for Central Virginia Investments/Rocketts Landing, LLC: The 21.525-acre site proposed for a subdivision to establish development blocks and private streets for Land Bay 5 of The Village of Rocketts Landing is located along the west side of Old Osborne Turnpike, south of Old Hudson Street (private), on parcels 797-711-2587; 6071, 797-712-4180, and 797-713-8451. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Varina) 3 Lots**

325
326 Mrs. Jones - Is there anyone in opposition to SUB2012-00174, The Village
327 of Rocketts Landing (January 2013 Plan)?

328
329 Mr. Leabough - I have a question. Ms. News, to your knowledge, is there
330 anything that would prevent the landscaping from being installed on this site as far as the
331 right-of-way?

332
333 Ms. News - I don't believe so, but I could check with Mr. Kennedy.

334
335 Mr. Kennedy - Yes, sir.

336
337 Mr. Leabough - Is there anything that would prevent the landscaping from
338 being installed around the site?

339
340 Mr. Kennedy - They have several phases they haven't developed yet.

341
342 Mr. Leabough - I'm speaking specifically to the apartment building.

343
344 Mr. Kennedy - When they build the apartment building, they'll put in the
345 landscaping concurrently with that.

346
347 Mr. Leabough - So, there is nothing that would prevent the landscaping from
348 being installed?

349
350 Mr. Kennedy - Not to my knowledge. They have to dedicate the right-of-way
351 for Route 5. Part of what that does is it permits us to accept the dedication of the right-of-
352 way for Route 5 and put in those improvements. Then, once they build the building,
353 they'll have space to put in the landscaping. A landscape plan is required prior to
354 obtaining a certificate of occupancy.

355
356 Mr. Leabough - Okay. Thank you, sir.

357
358 Mrs. Jones - All right. Is that all?

359

360 Mr. Leabough - That's it.
361
362 Mrs. Jones - Okay. I'll entertain a motion if you're ready.
363
364 Mr. Leabough - Madam Chair, I move for approval of SUB2012-00174, The
365 Village of Rocketts Landing (January 2013 Plan), subject to annotations on the plans, the
366 standard conditions for subdivisions served by public utilities for a road dedication, and
367 the following Conditions #3, #5, and #6, modified, and #11 through #13.
368
369 Mr. Archer - Second.
370
371 Mrs. Jones - Motion by Mr. Leabough, seconded by Mr. Archer. All in favor
372 say aye. All opposed say no. The ayes have it; the motion passes.
373
374 The Planning Commission granted conditional approval to SUB2012-00174, The Village
375 of Rocketts Landing (January 2013 Plan), subject to the standard conditions attached to
376 these minutes for subdivisions served by public utilities for a road dedication, the
377 annotations on the plans, and the following additional conditions:
378
379 3. **MODIFIED** - Construction shall not commence until the Director of Planning has
380 granted final approval of the plat; and until the construction plans including the
381 detailed drainage, erosion control, and utility plans have been approved by the
382 Department of Planning and the Department of Public Works and a
383 preconstruction meeting has been held with the Department of Public Works.
384 Plans for Final Subdivision review shall be submitted to the Department of
385 Planning in accordance with the requirements of the Final Subdivision application.
386 Upon notice from the Department of Planning to the Engineer that all comments
387 have been addressed, twenty-one (21) sets of final construction plans for
388 signature shall be submitted to the Department of Planning for approval
389 signatures. All erosion and sediment control plans, agreements, and bonds must
390 be submitted to the Department of Public Works and approved prior to approval of
391 the construction plans.
392 5. **MODIFIED** - The owner shall enter into the necessary contracts with the City of
393 Richmond Department of Public Utilities for water.
394 6. **MODIFIED** - The owner shall enter into the necessary contracts with the City of
395 Richmond Department of Public Utilities for sewer.
396 11. Prior to requesting the final approval, a draft of the covenants and deed
397 restrictions for the maintenance of the common area by a homeowners
398 association shall be submitted to the Department of Planning for review. Such
399 covenants and restrictions shall be in a form and substance satisfactory to the
400 County Attorney and shall be recorded prior to recordation of the subdivision plat.
401 12. The proffers approved as part of zoning cases C-55C-04, P-14-04, and P-12-12
402 shall be incorporated in this approval.
403 13. The developer shall provide signage, the wording and location as deemed
404 appropriate by the Director of Public Works, which addresses the possible future
405 extension of the stub street.

406
407 Ms. News - That completes our expedited agenda.
408
409 Mrs. Jones - Thank you, Ms. News.
410
411 Mr. Emerson - Madam Chair, that now takes us to Subdivision Extensions of
412 Conditional Approval, which there are no extensions to present to you this month. So,
413 that now takes us to page 12 of your agenda.
414

415 PLAN OF DEVELOPMENT AND LIGHTING PLAN

416
POD2012-00457 Carrabba's at West Broad Village – 11237 W. Broad Street (U.S. Route 250) **Bay Companies, Inc. for Excel WBV V, LLC and Excel Trust:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 6,500 square foot restaurant with 516 square feet of outdoor dining. The 0.45-acre site is located on the southeast corner of the intersection of W. Broad Street (U.S. Route 250) and Whittall Way, on parcel 742-761-9304. The zoning is UMUC, Urban Mixed Use (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

417
418 Mrs. Jones - Is there anyone with us this morning in opposition to
419 POD2012-00457, Carrabba's at West Broad Village? There is no opposition.
420

421 Ms. Crady - Before you today is the final West Broad Village retail
422 outparcel along the West Broad Street frontage. The outparcel will fill the vacant space
423 between the existing Bonefish Grill at Whittall Way and the recently approved Chuy's
424 Restaurant, which is now under construction.
425

426 The applicant has worked with staff to implement a primarily brick building with
427 architectural features on all sides of the building to be compatible with the pedestrian
428 scale of the development, as well as the surrounding outparcel design. These include the
429 addition of faux windows along the Back Street frontage, which you'll see here, as well
430 as awnings, variations in brick elements, and designation of planting areas along the
431 perimeter sidewalks.
432

433 The revised lighting plan has been provided in your addendum. It now shows decorative
434 fixture types that are consistent with previous lighting plan approvals throughout the
435 West Broad Village UMU. The lighting levels have also been increased along all
436 pedestrian and parking areas to meet or exceed the minimum one-foot candle
437 requirement.
438

439 With this, staff recommends approval subject to the annotations on the plan, the
440 standard conditions for developments of this type, and additional Conditions #11B and

441 #29 restated in your addendum through #34. The applicant's representatives, Dan
442 Caskie with Bay Design and Liz Abernethy with Stantec, are both here to answer any
443 questions that you may have of the applicant. I'm happy to answer any questions that the
444 Commission may have of me.
445

446 Mrs. Jones - Thank you, Ms. Crady. Does anyone have questions?
447

448 Mr. Branin - Ms. Crady, we were a little concerned about the lighting, and
449 the lighting is up to par with the rest of West Broad Village now?
450

451 Ms. Crady - Yes, sir. It meets and exceeds.
452

453 Mr. Branin - According to the samples that you have put in front of me,
454 these do match up with the current?
455

456 Ms. Crady - They're compatible with the current brick that we have out
457 there. There is a variety of brick out there right now.
458

459 Mr. Branin - I have no further questions.
460

461 Mrs. Jones - Are you going to display the banner?
462

463 Ms. Crady - I can pull it out if you want.
464

465 Mr. Branin - This is the awning.
466

467 Mrs. Jones - The awning.
468

469 Ms. Crady - Those are the awning colors. Primarily red with brown and
470 green.
471

472 Mrs. Jones - It's quite colorful. Carrabba's is a colorful restaurant. Are
473 there other questions from the Commission? All right.
474

475 Mr. Branin - Can I hear from the applicant, if I may?
476

477 Mrs. Jones - All right. Would the applicant come down, please? State your
478 name for the record. These are recorded proceedings.
479

480 Mr. Caskie - Good morning. I'm Dan Caskie with Bay Companies.
481

482 Mrs. Jones - Good morning, Mr. Caskie.
483

484 Ms. Abernethy - Good morning. I'm Liz Abernethy with Stantec Consulting. I'm
485 here representing Bloomin' Brands and Carrabba's.
486

487 Mrs. Jones - Thank you.

488

489 Mr. Branin - This question is more for Ms. Abernethy. Ms. Abernethy,
490 thank you for coming up today, and thank you for getting your building straight to match
491 the quality of what's out there.

492

493 Ms. Abernethy - Yes, it's a great project.

494

495 Mr. Branin - We think so. What is your timeline that you're looking at for
496 this project?

497

498 Ms. Abernethy - We're looking to accelerate it. Our conservative timeline
499 would start construction in the summer to have a fall opening, but if we can move it up,
500 we're going to do that. I'm hopeful here today in talking to some of your staff that we may
501 be able to start in the spring and be open by summer or end of the summer. So, we're
502 going to do everything we can to accelerate it. We want to get it open as soon as
503 possible so we can get that project moving.

504

505 Mr. Branin - Good, good. So, if you did start early, you would be coming
506 out of the ground probably just behind Chuy's, which is going up next to you.

507

508 Ms. Abernethy - Right. We're going to coordinate with the landlord and Chuy's
509 so we can get it constructed as soon as possible but not step on each other's toes doing
510 that.

511

512 Mr. Branin - That's one of the reasons why I brought you up. I was going
513 to mention to you that is a very tight area, so please be very aware that you have a
514 parking deck, a small road, and construction going on currently next to you.

515

516 Ms. Abernethy - We've worked closely with the developer on our construction
517 staging plan, and all of that is going to work during the construction period, because I do
518 understand we do have some pretty tight constraints there to work with.

519

520 Mr. Branin - Okay. That's all I have.

521

522 Mrs. Jones - Further questions? Thank you.

523

524 Ms. Abernethy - Thank you. Thank you for your consideration.

525

526 Mrs. Jones - Mr. Branin?

527

528 Mr. Branin - Madam Chair, I'd like to move that POD2012-00457,
529 Carrabba's at West Broad Village, be approved with the annotations on the plan, the
530 standard conditions for developments of this type, and Conditions #11B, #29 restated,
531 and #30 through #34.

533 Mr. Leabough - Second.

534

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

537

538 The Planning Commission approved POD2012-00457, Carrabba's at West Broad
539 Village, subject to the annotations on the plans, the standard conditions attached to
540 these minutes for developments of this type, and the following additional conditions:

541

542 11B. Prior to the approval of an electrical permit application and installation of the site
543 lighting equipment, a plan including light spread and intensity diagrams, and fixture
544 specifications and mounting heights details shall be revised as annotated on the
545 staff plan and included with the construction plans for final signature.

546 29. Outside storage shall not be permitted.

547 30. The proffers approved as a part of zoning case C-12C-06 shall be incorporated in
548 this approval.

549 31. A construction staging plan which includes details for traffic control, fire protection,
550 stockpile locations, construction fencing and hours of construction shall be
551 submitted for County review and prior to the approval of any final construction
552 plans.

553 32. The developer shall install an adequate restaurant ventilating and exhaust system
554 to minimize smoke, odors, and grease vapors. The plans and specifications shall
555 be included with the building permit application for review and approval. If, in the
556 opinion of the County, the type system provided is not effective, the Commission
557 retains the rights to review and direct the type of system to be used.

558 33. The location of all existing and proposed utility and mechanical equipment
559 (including HVAC units, electric meters, junctions and accessory boxes,
560 transformers, and generators) shall be identified on the landscape plan. All
561 building mounted equipment shall be painted to match the building, and all
562 equipment shall be screened by such measures as determined appropriate by the
563 Director of Planning or the Planning Commission at the time of plan approval.

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

566
567 Mr. Emerson - Madam Chair, that now takes us to your consideration of
568 approval of the minutes of the December 12, 2012, meeting. I believe staff contacted
569 each commissioner. We received no comments for the errata sheet; therefore, we do not
570 have one this morning.

571

572 APPROVAL OF MINUTES: December 12, 2012

573

574 Mrs. Jones - I'll entertain a motion to approve the minutes.

575

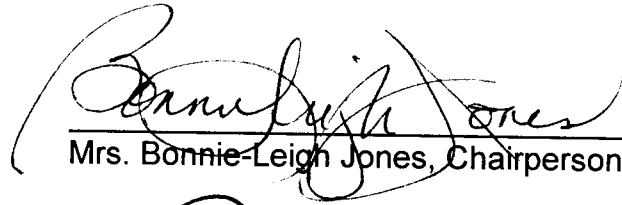
576 Mr. Branin - So moved.

577

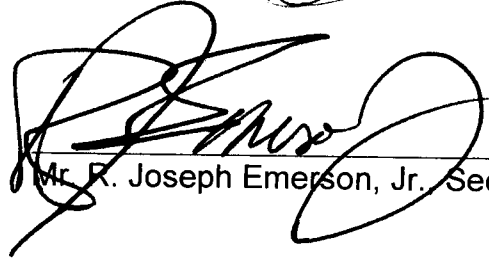
578 Mr. Archer - Second.

579
580 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Archer for the
581 approval of the minutes. All in favor say aye. All opposed say no. The ayes have it; the
582 motion passes.
583
584 The Planning Commission approved the December 12, 2012 minutes as submitted.
585
586 Mrs. Jones - Mr. Secretary, do you have comments for the Commission?
587
588 Mr. Emerson - Madam Chair, the only thing I would do would be remind the
589 Commission of the February 14th CIP hearing at 6 p.m. We had discussed meeting at
590 5:15, and I will have dinner available for the Commission. I believe you and I had spoken
591 prior to the meeting of possibly bumping that up to 5:00 to discuss a few administrative
592 items.
593
594 Mrs. Jones - Yes. For the commissioners to know, I have requested, and
595 Mr. Emerson has very kindly agreed, that he would spend a few minutes at our work
596 session prior to our meeting on February 14, going over just a quick review of some
597 basics of Commission procedure, wording for motions, things of that nature, as much for
598 my benefit as anyone else's. I was hoping that you might be able to come at 5:00 p.m.
599 versus 5:15 p.m. in order to accommodate that extra segment. Would that be suitable to
600 everyone?
601
602 Mr. Archer - I can make it work.
603
604 Mr. Branin - I can make it work.
605
606 Mr. Emerson - We'll plan on 5:00 p.m., then.
607
608 Mrs. Jones - All right, 5:00 p.m. then. I thank you very much for that. That
609 will be our work session prior to the 6:00 p.m. CIP hearing and then our Zoning meeting.
610
611 Mr. Emerson - Yes, ma'am. I have nothing further for the Commission this
612 morning.
613
614 Mrs. Jones - Anything else from the other commissioners? All right. With
615 that, I will entertain a motion for adjournment.
616
617 Mr. Archer - So moved, Madam Chair.
618
619 Mr. Branin - Second.
620
621 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Branin. All in favor
622 say aye. All opposed say no. The ayes have it; the motion passes.
623
624 This meeting stands adjourned.

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Mrs. Bonnie-Leigh Jones, Chairperson, C.P.C.



Mr. R. Joseph Emerson, Jr. Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least **48** hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **January 23, 2013**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

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

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

STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **January 23, 2013**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **January 23, 2013**, 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 22, 2014**, 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 23, 2013**, 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 22, 2014**, 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 23, 2013**, 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 22, 2014**, 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 23, 2013**, 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 22, 2014**, 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 23, 2013**, 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 22, 2014**, 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.