

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Springs Roads beginning at 9:00 a.m. Wednesday, January 27, 2017.
4

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

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

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6 **Mr. Tyrone E. Nelson, the Board of Supervisors' representative, abstains on all**
7 **cases unless otherwise noted.**

8
9 Mr. Leabough - Good morning. I call this meeting of the Henrico County
10 Planning Commission to order. This is our plan of development and subdivisions
11 meeting. We appreciate you all being here. As you're preparing to stand for the Pledge
12 of Allegiance, I ask that everyone mute or silence your cell phones and rise with the
13 Commission for the pledge.
14

15 I don't see anyone, but do we have anyone from the news media in the audience? We
16 do. May I ask your name and what organization? Thank you Ms. Smith for being here.
17 Anyone else? There being no one else, I'd like to turn the agenda over to Mr. Emerson,
18 our secretary.
19

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

23
24 Ms. News - We have one item on our agenda that has been requested for
25 a withdrawal of the case. This is on page 19 of your agenda and located in the Fairfield
26 District. This is POD2015-00555, Walmart Neighborhood Market at Henrico Plaza
27 Shopping Center. The applicant has requested that the case be withdrawn.

28
29 *(Deferred from the December 14, 2016 Meeting)*
30 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

31
POD2015-00555
Walmart Neighborhood
Market at Henrico Plaza
Shopping Center – 4000
Mechanicsville Turnpike
(U.S. Route 360)

**Bohler Engineering for GBR Henrico Limited Liability
Company/Plaza 360 Resources LP and Wal-Mart Real
Estate Business 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 41,952 square foot retail grocery store with
drive-through pharmacy, and a one-story 754 square foot
convenience market with fueling center in an existing
shopping center. The 7.47 acre portion of the 27.389-acre
site is located on the west line of Mechanicsville Turnpike
(U.S. Route 360), approximately 550 feet south of Evans
Road, on part of parcel 803-737-0018. The zoning is B-2,
Business District and ASO, Airport Safety Overlay District.
County water and sewer. **(Fairfield)**

32
33 Mr. Leabough - Is there anyone present who is opposed to this withdrawal
34 request for POD2015-00555, Walmart Neighborhood Market at Henrico Plaza Shopping
35 Center? I see no opposition. This does not require Commission action, correct?

36
37 Mr. Emerson - Yes sir, this does require Commission action. Yes, it does.

38
39 Mr. Leabough - All right. Well that being the case... Mr. Archer.

40
41 Mr. Archer - Mr. Chairman, I move that the withdrawal request for
42 POD2015-00555, Walmart Neighborhood Market at Henrico Plaza Shopping Center, be
43 granted.

44
45 Mr. Witte - Second.

46
47 Mr. Leabough - We have a motion by Mr. Archer, a second by Mr. Witte. All in
48 favor say aye. All opposed say no. The ayes have it; the motion passes.

49

50 At the request of the applicant, the Commission withdrew case POD2015-00555,
51 Walmart Neighborhood Market at Henrico Plaza Shopping Center, from further
52 consideration by the Commission.

53

54 Ms. News - Staff is not aware of any further requests.

55

56 Mr. Emerson - Mr. Chairman, unless the Commission has any deferrals they
57 would like to enter at this time, next on your agenda are the expedited items . Those will
58 also be presented by Ms. News.

59

60 Ms. News - We have two items on our expedited agenda this morning.
61 The first is found on page 15 of your agenda and located in the Three Chopt District.
62 This POD2016-00561, Nuckols Road Self Storage. Staff recommends approval.

63

64 PLAN OF DEVELOPMENT

65

POD2016-00561 Nuckols Road Self Storage – Nuckols Road	Youngblood, Tyler & Associates for Nuckols Storage, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a three-story 66,000 square foot self-storage facility. The 2.2-acre site is located on the northern line of Nuckols Road, approximately 540 feet west of Concourse Boulevard, on parcel 745-775-4352 and part of parcel 745-775-0764. The zoning is M-1C, Light Industrial District (Conditional) and O/SC, Office Service District (Conditional). County water and sewer. (Three Chopt)
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67 Mr. Leabough - Is there anyone present who is opposed to POD2016-00561,
68 Nuckols Road Self Storage? There is no opposition. Mrs. Marshall?

69

70 Mrs. Marshall - Mr. Chairman, I move POD2016-00561, Nuckols Road Self
71 Storage, be approved on the expedited agenda subject to the annotations on the plan,
72 standard conditions for developments of this type, and additional conditions 29 through
73 35 in the agenda.

74

75 Mr. Baka - Second.

76

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

79

80 The Planning Commission approved POD2016-00561, Nuckols Road Self Storage,
81 subject to the annotations on the plans, the standard conditions attached to these
82 minutes for developments of this type, and the following additional conditions:

83

- 84 29. The right-of-way for widening of Nuckols Road as shown on approved plans shall
- 85 be dedicated to the County prior to any occupancy permits being issued. The
- 86 right-of-way dedication plat and any other required information shall be submitted
- 87 to the County Real Property Agent at least sixty (60) days prior to requesting
- 88 occupancy permits.
- 89 30. A concrete sidewalk meeting County standards shall be provided along the north
- 90 side of Nuckols Road.
- 91 31. Approval of the construction plans by the Department of Public Works does not
- 92 establish the curb and gutter elevations along the Henrico County maintained
- 93 right-of-way. The elevations will be set by Henrico County.
- 94 32. There shall be no outdoor storage in moveable storage containers including, but
- 95 not limited to, cargo containers and portable on demand storage containers.
- 96 33. The proffers approved as a part of zoning case REZ2016-00030 shall be
- 97 incorporated in this approval.
- 98 34. The location of all existing and proposed utility and mechanical equipment
- 99 (including HVAC units, electric meters, junctions and accessory boxes,
- 100 transformers, and generators) shall be identified on the landscape plan. All
- 101 building mounted equipment shall be painted to match the building, and all
- 102 equipment shall be screened by such measures as determined appropriate by the
- 103 Director of Planning or the Planning Commission at the time of plan approval.
- 104 35. The existing sanitary sewer easement in conflict with the building footprint shall be
- 105 vacated prior to approval of the building permit for the said building.

106
 107 Ms. News - The final item on page 22 of your agenda and located in the
 108 Fairfield District. This is POD2016-00376, Bojangles at 5207 Brook Road. And this
 109 includes a lighting plan. Staff recommends approval.
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111 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**
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113
 114 Mr. Leabough - Is there anyone present who is opposed to the plan of
 115 development and lighting plan for POD2016-00376, Bojangles at 5207 Brook Road?
 116 There is no opposition. Mr. Archer.
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118 Mr. Archer - All right, Mr. Chairman. With that, I will move that the plan of
119 development and lighting plan for POD2016-00376, Bojangles at 5207 Brook Road, be
120 approved subject to the standard conditions for developments of this type, plan
121 annotations, and the additional conditions 11B and 29 through 37.

122

123 Mrs. Marshall - Second.

124

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

127

128 The Planning Commission approved the plan of development and lighting plan for
129 POD2016-00376, Bojangles at 5207 Brook Road, subject to the annotations on the
130 plans, the standard conditions attached to these minutes for developments of this type,
131 and the following additional conditions:

132

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

137 29. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be
138 approved by the Virginia Department of Transportation and the County.

139 30. A notice of completion form, certifying that the requirements of the Virginia
140 Department of Transportation entrances permit have been completed, shall be
141 submitted to the Department of Planning prior to any occupancy permits being
142 issued.

143 31. A concrete sidewalk meeting VDOT standards shall be provided along the east
144 side of Brook Road (U.S. Route 1).

145 32. Outside storage shall not be permitted.

146 33. The developer shall install an adequate restaurant ventilating and exhaust system
147 to minimize smoke, odors, and grease vapors. The plans and specifications shall
148 be included with the building permit application for review and approval. If, in the
149 opinion of the County, the type system provided is not effective, the Commission
150 retains the rights to review and direct the type of system to be used.

151 34. Approval of the construction plans by the Department of Public Works does not
152 establish the curb and gutter elevations along the Henrico County maintained
153 right-of-way. The elevations will be set by Henrico County.

154 35. Approval of the construction plans by the Department of Public Works does not
155 establish the curb and gutter elevations along the Virginia Department of
156 Transportation maintained right-of-way. The elevations will be set by the
157 contractor and approved by the Virginia Department of Transportation.

158 36. Evidence of a joint ingress/egress and maintenance agreement must be
159 submitted to the Department of Planning and approved prior to issuance of a
160 certificate of occupancy for this development.

161 37. The location of all existing and proposed utility and mechanical equipment
162 (including HVAC units, electric meters, junctions and accessory boxes,
163 transformers, and generators) shall be identified on the landscape plan. All

164 building mounted equipment shall be painted to match the building, and all
165 equipment shall be screened by such measures as determined appropriate by the
166 Director of Planning or the Planning Commission at the time of plan approval.
167

168 Ms. News - That completes our expedited agenda.
169

170 Mr. Leabough - Mr. Secretary, I would just like to recognize that a Board
171 member from the Varina District just joined us, Mr. Nelson. Thank you for being here, sir.
172 We appreciate you serving with us this year. Mr. Secretary.
173

174 Mr. Emerson - Yes, sir, Mr. Chairman. Next on your agenda this evening are
175 the Subdivision Extensions and Withdrawals of Conditional Approval. Those will be
176 presented by Ms. Kate McMillion. And you do have one action item on this agenda this
177 morning on this item.
178

179 **SUBDIVISION EXTENSIONS AND WITHDRAWALS OF CONDITIONAL APPROVAL**

180 **SUBDIVISION WITHDRAWAL REQUESTS**
181
182

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District
SUB2014-00074 Saunders Station Townes at Broad Hill Centre (June 2014 Plan)	78	78	1	Three Chopt

183
184 Ms. McMillion - Good morning. There's one withdrawal request of conditional
185 subdivision approval on the agenda this morning, as Mr. Emerson said. The map
186 indicates in blue the location of Saunders Station Townes at Broad Hill Centre, June
187 2014 Plan, located in the Three Chopt District. This site is subject to a reconsideration,
188 which will be heard later on in this meeting. This withdrawal request requires
189 Commission action. I am available for any questions you may have.
190

191 Mr. Leabough - Is there anyone present who is opposed to the withdrawal
192 request for SUB2014-00074, Saunders Station Townes at Broad Hill Centre (June 2014
193 Plan)? There is no opposition. Mrs. Marshall.
194

195 Mrs. Marshall - Mr. Chairman, I move that SUB2014-00074, Saunders
196 Station Townes at Broad Hill Centre (June 2014 Plan), be withdrawn at this time.
197

198 Mr. Archer - Second.
199

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

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At the request of the applicant, the Planning Commission withdrew SUB2014-00074, Saunders Station Townes at Broad Hill Centre (June 2014 Plan).

Mr. Emerson - Mr. Chairman, we now move into your regular agenda to page 3 for POD-05-87 (POD2016-00272), Bartlett Chisholm for GreenMarle Incorporated. The staff report will be presented by Greg Garrison.

TRANSFER OF APPROVAL

POD-05-87 POD2016-00272 Car Pool – 9200 West Broad Street	Bartlett Chisholm for GreenMarle Incorporated: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from B&K Associates and CP 9200 West Broad Street, LLC to Greenmarle Incorporated. The 1.03-acre site is located on the northern line of West Broad Street (U.S. Route 250), approximately 920 feet west of Tuckernuck Drive, on parcel 757-757-2929. The zoning is B-3C, Business District (Conditional). County water and sewer. (Brookland)
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Mr. Leabough - Is there anyone present who is opposed to transfer of approval POD-05-87 (POD2016-00272), Car Pool? I see no opposition. Mr. Garrison.

Mr. Garrison - Good morning. The site deficiencies included missing and dead landscaping, which has been replaced. The new owners agree to be responsible for continued compliance with the original conditions from POD-05-87. Staff can recommend approval of this transfer request.

Mr. Leabough - Are there any questions for Mr. Garrison? There are no questions.

Mr. Witte - Mr. Chairman, I move approval of transfer of approval POD-05-87 (POD2016-00272), Car Pool, subject to previously approved conditions and annotations on the plans.

Mr. Baka - Second.

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

The Planning Commission approved the transfer of approval request for POD-05-87 (POD2016-00272), Car Pool, from B&K Associates and CP 9200 West Broad Street, LLC to GreenMarle Incorporated, subject to the standard and added conditions previously approved.

238 Mr. Emerson - Mr. Chairman, we now move on to page 4 of your agenda for
239 POD-28-86 (POD2015-00128), Hasmukh Patel for Majesty Hotels, LLC. The staff report
240 will be presented by Mr. Matt Ward.
241

242 **TRANSFER OF APPROVAL**
243

POD-28-86 **Hasmukh Patel for Majesty Hotels, LLC:** Request for
POD2015-00128 transfer of approval as required by Chapter 24, Section 24-
Econo Lodge and 106 of the Henrico County Code from A&B Richmond
Rodeway Inn (Formerly Hotel, LLC to Majesty Hotels, LLC. The 4.03-acre site is
Fairfield Inn) – 7300 W. located on the east line of West Broad Street (U.S. Route
Broad Street (U.S. Route 250), approximately 730 feet north of Bethlehem Road, on
250) parcel 766-749-5530. The zoning is B-2C, Business
District (Conditional) and B-3, Business District. County
water and sewer. **(Brookland)**

244
245 Mr. Leabough - Is there anyone present who is opposed to the transfer
246 request for POD-28-86 (POD2015-00128), Econo Lodge and Rodeway Inn (Formerly
247 Fairfield Inn)? I see no opposition. Good morning, Mr. Ward.
248

249 Mr. Ward - Good morning, Mr. Leabough. Over the past year, the
250 applicant has worked with staff to complete an extensive list of repairs here due to staff's
251 inspection report to replace dead and damaged landscaping, replace damaged fencing
252 and dumpster enclosure gates, removed a cargo container, and also complete a lot of
253 pavement repairs. The new owner does agree and accepts being responsible for
254 continued compliance with conditions of the original approval. Staff can recommend
255 approval of the transfer request.
256

257 Mr. Leabough - Thank you, Mr. Ward. Are there any questions from the
258 Commission? No questions. Mr. Witte.
259

260 Mr. Witte - Mr. Chairman, I move approval of TOA POD-28-86
261 (POD2015-00128), Econo Lodge and Rodeway Inn (Formerly Fairfield Inn), as
262 presented, subject to the previously approved conditions and annotations on the plans.
263

264 Mr. Baka - Second.
265

266 Mr. Leabough - We have a motion by Mr. Witte, a second by Mr. Baka. All in
267 favor say aye. All opposed say no. The ayes have it; the motion passes.
268

269 The Planning Commission approved the transfer of approval request for POD-28-86
270 (POD2015-00128), Econo Lodge and Rodeway Inn (Formerly Fairfield Inn), from A&B
271 Richmond Hotel, LLC to Majesty Hotels, LLC, subject to the standard and added
272 conditions previously approved.
273

274 Mr. Emerson - Mr. Chairman, now moving to page 5 of your agenda for
275 POD2016-00568 and also on your amended agenda page 1. The staff report will be
276 presented by Mr. Kevin Wilhite.

277

278 **PLAN OF DEVELOPMENT**

279

POD2016-00568 **Kimley-Horn and Associates, Inc. for SP Hotel, LLC:**
Hampton Inn Hotel – Request for approval of a plan of development, as required
12341 West Broad Street by Chapter 24, Section 24-106 of the Henrico County
Code, to construct a six-story, 122-room hotel. The 7.67-
acre site is located along the south line of West Broad
Street (U.S. Route 250), approximately 2,000 feet west of
its intersection with North Gayton Road, on parcel 731-
764-4292. The zoning is B-2C, Business District
(Conditional), and WBSO, West Broad Street Overlay
District. County water and sewer. **(Three Chopt)**

280

281 Mr. Leabough - Is there anyone present who is opposed to POD2016-00568,
282 Hampton Inn Hotel? I see no opposition. Good morning, Mr. Wilhite.

283

284 Mr. Wilhite - Good morning, Mr. Chair. Your packet included a revised site
285 plan this morning that addresses staff's major concerns with this project. The site plan
286 included is consistent with the site plan included with the zoning case.

287

288 The eastern most access point on West Broad Street has been restriped to allow for a
289 right turn out and a left turn/through lane combination. In addition, on the east side of the
290 building, a turnaround space has been striped out to allow for maneuvering in a dead-
291 end parking lot situation. Also, a fire lane has been added to the west side of the building
292 to meet requirements for fire access to the back of the building. Both the eastern access
293 drive and the fire lane encroach into the RPA buffer. However, these encroachments are
294 permitted under the code, and staff has found it acceptable. There will be reforestation
295 and some minimized grading done to meet the requirements.

296

297 As requested, the applicant has provided a sidewalk connection to West Broad Street
298 coming in along the eastern entrance. However, the route itself is probably not the best
299 route for pedestrian access. They've agreed to reevaluate this and potentially work out a
300 change in the location with the plans for signature.

301

302 Your addendum this morning also included a screen fence and retaining wall detail.
303 Proffers of the zoning case required Planning Commission approval of these details. The
304 retaining wall is a segmental wall using Allan blocks. The fence detail is eight feet tall, as
305 required by proffer. It will be a vinyl fence with a dark color.

306

307 A provisional use permit was approved for this site to allow a building up to 65 feet in
308 height. The top of the parapet can extend four feet above the limiting height. In order to
309 meet the height requirements, the finished floor elevation which we typically use in height

310 measurement would have the building exceeding the height limitation. An alternative
311 under the code is for them to use the curb elevation along West Broad Street, which is
312 2.8 feet higher than the finished floor elevation of the building. Using this figure, which is
313 permitted by the ordinance, puts the height of the parapet under the allowable projection
314 of four feet. The architectural plans are consistent with the zoning case exhibit. The
315 primary building materials are modular brick, thin brick, and an EIFS-type material known
316 as StoTherm.

317

318 Staff can recommend approval of the revised plan. I'd be happy to answer any questions
319 that you have.

320

321 Mr. Leabough - Any questions from the Commission for Mr. Wilhite?

322

323 Mr. Witte - Would you explain the potential to relocate or use the existing
324 ingress or egress that you talked about earlier?

325

326 Mr. Wilhite - The site plan itself is consistent with the zoning case. The
327 location of the entrance is at an existing cut-through median on West Broad Street. It is a
328 signalized intersection. This is the optimum place for location of the main entrance into
329 the development. As you can see, the RPA lines have been sketched on the plan. The
330 retaining wall that is provided on the access drive here minimizes the grading into the
331 RPA. To allow for traffic maneuvering, and stacking space, this is deemed to be the
332 optimal design for the site.

333

334 Mr. Witte - Okay. So, that appears to be the best case scenario.

335

336 Mr. Wilhite - Yes. This gets traffic coming in and out of the site to a
337 signalized intersection on West Broad Street. And the median cut-through has always
338 been determined and exists on West Broad.

339

340 Mr. Witte - Great. Thank you.

341

342 Mr. Leabough - Are there any other questions for Mr. Wilhite?

343

344 Mrs. Marshall - To be clear, as far as the sidewalk goes, they are considering
345 moving that to a more appropriate location, and it would be a final signature at the end?

346

347 Mr. Wilhite - Yes. Staff had on the original plan recommended something
348 out the front door. Actually, the closest way from the entrance of the building to the
349 sidewalk. However, there is grade that they have to work on along West Broad Street, so
350 they also have to meet ADA requirements. So they're looking at what the most effective
351 way of getting to the front door of the building is. Where they're showing it on the revised
352 site plan along this entrance, you would have to cut across the access drive and then
353 behind the parking spaces to the rear of the building and then come back out to the front.
354 So this obviously is not the most efficient pedestrian route. So they are willing to provide

355 the access to West Broad, and they will look at other alternatives to try to create a better
356 design.

357
358 Mr. Leabough - Are there any other questions? I don't believe we have any
359 opposition, Mrs. Marshall. So would you like to hear from the applicant?

360
361 Mrs. Marshall - Yes, please.

362
363 Mr. Leabough - Would the applicant please come forward? As you're
364 approaching the podium, these are recorded proceedings, so if you could, please state
365 your name for the record.

366
367 Mr. Ellington - Good morning. My name's David Ellington with Kimley-Horn
368 and Associates.

369
370 Mrs. Marshall - If you could, could you let us know the thinking of the
371 sidewalk coming off of Broad Street and heading towards the back of the hotel.

372
373 Mr. Ellington - The back of the hotel. Well, what we're going to do right now
374 is—Kevin went over how we have the sidewalk proposed now. And one of the things that
375 we're dealing with now is the grades from Broad Street coming down straight in front of
376 the building into the front door. The grade's almost at a 30 percent slope. So if we would
377 do the sidewalk connection, we'd have to zigzag it in front to meet ADA. So that's why
378 we had proposed to come back through the entrance and then behind the—across the
379 drive aisle and then behind the parking spaces.

380
381 Another way that we could look at is instead of going behind the parking spaces here, we
382 could make the connection behind the parking spaces over here and then come down.
383 And then what we could do is we could put stairs or something connecting to Broad
384 Street. So then your ADA access would be at the light, and then you would have another
385 access with stairs directly in front of the front door.

386
387 Mrs. Marshall - Definitely that's a better idea as far as where the sidewalk will
388 go. You definitely don't want it going that far back in behind the building.

389
390 Mr. Ellington - Right. So again, those are some ideas that we're looking at
391 that we're definitely going to come back with the signatures that revise.

392
393 Mrs. Marshall - All right, thank you.

394
395 Mr. Ellington - Yes, you're welcome. Any other questions?

396
397 Mr. Leabough - Thank you.

398
399 Mr. Ellington - All right, thanks.

400

401 Mr. Leabough - Are there any other questions? I don't think so. Mrs. Marshall.

402

403 Mrs. Marshall - Mr. Chairman, I move POD2016-00568, Hampton Inn Hotel,
404 be approved subject to the annotations on the plan, standard conditions for
405 developments of this type, additional conditions 29 through 39 in the agenda, and the
406 revised plan in the addendum. This includes a change from wood to a dark color vinyl
407 fence used as screening to meet the proffer requirement. The addendum includes a
408 revised plan and a revised recommendation.

409

410 Mr. Witte - Second.

411

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

414

415 The Planning Commission approved POD2016-00568, Hampton Inn Hotel, subject to the
416 annotations on the plans, the standard conditions attached to these minutes for
417 developments of this type, and the following additional conditions:

418

419 29. The right-of-way for widening of West Broad Street as shown on approved plans
420 shall be dedicated to the County prior to any occupancy permits being issued. The
421 right-of-way dedication plat and any other required information shall be submitted
422 to the County Real Property Agent at least sixty (60) days prior to requesting
423 occupancy permits.

424 30. The entrances and drainage facilities on U.S. Route 250 shall be approved by the
425 Virginia Department of Transportation and the County.

426 31. A notice of completion form, certifying that the requirements of the Virginia
427 Department of Transportation entrances permit have been completed, shall be
428 submitted to the Department of Planning prior to any occupancy permits being
429 issued.

430 32. A concrete sidewalk meeting VDOT standards shall be provided along the south
431 side of West Broad Street.

432 33. Outside storage shall not be permitted.

433 34. Evidence that an engineer has certified the height of the building shall be provided

434 35. The proffers approved as a part of zoning cases REZ2016-00012 and PUP2016-
435 00004 shall be incorporated in this approval.

436 36. Approval of the construction plans by the Department of Public Works does not
437 establish the curb and gutter elevations along the Virginia Department of
438 Transportation maintained right-of-way. The elevations will be set by the
439 contractor and approved by the Virginia Department of Transportation.

440 37. The location of all existing and proposed utility and mechanical equipment
441 (including HVAC units, electric meters, junction and accessory boxes,
442 transformers, and generators) shall be identified on the landscape plans. All
443 equipment shall be screened by such measures as determined appropriate by the
444 Director of Planning or the Planning Commission at the time of plan approval.

445 38. Except for junction boxes, meters, and existing overhead utility lines, and for
446 technical or environmental reasons, all utility lines shall be underground.

447 39. The limits and elevations of the Special Flood Hazard Area shall be conspicuously
448 noted on the plan and labeled "Limits of Special Flood Hazard Area." In addition,
449 the delineated Special Flood Hazard Area must be labeled "Variable Width
450 Drainage and Utility Easement." The easement shall be granted to the County
451 prior to the issuance of any occupancy permits.

452
453 Mr. Emerson - Mr. Chairman, we now move on to page 7 of your agenda for
454 POD2016-00569 and POD-77-74 revised. The staff report will be presented by
455 Ms. Aimee Crady.

456 **PLAN OF DEVELOPMENT, REVISED MASTER PLAN, AND SPECIAL EXCEPTION**

457
458
POD2016-00569 **Kimley-Horn for 1420 North Parham Road, LLC and**
(POD-77-74 Revised) **Holly Hill Parham, LLC:** Request for approval of a plan of
Regency Square Mall development, revised master plan, and special exception,
Redevelopment Master as required by Chapter 24, Sections 24-106 and 24-2 of
Plan – 1420 North Parham the Henrico County Code, to authorize: demolition of a
Road 51,595 square foot parking deck; construction of a new
two-story, 12,320 square foot building, a new one-story,
13,600 square foot outparcel building with drive-through
service, and a new one-story, 6,500 square foot outparcel
building; renovation of a former bank building to include
demolition of the drive through canopy; and a special
exception to renovate two existing anchor tenant spaces to
increase building heights to 65 and 70 feet in an existing
regional shopping center; and to authorize a shopping
center boundary revision to eliminate an approximate 1.3
acre portion from the overall existing 47.61 acre regional
shopping center to construct a new, one-story 8,000
square foot retail building and a new one-story, 4,000
square foot retail building. The 27.23 acre portion of the
overall 47.61 acre site is located on the south line of
Quioccasin Road, the west line of North Parham Road, the
east line of Starling Drive, and the north line of Holly Hill
Drive, on parcels 752-743-9774 and 753-743-9242. The
zoning is B-1, Business District and B-3, Business District.
County water and sewer. **(Tuckahoe)**

459
460 Mr. Leabough - Is there anyone present who is opposed to POD2016-00569
461 (POD-77-74 Revised), Regency Square Mall Redevelopment Master Plan? I see no
462 opposition. Good morning, Ms. Crady.

463
464 Ms. Crady - Good morning. The much anticipated Regency Square Mall
465 Redevelopment Master Plan features multiple components intended to serve as a
466 catalyst to the long-term revitalization and success of the aging property that was
467 originally developed in 1974 as a regional shopping center.

468

469 The proposal presents a substantial transformation of the commercial corridor for the
470 property's frontage along Quioccasin Road between North Parham Road and Starling
471 Drive. It seeks to add multiple outparcel building sites, as you see here, along
472 Quioccasin and also at the center's southernmost entrance from Parham Road at the
473 intersection of Holly Hill.

474

475 A key feature in this plan involves the relocation of the central Quioccasin entrance to the
476 site. The applicant is currently coordinating adjacent road improvement plans with the
477 County's Department of Public Works to remove the existing flyover entrance and wall
478 that currently serves to introduce traffic directly and unimpeded into the center from the
479 north along Quioccasin Road. That flyover currently exists approximately here.

480

481 The new entrance will be located just to the east of its current location to this location
482 and will include a signalized intersection with a crossover to the Parham Plaza Shopping
483 Center to the north, which is here. Road plans will include the installation of sidewalk and
484 will eliminate a physical barrier that currently blocks view into the site. And full pedestrian
485 connectivity into the site from the roadways will be emphasized with the review and
486 approval of individual outparcel sites on this plan.

487

488 The plan also includes the demolition of the smaller northernmost parking deck adjacent
489 to the former vacant Macy's building to make way for a two-story retail building that will
490 create a presence as one enters the site from the relocated mall entrance here on
491 Quioccasin. The vacant former bank building is planned to be repurposed for a
492 restaurant use with drive-through service. The current configuration will be utilized and is
493 modified here on this plan.

494

495 Also central to this plan is the applicant's request to include a consideration of a special
496 exception to raise the height of both former Macy's buildings from 57 and 45 feet to 65
497 and 70 feet, respectively. It's not customary for staff to make a recommendation specific
498 to a special exception, but staff has verified that the building continues to exceed the
499 shopping center setback and the additional setback requirements for tall buildings and
500 has no objection to this request. The applicant may present his case concerning his
501 special request as requested.

502

503 This elevation shows the current mall building heights. I would focus on the existing
504 architectural element here, this dark element here, that is there now. I'm going to scroll to
505 the next slide that shows the elevated height on the two Macy's buildings. That would be
506 here and here. That kind of gives you a little point of reference. The elevation also
507 demonstrates the incorporation of some new building facade elements on the primary
508 mall building, which are elements shown in the conceptual renderings for the proposed
509 outparcel buildings as well. These materials include brick veneer, cast stone, corrugated
510 metal siding, wood print metal siding, and repainting of major portions of the mall to a
511 darker, but neutral, color than its current lighter beige tone.

512

513 The elevations for the future outparcel buildings are shown here. You can see some
514 veneer brick, corrugated metal, cast stone, and wood print siding. That will tie back into
515 these main mall building elevations.

516

517 That covers the highlights of the proposed master plan. Should the Commission approve
518 the special exception for height, staff recommends approval subject to the annotations
519 on the plan, standard conditions for developments of this type, and additional conditions
520 29 through 38 listed in the agenda. I would note that the approval with the special
521 exception may be made in one combined motion.

522

523 Mark Slusher, Rob Hargett, and Brian McNeal, the applicants, are here, as well as their
524 technical representative, David Ellington with Kimley-Horn. And I'm happy to answer any
525 questions that you may have of staff at this time.

526

527 Mr. Leabough - Are there any questions for Ms. Crady?

528

529 Mr. Baka - Yes, I do have a couple of questions, but go back to the
530 architectural elevations that would face Quioccasin Road. Could you point out which of
531 the outbuildings, starting with the outbuildings and then working your way back to old
532 Macy's, which of those are the outbuildings and the materials that you'd see driving by?

533

534 Ms. Crady - All right. You would see portions of outparcel 1. This would
535 face Starling Drive. This would face the Quioccasin Road. This would face the new
536 entrance driveway. This elevation here would face Quioccasin, and that would be the
537 primary thing you would see as you come in the drive aisle. This would be against an
538 existing wall, so not very visible. This would be facing Parham, JCPenney from the other
539 side.

540

541 Mr. Baka - And this is the Holly Hill parcel here?

542

543 Ms. Crady - Yes. This represents the Holly Hill parcel and another
544 additional building along Quioccasin. This would be most likely that outparcel 4 that you
545 would see facing Quioccasin. They would use an elevation similar to that. This would
546 face Holly Hill. And then again you'd have a mirrored one way or the other version of this
547 facing Parham Road. And then a similar finish on the other side. Those are intended to
548 give you the conceptual rendering of all finishes as they're implemented with specific
549 uses, as they identify tenants to fill these spaces.

550

551 We have discussed elaborating on some of these brick veneer sides, depending on what
552 tenant ends up where. The applicant has been receptive to increasing the interest on
553 those buildings. If there isn't a wall that is going to be present or a large landscape area,
554 then they would like to highlight that building as more attractive.

555

556 Mr. Baka - And then one other question if I may. Since these outparcel
557 business uses would be closer to the primary roads than the mall is right now, can you

558 describe the effect of any lighting? That is addressed in the POD conditions of the
559 lighting spillage and—

560

561 Ms. Crady - Well, lighting we typically see no greater than a half-a-foot-
562 candle spillover into existing right-of-ways or onto adjacent residential properties. We try
563 to get that to zero if it's adjacent to residential, but that shouldn't be a problem with
564 residential at all. We'd be looking at any sort of glare effect along the right-of-way. But
565 typically we don't have a problem with house-side shields installed on the back of these
566 fixtures should they need additional pole fixtures. That would be worked out at the time
567 of the very specific technical review of the site plan. You can look at where the actual
568 islands will wind up and where people will be actually walking from, and in the parking
569 spaces, that type of thing.

570

571 Mr. Baka - Thank you.

572

573 Mr. Leabough - Are there any other questions for Ms. Crady? There is no
574 opposition, Mr. Baka. Would you like the applicant to come forward?

575

576 Mr. Baka - Yes, please.

577

578 Mr. Leabough - Okay. Would the applicant please come forward?

579

580 Mr. Slusher - Good morning, Mr. Chairman, members of the Planning
581 Commission. My name is Mark Slusher. I'm the co-managing member for the ownership
582 entity for Regency Square. I'll be happy to answer any questions.

583

584 Mr. Baka - Sir, if you would, could you describe the reasoning or
585 rationale for the special exception needed for the height increase?

586

587 Mr. Slusher - Yes, sir. As we all are probably reading in the papers these
588 days, across the country malls are reinventing themselves very similar to what Regency
589 is doing. The buzzword is *experiential retail*. We are trying to create a new experience
590 and bring people in, to attract them to the Regency experience. What that means is that
591 we need theaters, and craft breweries, and restaurants, and trampoline parks, and laser
592 tag, and things that people can experience in real life to compete with the Internet. So
593 that's becoming our big competitor now is the web, and so we want to give people real-
594 life experiences. In fact, our marketing director is no longer called marketing director; we
595 call her the curator. She's the curator of experiences at Regency Mall.

596

597 So for us to attract the theaters and the trampolines park that need the headroom to
598 create these experiences and these draws, we need to raise the roof a little bit in the
599 Macy's buildings. It's a substantial investment on our part to do this. We looked at
600 several different ways, and this was the best way to be able to use the existing
601 infrastructure of the mall. The least disruption to the general community and the mall
602 itself was to raise the roofs. We have secured a company that does this as their full-time
603 business. They are the specialists in raising roofs. They have a technology for doing it.

604 They're doing this all over the country. In fact, they're working on raising the roofs of
605 three prior department stores for theaters right now. One is in Wellington, Florida, and
606 one in Las Vegas. So it's an understood technology and it's something that works within
607 our whole feasibility and our whole game plan for Regency Mall.
608

609 Mr. Baka - Very good. Another question I have, sir, is about the
610 reconstruction of Quioccasin Road. Could you walk us through a little bit of the projected
611 timetable for that and if and when that means any closures and where the turning lanes
612 might be?
613

614 Mr. Slusher - Yes sir. Currently, our plans are in to the County for approval
615 for Quioccasin Road to remove the bridge that now allows a free-flow left-hand turn. Our
616 start date we're projecting to be April, and the finish date would be November. What we'd
617 like to do is go in and out and have 90 percent of the roadwork done in time for the
618 Christmas season for the existing tenants. At November, there may be some residual
619 work being done to the Parham/Quioccasin intersection, which we are improving as part
620 of this whole project. But that's the time frame. In order to make that time frame as short
621 as possible and the interruption to the transportation for the public as minimal as
622 possible, there will be about a 30-day to 45-day demolition period in which we close
623 down both roads, as I understand, both eastbound and westbound Quioccasin, get rid of
624 the bridge, expedite that, get that done in about 30 to 45 days. And then the westbound
625 lanes of Quioccasin will be turned into eastbound and westbound lanes. That's the plan.
626

627 Mr. Baka - If I'm on Quioccasin heading east, when they get to the point
628 of Starling at that 30- or 45-day approximate time period, you'd have to either turn south
629 on Starling and cut around to get to Parham to keep going or take Starling/Fargo to
630 Parham and up and over.
631

632 Mr. Slusher - Yes, that's my understanding. We're still finalizing the MOT.
633 They call it the alternative travel—
634

635 Mr. Baka - Movement of traffic.
636

637 Mr. Slusher - Yes.
638

639 Mr. Baka - Excellent. Those are the questions I had, Mr. Chairman.
640

641 Mr. Leabough - Any other questions?
642

643 Mrs. Marshall - I have a question. As far as Sears and JCPenney goes, I
644 know it's not part of the POD, but are they coming in or are they on board with some of
645 the renderings that we're seeing here in the elevations or are they going to stay exactly
646 the same as they are?
647

648 Mr. Slusher - Yes, we're sharing our elevations with both Penney's and
649 Sears. We'll have to see how that evolves. At the end of the day, we have the biggest

650 investment in the mall. We might work out some arrangements with them where we can
651 dress up the Penney's facade a little bit concurrently with what we're doing. They're on
652 board, but they'd like to see us take the first step.

653
654 Mrs. Marshall - Okay. The reason I bring it up is it just seems to me if you
655 look at Sears and Penney's, and you look at the elevations that we're looking at, they
656 just don't look like they belong in Regency Square unless they come on board, like you
657 say.

658
659 Mr. Slusher - That's right, that's right. So that'll be a continuing dialogue. I
660 think if I'm them, I'm going to see us do something, and then those discussions can get
661 refined.

662
663 Mrs. Marshall - Okay, thank you.

664
665 Mr. Nelson - A question, Mr. Chair. So based upon, I think, what
666 Mrs. Marshall was asking, what I'm hearing you say is dialogue is happening, but at this
667 point they are just waiting to see what happens.

668
669 Mr. Slusher - Yes.

670
671 Mr. Nelson - For the public's sake, can you just take 30 seconds to explain
672 how much of the building belongs to you guys? What are the dynamics for Regency?
673

674 Mr. Slusher - Can you show me the slides?

675
676 Mr. Baka - That's good.

677
678 Mr. Slusher - So, Regency Square property is within the dotted yellow line
679 here. We have this property today. And then this is the Penny's property. Firestone has
680 their own outparcel. And then this is the Sears property here.

681
682 I guess one other thing that comes to mind is that for our internal purposes and to share,
683 we have done some renderings showing Penny's how their facade could be adapted to
684 be more in relation to what we're doing. So we have ongoing conversations with them.
685 We continue to have ongoing conversations with Sears. Sears is a little bit more
686 problematic. They're having some serious problems as a retailer. So to get their attention
687 on the facade of this building is kind of like rearranging the deck chairs on the Titanic.

688
689 Mr. Leabough - Are there any other questions?

690
691 Mr. Witte - I know there are existing businesses in the immediate area
692 and some adjoining the mall. I just wondered if any of those people have had any
693 concerns about the development and how it will affect them.

694

695 Mr. Slusher - I will tell you that the general feeling of the neighbors around
696 us have been all 100 percent positive to this. You talked about the commercial
697 businesses. Mr. Marchetti who owns the shopping center across the street where
698 Walmart is, he's 100 percent behind what we're doing. I've only heard from one person,
699 and it was from the lady right here when we came in. She asked about whether or not
700 this plan includes opening up access to Holly Hill from the mall, which was closed off a
701 long, long time ago. And I assured her that this plan has no changes made to any access
702 points to that neighborhood.

703
704 Mr. Witte - Thank you.

705
706 Mr. Leabough - Are there any other questions for Mr. Slusher? If not, thank
707 you sir.

708
709 Mr. Slusher - Thank you.

710
711 Mr. Leabough - Mr. Baka.

712
713 Mr. Baka - Mr. Chairman, if I may, I understand there was no opposition
714 to this case at the meeting. And I also – Mr. Slusher just underscored there was no
715 change in the access to Holly Hill Road. Additionally, the renovation, redevelopment, and
716 even reconstruction of Quioccasin Road serves a great public need to spruce up and
717 revitalize an aging mall, one of the key questions that faces Henrico and other aging
718 suburban communities throughout our nation. So I applaud the developer for taking the
719 initiative and drive. And I think that the other outparcels and other businesses
720 surrounding, such as those on other streets—Quioccasin, Ridge, and even Starling
721 Drive—those businesses would benefit from the increased economic development
722 activity here at the mall.

723
724 With that in mind, I move that POD2016-00569 (POD-77-74 Revised), Regency Square
725 Mall Redevelopment Master Plan, including the special exception, be approved subject
726 to the annotations on the plan, the standard conditions for developments of this type, and
727 additional conditions 29 through 38 in the agenda.

728
729 Mr. Witte - Second.

730
731 Mr. Leabough - We have a motion by Mr. Baka, a second by Mr. Witte. All in
732 favor say aye. All opposed say no. The ayes have it; the motion passes.

733
734 The Planning Commission approved the plan of development and special exception for
735 POD2016-00569 (POD-77-74 Revised), Regency Square Mall Redevelopment Master
736 Plan, subject to the annotations on the plans, the standard conditions attached to these
737 minutes for developments of this type, and the following additional conditions:

738
739 29. Only retail business establishments permitted in a B-3 zone may be located in this
740 center.

- 741 30. The ground area covered by all the buildings shall not exceed in the aggregate 25
742 percent of the total site area.
- 743 31. No merchandise shall be displayed or stored outside of the building(s) or on
744 sidewalk(s).
- 745 32. Outside storage shall not be permitted.
- 746 33. Evidence that an engineer has certified the height of the building shall be provided
747 to the Director of Planning prior to the issuance of a Certificate of Occupancy.
- 748 34. In the event of any traffic backup which blocks the public right-of-way as a result
749 of congestion caused by the drive-up facilities, the owner/occupant shall close the
750 drive-up facilities until a solution can be designed to prevent traffic backup.
- 751 35. Approval of the construction plans by the Department of Public Works does not
752 establish the curb and gutter elevations along the Henrico County maintained
753 right-of-way. The elevations will be set by Henrico County.
- 754 36. Evidence of a joint ingress/egress and maintenance agreement must be
755 submitted to the Department of Planning and approved prior to issuance of a
756 certificate of occupancy for this development.
- 757 37. The conceptual master plan, as submitted with this application, is for planning and
758 information purposes only. All subsequent detailed plans of development and
759 construction needed to implement this conceptual plan may be administratively
760 reviewed and approved and shall be subject to all regulations in effect at the time
761 such subsequent plans are submitted for review/ approval.
- 762 38. The location of all existing and proposed utility and mechanical equipment
763 (including HVAC units, electric meters, junctions and accessory boxes,
764 transformers, and generators) shall be identified on the landscape plan. All
765 building mounted equipment shall be painted to match the building, and all
766 equipment shall be screened by such measures as determined appropriate by the
767 Director of Planning or the Planning Commission at the time of plan approval.

768
769 Mr. Emerson - Mr. Chairman, we now move on to page 10 of your agenda
770 for POD2016-00560, Kimley-Horn for Staples Mills Square Holdings, LLC. The staff
771 report will be presented by Mr. Matt Ward.

772
773 **PLAN OF DEVELOPMENT**

774
POD2016-00560
Discount Tire at Staples
Mill Square Shopping
Center – 8943 Staples Mill
Road

Kimley-Horn for Staples Mill Square Holding, LLC:
Request for approval of a plan of development, as required
by Chapter 24, Section 24-106 of the Henrico County
Code, to construct a one-story 7,373 square foot retail tire
sales, services, and installation facility with three service
bays on an outparcel in an existing shopping center. The
1.22-acre site is located on the north line of Staples Mill
Road (U.S. Route 33), approximately 530 feet west of Old
Staples Mill Road, on parcel 769-756-3889. The zoning is
B-2C, Business District (Conditional). County water and
sewer. **(Brookland)**

775

776 Mr. Leabough - Is there anyone present who is opposed to POD2016-00560,
777 Discount Tire at Staples Mill Square Shopping Center? I see no opposition. Good
778 morning again, Mr. Ward.

779
780 Mr. Ward - This proposal does include a one-story, 7,373-square-foot,
781 three-bay tire retail, repair, and installation facility only to be used for those three things
782 in the last existing southeastern outparcel at Staples Mill Square Shopping Center.

783
784 Additional site improvements will include a six-foot-tall brick screen wall. This will help
785 minimize visual impacts to the service area, loading area, and the dumpster area there
786 between the building and northern property line. As shown on the schematic landscape
787 plan, you will have some plantings within the 12-foot buffer to also help with minimizing
788 visual impacts.

789
790 Each building wall does have a mixture of materials which include a red brick and lighter
791 vertical brick wall bands, as well as soldier course brick bands going across the top of
792 the building. Metal store front, canopies, and also EIFS cornice around the parapet walls
793 to help conceal any rooftop equipment that may be there.

794
795 The site plan and elevations submitted do correspond with the adopted proffers and the
796 conditions of the provisional use permit. Staff can recommend approval subject to the
797 annotations on the plan, the standard conditions for developments of this type, and
798 conditional conditions 29 through 37 in the agenda.

799
800 That concludes my presentation. I'll be happy to answer any questions. We also have
801 David Ellington with Kimley-Horn and Associates here representing the applicant as the
802 engineer, if you have any questions for him.

803
804 Mr. Leabough - Any questions for Mr. Ward from the Commission? Mr. Witte,
805 there is no opposition. Would you like the applicant to come forward?

806
807 Mr. Witte - Only if other members of the Commission would like to ask
808 questions.

809
810 Mr. Leabough - Are there any other questions from the Commission for the
811 applicant? If not, we won't ask him to come forward.

812
813 Mr. Witte - I don't think we need to see Mr. Ellington again.

814
815 Mr. Leabough - Okay. Well with that, Mr. Witte.

816
817 Mr. Witte - With that, Mr. Chairman, I move approval of POD2016-
818 00560, Discount Tire at Staples Mill Square Shopping Center, as presented, subject to
819 the annotations on the plans, the standards conditions for developments of this type, and
820 additional conditions 29 through 37.

821

822 Mr. Archer - Second.

823

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

826

827 The Planning Commission approved POD2016-00560, Discount Tire at Staples Mill
828 Square Shopping Center, subject to the annotations on the plans, the standard
829 conditions attached to these minutes for developments of this type, and the following
830 additional conditions:

831

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

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

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

838 32. All repair work shall be conducted entirely within the enclosed building.

839 33. Outside storage shall not be permitted.

840 34. The proffers approved as a part of zoning cases C-31C-06 and REZ2016-00034
841 shall be incorporated in this approval.

842 35. The conditions approved as a part of the provisional use permit PUP2016-00008
843 shall be incorporated in this approval.

844 36. Evidence of a joint ingress/egress and maintenance agreement must be
845 submitted to the Department of Planning and approved prior to issuance of a

846 37. The location of all existing and proposed utility and mechanical equipment
847 (including HVAC units, electric meters, junctions and accessory boxes,
848 transformers, and generators) shall be identified on the landscape plan. All building
849 mounted equipment shall be painted to match the building, and all equipment shall
850 be screened by such measures as determined appropriate by the Director of
851 Planning or the Planning Commission at the time of plan approval.

852

853 Mr. Emerson - Mr. Chairman, we now move on to page 12 of your agenda
854 for SUB2016-00185, Sekiv Solutions for Leighton & Chandler Klevana. The staff report
855 will be presented by Ms. Christina Goggin and our representative from Public Works,
856 Ms. Jennifer Cobb.

857

858 **SUBDIVISION – CHESAPEAKE BAY RESOURCE PROTECTION AREA EXCEPTION**

859

SUB2016-00185 Glenbrooke Hills Section C Block A Lot 1C – 8 West Glenbrook Circle	Sekiv Solutions for Leighton & Chandler Klevana: Request for approval of a Chesapeake Bay Resource Area Exception as required by Chapter 24, Sections 106.3(f) and 106.3(l) of the Henrico County Code. The 3.43-acre site is located on the east line of Twin Lake Lane, approximately 500 feet north of River Road, and on the west line of Glenbrook Circle West, approximately 525 feet north of its intersection with Glenbrook Circle West, on
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parcel 754-732-9674. The exception would allow for the encroachment of a swimming pool, hot tub, pool house, and related improvements within the landward 50-feet of the required 100-foot-wide Resource Protection Area, a component of a Chesapeake Bay Preservation Area, adjacent to an unnamed Tributary that drains to the Kanawha Canal in the James River watershed. The zoning is R-1, One-Family Residential District. County water and sewer. (Tuckahoe)

860

861 Mr. Leabough - Is there anyone present who is opposed to SUB2016-00185,
862 Glenbrooke Hills Section C Block A Lot 1C? I see no opposition. Good morning, Ms.
863 Goggin.

864

865 Ms. Goggin - Good morning. The Department of Public Works received a
866 request for an exception to the County Zoning Ordinance to construct an inground pool,
867 pool surround, and 475-square-foot pool house within the 100-foot Resource Protection
868 Area, also known as the RPA buffer, adjacent to an unnamed tributary that drains into
869 the Kanawha Canal. The total impervious area proposed within the RPA is 1,259 square
870 feet.

871

872 Since the applicant first approached the County, they have worked with staff to reduce
873 the size of the pool and related improvements to lessen the impact within the RPA. The
874 plan in your packet was revised since it was first submitted to show plantings of native
875 trees and shrubs to help offset the impact of the proposed improvement. That's shown
876 on this plan here.

877

878 Should the Commission grant the exception and since there is opportunity for
879 enhancement of the vegetation within the RPA buffer, conditions 1 through 4 in your
880 addendum are recommended. Jen Cobb from Public Works is here to present Public
881 Works' finding on the request. And Mr. Klevana is here to present his exception request.
882 And I am here should the Commission have any questions for me.

883

884 Mr. Leabough - Are there any questions from the Commission for Ms.
885 Goggin?

886

887 Mr. Baka - Not from Ms. Goggin.

888

889 Mr. Leabough - All right. So Mr. Baka, you have questions for someone.

890

891 Mr. Baka - Yes, thank you. I'd like to hear from Ms. Cobb from the
892 Department of Public Works.

893

894 Mr. Leabough - Okay.

895

896 Ms. Cobb - Good morning.

897

898 Mr. Baka - Good morning. I'd like if you could address the water quality
899 impact and the issues of nutrient runoff.

900

901 Ms. Cobb - Certainly. The Department of Public Works is recommending
902 that this request for an exception be denied because the 100-foot buffer required in the
903 ordinance is to provide adequate protection of the perennial stream that is located at the
904 edge of the property. It's to protect the stream from harmful substances for which this
905 exception does fall short. Also, an alternative location completely outside the RPA is
906 available.

907

908 However, the proposed reforestation of the seaward 50-foot buffer paired with the
909 proposed compensatory buffer located along the side of the property would provide
910 better protection of the stream than is currently in place. As Ms. Goggin said, should the
911 exception be granted despite our recommendation and due to the opportunity for the
912 enhancement of the vegetation within the RPA buffer, we request that the proposed
913 compensatory buffer be a condition of the exception.

914

915 I'll be happy to answer any questions.

916

917 Mr. Baka - Could you describe a little further what the effect of a
918 compensatory buffer is on this homeowner and any future homeowner they may sell to
919 years from now? What takes place there and what can and can't you do?

920

921 Ms. Cobb - The compensatory buffer is very similar to the RPA buffer. It
922 will have the same purpose. It cannot be developed. It will need to remain in its natural
923 state, which means grass cannot be mowed. And so any runoff from the property that is
924 directed towards the side where the compensatory buffer is, it would add as an extra
925 buffer before it does get to the stream. And it's not directly against the stream, but it does
926 add protection.

927

928 Mr. Baka - And this is a somewhat unusual situation. We have a house
929 built in the 1920s, and where it was situated, it has a very large front yard, and they
930 chose, at that time, I guess, to maximize the front yard. The rear of the house wall is
931 situated very close to the steep slope in the back. The dashed line just to the left of the
932 house we see there represents the RPA. Is that correct? The dashed line going through
933 near the middle of the pool?

934

935 Ms. Cobb - Yes sir. This line right here? That is the 100-foot RPA buffer.
936 You don't see it go through the house, but that's where it goes.

937

938 Mr. Baka - So I realize that the ordinance is clear on the need for 100-
939 foot buffers. And in the past, Henrico County has very much historically tried to endeavor
940 to preserve those 100-foot RPA buffers whenever necessary. Just to walk through the
941 logic of the RPA, when the Bay Act was set up, the purpose of the buffer is to address
942 and minimize nutrient runoff and phosphorus, etc. So when the plantings on the hill are

943 proposed, does the end result produce a more positive water quality impact than
944 predevelopment water quality impact?

945
946 Ms. Cobb - Yes sir, absolutely. As I mentioned previously, by reforesting
947 the 50-foot seaward buffer, it is significantly better than the current state is.

948
949 Mr. Baka - Okay. And then we visited the site with Planning staff and
950 Public Works staff and the applicant and others, if the pool were to be situated further
951 and you literally picked that footprint up and tried to move it out, several things would
952 happen. And when I say *out*, I mean towards the front yard. First, while it's highly
953 unusual to have a pool in the front yard, it would also necessitate removal of very large
954 trees in that compensatory buffer area you spoke of, which has some value to stay and
955 remain. That's the question I just wanted to be clear on. Would the number of plantings
956 we have in hand on this proposed plan, based on the EPM, the Environmental Protection
957 Manual from Public Works, is it fair to say that the water quality impact is improved post
958 development over pre?

959
960 Ms. Cobb - With this given plan, yes sir.

961
962 Mr. Baka - With this plan and those conditions. Okay. Thank you very
963 much.

964
965 Mr. Leabough - I have a quick question for Ms. Cobb.

966
967 Ms. Cobb - Yes sir.

968
969 Mr. Leabough - People have built in an RPA before, right? This isn't a unique
970 situation. Is that correct?

971
972 Ms. Cobb - I believe there's only been one or two other exceptions in the
973 history since this ordinance has been revised for the development in the RPA where the
974 exceptions have been made to build within the RPA. It is unique. And unfortunately, I
975 have to say I'm not as familiar with the previous exceptions that were made. That was
976 before my tenure as the engineering director.

977
978 Mr. Emerson - Mr. Chairman, just to add a little information to that, there
979 were two previous exceptions. One was for Rocketts Landing inside the RPA for the
980 redevelopment project, which you're familiar with. The other one was Lake Lorraine
981 where the property was developed all the way down to the lake. Preexisted the Bay Act.
982 Very similar to this. There was a remediation plan. You did on both of the previous cases
983 have a recommendation of denial from Public Works. After weighing the benefits of the
984 remediation plans, the Commission did choose to approve both of those exceptions.

985
986 I would note to you the reason for the exception process being in the code coming to the
987 Commission is for you to be the arbiter in these situations. And of course here you have
988 a house that was built well before the Bay Act came into effect. I believe 1991 was the

989 revised Bay Act. And of course the house itself is split by the 50 landward RPA. So it
990 already preexists. And as has been noted, what you have presented here to you today
991 with this remediation plan is actually lessening the impact of the existing home, as well
992 as the improvements.
993
994 Mr. Leabough - Thank you for that clarification, sir.
995
996 Mr. Witte - I have one question. You stated that this would improve the
997 water quality?
998
999 Ms. Cobb - That is correct.
1000
1001 Mr. Witte - Then why would you be opposed? Why would Public Works
1002 be opposed?
1003
1004 Ms. Cobb - That's a very good question. The reason why we are opposed
1005 is because there is an alternative location that could provide a full 100-foot reforestation
1006 buffer for the stream. From an environmental aspect, that would be our preferred method
1007 for this development.
1008
1009 Mr. Witte - But no harm or foul in producing it this way?
1010
1011 Ms. Cobb - I would not have any heartburn over it, but I cannot
1012 recommend it. I'll put it that way.
1013
1014 Mr. Witte - I understand. Okay.
1015
1016 Mr. Leabough - Just to clarify, the only other reasonable location would be in
1017 front of the home.
1018
1019 Ms. Cobb - That is correct.
1020
1021 Mr. Leabough - Which is probably not ideal.
1022
1023 Ms. Cobb - I understand that there are other perspectives to look at
1024 rather than just environmental. But from an environmental perspective that would be a
1025 better option.
1026
1027 Mr. Witte - Thank you.
1028
1029 Ms. Cobb - You're welcome.
1030
1031 Mr. Leabough - Any other questions for Ms. Cobb? If not, thank you.
1032
1033 Ms. Cobb - You're welcome.
1034

1035 Mr. Leabough - Mr. Baka.
1036
1037 Mr. Baka - I'd like to hear from the applicant. I have a couple questions
1038 about the plan.
1039
1040 Mr. Klevana - Good morning. My name is Leighton Klevana.
1041
1042 Mr. Baka - Good morning, sir.
1043
1044 Mr. Leabough - Could you repeat your last name? I didn't catch.
1045
1046 Mr. Klevana - It's Klevana.
1047
1048 Mr. Leabough - Okay, thank you.
1049
1050 Mr. Baka - I realize that this plan represents a slightly smaller plan or
1051 slightly reduced plan in size and scope of impervious cover. Can you describe your initial
1052 plans and how long you've been at this and some of the modifications you may have
1053 made along the process?
1054
1055 Mr. Klevana - Sure. The original plan was submitted in 2013. It was about
1056 25% larger, the full footprint between size of the pool and the pool house. It's been
1057 moved further back within the upper 50 of the RPA and moved away from the existing
1058 neighbor on the left. So it's been moved significantly back away from the existing stream.
1059
1060 Mr. Baka - It's my understanding you can't effectively move the house
1061 any further back on that slope. Can you describe as you walk out your rear door about
1062 how quickly you get to the toe of that slope? About how many feet away does the slope
1063 start to peel off from the rear of your home?
1064
1065 Mr. Klevana - It does. Once you leave the house, you have a porch and a
1066 deck area. And then it's about 12 feet before it starts to drop.
1067
1068 Mr. Baka - So the Commission's other alternative, as referenced earlier
1069 was that the only viable places to place this pool would pretty much be in the front yard
1070 of the home and/or in an area of large poplar and oak trees on the right side of the home.
1071 Is that correct?
1072
1073 Mr. Klevana - Yes.
1074
1075 Mr. Baka - I don't have any other questions at this time, Mr. Chairman.
1076
1077 Mr. Leabough - I have a quick question. What are the dimensions of the pool?
1078
1079 Mr. Klevana - They are 18 feet by 36 feet.
1080

1081 Mr. Leabough - Okay. I'm not in the pool business, but is that a standard size
1082 for most pools?

1083
1084 Mrs. Marshall - It is.

1085
1086 Mr. Klevana - Yes, I think so.

1087
1088 Mrs. Marshall - It is.

1089
1090 Mr. Leabough - Thank you. Has there been any consideration to reduce the
1091 size of the pool, any impervious area?

1092
1093 Mr. Klevana - It was reduced fairly significantly, and we have considered
1094 alternatives to that as far as placement and everything else. Again, as we've stated
1095 before, you're encroaching on the front of the house. That gets into a question as to what
1096 is in keeping with the architecture and the existing house.

1097
1098 Mr. Leabough - All right. Thank you. I have no further questions. Any other
1099 questions? Mr. Baka?

1100
1101 Mr. Baka - Mr. Chairman, at this time, seeing as there's no opposition, I
1102 understand this is a 3.4-acre lot. There are steps in the staff report that outline and refer
1103 back to the ordinance. Number one, I don't believe that granting this exception would
1104 confer any special privilege to similarly situated properties. This is a unique situation.
1105 The home was situated in 1920 at the top of a steep slope, less 100 feet from the RPA
1106 when the Act came into effect many years later. Secondly, I also don't believe that this
1107 exception is self-created or self-imposed. The applicant was not the builder of the home
1108 at that time. It could be argued from Public Works' policy standpoint to keep all structures
1109 and impervious out of the RPA. I could be argued perhaps it's self-imposed, but it would
1110 be highly unusual to put a swimming pool in the front yard of someone's home, or at
1111 least I'll say on the front face where there's actually the front yard by our Zoning
1112 Ordinance or not, the front fascia of a home.

1113
1114 The exceptions are minimum necessary to afford relief. The applicant has taken steps
1115 and measures over the past 2, 2-1/2 years to reduce the size of the impervious cover.
1116 And with an 18-by-36 pool, that is not a highly unusual size by any means. Fourth, the
1117 exception is in harmony with the Zoning Ordinance. It is not a substantial detriment to
1118 water quality. I think that is well outlined by comments in the review in the packet
1119 material of the number of stem plantings that will minimize nutrient runoff and actually
1120 improve the situation. Absent these plantings, we continue to have a more adverse
1121 runoff situation than we do now.

1122
1123 Lastly, the fifth criteria is that reasonable and appropriate conditions will prevent the
1124 exception request from causing a degradation of water quality. Again, the plantings and
1125 the reduced size of the pool and hardscape would address that. I don't believe the
1126 applicant would violate those.

1127

1128 So in my estimation, I believe that the applicant meets the criteria at this point. I move
1129 that case SUB2016-00185, Glenbrooke Hills Section C Block A Lot 1C, the RPA
1130 exception be approved subject to the conditions 1 through 4 as listed in the agenda.

1131

1132 Mr. Witte - Second.

1133

1134 Mr. Leabough - We have a motion by Mr. Baka, a second by Mr. Witte. All in
1135 favor say aye. All opposed say no. The ayes have it; the motion passes.

1136

1137 The Planning Commission granted approval for a Chesapeake Bay Resource Protection
1138 Area Exception to SUB2016-00185, Glenbrooke Hills Section C Block A Lot 1C, subject
1139 to the following additional conditions:

1140

1141 1. Additional plantings of native trees and shrubs shall be installed within the lower
1142 50-feet of the RPA buffer to achieve an overall density of woody vegetation within
1143 the lower 50-feet of the buffer of 200 stems per acre.

1144 2. An erosion and sediment control plan, which includes the vegetation
1145 enhancement within the RPA buffer shall be submitted for County review and
1146 approval as part of the swimming pool building permit.

1147 3. The applicant shall provide an erosion and sediment control bond, to include
1148 construction of the proposed improvements within the RPA and related vegetation
1149 enhancement, to the Department of Public Works prior to issuance of a building
1150 permit.

1151 4. Upon completion of the improvements and prior to the release of the erosion and
1152 sediment control bond, the owner shall furnish an as-built certification to the
1153 Department of Public Works by the engineer who prepared the plan, to the effect
1154 that all construction including RPA buffer enhancement installation is in
1155 conformance to the regulations and requirements of the plan.

1156

1157 Mr. Emerson - Mr. Chairman, we now move on to page 17 of your agenda
1158 and page 1 of your amended agenda for POD2016-00559, Bowman Consulting for
1159 Episcopal Diocese of VA. The staff report will be presented by Ms. Christina Goggin.

1160

1161 **PLAN OF DEVELOPMENT**

1162

POD2016-00559
Ridgefield Green
Townhomes – 10700
Ridgefield Parkway

Bowman Consulting for Episcopal Diocese of VA:
Request for approval of a plan of development, as required
by Chapter 24, Section 24-106 of the Henrico County
Code, to construct 66 three-story townhouses for sale. The
7.58-acre site is located on the southwestern line of
Ridgefield Green Drive between John Rolfe Parkway and
Ridgefield Parkway, on parcel 737-750-7485. The zoning
is RTHC, Residential Townhouse District (Conditional).
County water and sewer. **(Tuckahoe)**

1163

1164 Mr. Leabough - Is there anyone present who is opposed to POD2016-00559,
1165 Ridgefield Green Townhomes? I see no opposition. Ms. Goggin.
1166

1167 Ms. Goggin Good morning, again. This proposal is to construct 66 three-
1168 story townhouses with one-car garages. The Planning Commission granted conditional
1169 approval of the subdivision at its November 16, 2016 meeting and is subject to proffers
1170 REZ2016-00010, approved by the Board of Supervisors at their July 12, 2016 meeting.
1171

1172 This site is accessed from a currently unnamed private road connecting Ridgefield and
1173 John Rolfe Parkways. So it's this access road right here. Proffered 25-foot landscape
1174 buffers are provided along all public roads that prohibit access onto them directly from
1175 inside the project, which was a neighborhood concern at the time of rezoning. All
1176 required parking is provided within the development area between the common area and
1177 driveways. The BMP is a marsh-style basin and amenities for the common area parks
1178 have been proffered and will include benches, picnic tables, trashcans, and landscaping.
1179

1180 Proffers also include sidewalks along the front of each of the units and sidewalks exist
1181 along the north lines of Ridgefield and John Rolfe Parkways. After the packet was
1182 distributed, Planning staff requested additional sidewalks on the east line of the private
1183 access road to provide access to John Rolfe Commons Shopping Center, Tuckahoe
1184 Little League to the north, and Glen Eagle Shopping Center approximately half a mile to
1185 the east.
1186

1187 The applicant has agreed to provide a section of sidewalk to provide a connection to the
1188 north, which should run right here; a crosswalk to provide access to the existing sidewalk
1189 across the private drive; and access from within the development to the existing sidewalk
1190 along Ridgefield Parkway. The proposed home styles are also proffered, and the
1191 elevations submitted match the proffered elevations.
1192

1193 Staff recommends approval subject to the annotations on the plans, with additional
1194 sidewalk information in the addendum, the standard conditions for townhouses for sale,
1195 and the following additional conditions 29 through 34 in the agenda. Craig Shelton from
1196 Hunt is here to answer any questions you may have for the developer. And Jonathan
1197 Jackson is here, should you have any engineering questions. And I am here should you
1198 have any questions for me.
1199

1200 Mr. Leabough - Are there any questions from the Commission for
1201 Ms. Goggin?
1202

1203 Mr. Baka - No, sir.
1204

1205 Mr. Leabough - All right.
1206

1207 Mr. Baka - Unless the members of the Planning Commission have
1208 questions of the applicant, I do not have any questions for the applicant at this time.
1209

1210 Mr. Leabough - Any questions for the applicant? No questions, Mr. Baka. Do
1211 you have a question? Okay. How would you like to proceed, sir?

1212
1213 Mr. Baka - Seeing that there's no opposition to the case and that the
1214 applicant has indicated agreement with the staff, at this time I'll go ahead and move that
1215 POD2016-00559, Ridgefield Green Townhomes, be approved subject to the annotations
1216 on the plan, the standard conditions for developments of this type, additional conditions
1217 29 through 34 in the agenda, and the revised plan in the addendum.

1218
1219 Mr. Witte - Second.

1220
1221 Mr. Leabough - We have a motion by Mr. Baka, a second by Mr. Witte. All in
1222 favor say aye. All opposed say no. The ayes have it; the motion passes.

1223
1224 The Planning Commission approved POD2016-00559, Ridgefield Green Townhomes,
1225 subject to the annotations on the plans, the standard conditions attached to these
1226 minutes for developments of this type, and the following additional conditions:

- 1227
1228 29. The subdivision plat for Ridgefield Green Townhomes shall be recorded before
1229 any building permits are issued.
- 1230 30. The proffers approved as a part of zoning case REZ2016-00010 shall be
1231 incorporated in this approval.
- 1232 31. A note in bold lettering shall be provided on the erosion control plan indicating that
1233 sediment basins or traps located within buildable areas or building pads shall be
1234 reclaimed with engineered fill. All materials shall be deposited and compacted in
1235 accordance with the applicable sections of the state building code and
1236 geotechnical guidelines established by the engineer. An engineer's report
1237 certifying the suitability of the fill materials and its compaction shall be submitted
1238 for review and approval by the Director of Planning and Director of Public Works
1239 and the Building Official prior to the issuance of any building permit(s) on the
1240 affected sites.
- 1241 32. The pavement shall be of an SM-2A type and shall be constructed in accordance
1242 with County standard and specifications. The developer shall post a defect bond
1243 for all pavement with the Department of Planning - the exact type, amount and
1244 implementation shall be determined by the Director of Planning, to protect the
1245 interest of the members of the Homeowners Association. The defect bond shall
1246 remain in effect for a period of three years from the date of the issuance of the
1247 final occupancy permit. Prior to the issuance of the last Certificate of Occupancy,
1248 a professional engineer must certify that the roads have been designed and
1249 constructed in accordance with County standards.
- 1250 33. Evidence of a joint ingress/egress and maintenance agreement must be
1251 submitted to the Department of Planning and approved prior to issuance of a
1252 certificate of occupancy for this development.
- 1253 34. The location of all existing and proposed utility and mechanical equipment
1254 (including HVAC units, electric meters, junction and accessory boxes,
1255 transformers, and generators) shall be identified on the landscape plans. All

1256 equipment shall be screened by such measures as determined appropriate by the
1257 Director of Planning or the Planning Commission at the time of plan approval.
1258

1259 Mr. Emerson - Mr. Chairman, we now move on to page 24 of your agenda
1260 and also page 2 of your amended agenda for POD2016-00562, Balzer and Associates
1261 for Our Lady of Hope Health Center. The staff report will be presented by Ms. Kate
1262 McMillion.
1263

1264 **PLAN OF DEVELOPMENT**
1265

1266 1267 1268 1269 1270 1271 1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286 1287 1288	<p>POD2016-00562 Our Lady of Hope Building Addition – 13700 North Gayton Road (POD-057-94 Revised)</p> <p>Balzer and Associates for Our Lady of Hope Health Center: 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 23,321 square foot, 32-bed addition to an existing nursing home facility. The 8.67-acre site is located on the southwest corner of the intersection of North Gayton Road and Graham Meadows Drive, on parcel 733-763-0435. The zoning is R-6C, General Residential District (Conditional), B-3C, Business District (Conditional), and WBSO, West Broad Safety Overlay District. County water and sewer. (Three Chopt)</p>
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1266
1267 Mr. Leabough - Is there anyone present who is opposed to POD2016-00562,
1268 Our Lady of Hope Building Addition – 13700 North Gayton Road (POD-057-94
1269 Revised)? I see no opposition, Ms. McMillion.
1270

1271 Ms. McMillion - Good morning again. This proposal is for a 32-bed addition to
1272 the rear of an existing nursing facility in operation since 1996. With the revised plan in
1273 the addendum, the Department of Public Works, Engineering Division, can now
1274 recommend approval with the addition of an underground stormwater detention facility
1275 located south of the existing BMP pond, located here. Also, the Department of Public
1276 Works, Traffic Division, has granted a waiver for the portion of the required sidewalk
1277 between the main entrance and Graham Meadows Drive due to environmental
1278 constraints and future road improvements in the area. Condition #30 has been amended
1279 in the addendum to reflect this waiver with the associated annotation on the staff plan.
1280

1281 The additions of brick and EIFS will architecturally match the existing facility and will
1282 utilize the same screening methodology for the rooftop-mounted HVAC equipment, as
1283 required by proffers.
1284

1285 Staff recommends approval subject to the annotations on the plans, the standard
1286 conditions for developments of this type, additional conditions 29, 31, and 32 as listed in
1287 the agenda, and revised condition number 30 noted in the addendum.
1288

1289 I'm available for any questions you may have. Also, Justin Fournier from the engineer
1290 Balzer and Associates, and John Albert representing the owner, are here should you
1291 have any further questions.

1292

1293 Mr. Leabough - Are there any questions from the Commission for
1294 Ms. McMillion?

1295

1296 Mrs. Marshall - I have a quick question. Looking at the elevations, the
1297 elevations of the new addition, they're taller.

1298

1299 Ms. McMillion - They don't show you the existing building heights, but there
1300 are portions on the existing building that are the exact same height. It's just the design of
1301 the building, which you can see that in this area they're similar in height.

1302

1303 Mr. Leabough - Okay. Any other quick question for Ms. McMillion? I see no
1304 questions. Mrs. Marshall, would you like the applicant to come forward?

1305

1306 Mrs. Marshall - Please.

1307

1308 Mr. Leabough - All right. Would the applicant please come forward.

1309

1310 Mr. Albert - Good morning. My name's John Albert.

1311

1312 Mrs. Marshall - Good morning. We are going to add the sidewalk, which I
1313 thank you very much for that. I live right down the road, so I drive by it probably ten times
1314 a day. As far as the people that are in that facility, if they were interested in going for a
1315 walk, in my mind I think it would be helpful in the future, is as you come out the front, it
1316 would great for them to have access to go on a sidewalk and go left and hit Graham
1317 Meadows and be able to take a stroll. Even so on the right, but more so on the left. I
1318 think that there are plenty of people that are at that facility that are capable enough and
1319 that might want to get out a little bit more. So I would hope in the future that would be
1320 something you guys would be interested in.

1321

1322 Mr. Albert - Absolutely we would take that into consideration. So many of
1323 the residents that live there—it is a nursing home and it has an assisted living
1324 component with Alzheimer's care. So often families will accompany their loved ones
1325 when they're out walking around the property getting some fresh air, as well our staff.
1326 And we often will plan programming around that as well to get residents outside. So we
1327 definitely will take that into consideration.

1328

1329 Mrs. Marshall - Okay, thank you. I appreciate that.

1330

1331 Mr. Albert - Sure.

1332

1333 Mr. Leabough - Are there any other questions from the Commission. If not,
1334 Mrs. Marshall, how would you like to proceed?

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Mrs. Marshall - Mr. Chairman, I move POD2016-00562, Our Lady of Hope Building Addition – 13700 North Gayton Road (POD-057-94 Revised), be approved subject to the annotations on the plans, the standard conditions for developments of this type, additional conditions 29, 31, and 32 in the agenda and revised condition number 30 and the revised staff plan in the addendum.

Mr. Baka - Second.

Mr. Leabough - We have a motion by Mrs. Marshall, a second by Mr. Baka. All in favor say aye. All opposed say no. I see no opposition. The ayes have it; the motion passes.

The Planning Commission approved POD2016-00562, Our Lady of Hope Building Addition – 13700 North Gayton Road (POD-057-94 Revised), subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

POD2016-00562, Our Lady of Hope Building Addition – 13700 North Gayton Road (POD-057-94 Revised)

29. The right-of-way for widening of North Gayton Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
30. **REVISED:** A concrete sidewalk meeting County standards shall be provided along the west side of North Gayton Road, as shown on the revised staff plan.
31. The proffers approved as a part of zoning case C-5C-88 and C-47C-93 shall be incorporated in this approval.
32. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

Mr. Emerson - Mr. Chairman, we now move on to page 26 for POD2016-00511, CESO, Inc. for Ample Storage Laburnum Avenue. The staff report will be presented by Ms. Christina Goggin.

1381 **PLAN OF DEVELOPMENT**

1382

POD2016-00511
MedExpress – 4901 Nine
Mile Road

CESO, Inc. for Ample Storage Laburnum Avenue:
Request for approval of a plan of development, as required
by Chapter 24, Section 24-106 of the Henrico County
Code, to construct a one-story 4,714 square foot medical
office. The 0.95-acre site is located on the southern line of
Nine Mile Road (U.S. Route 33), approximately 800 feet
east of South Laburnum Avenue, on part of parcel 811-
723-1052. The zoning is M-1C, Light Industrial District
(Conditional), and ASO, Airport Safety Overlay District.
County water and sewer. **(Fairfield)**

1383

1384 Mr. Archer - Is there anyone present who is opposed to POD2016-00511,
1385 MedExpress? I see no opposition. Ms. Goggin.

1386

1387 Ms. Goggin - This proposal is to construct a 4,714-square-foot medical
1388 office building. The building will be located on the last vacant parcel in the retail center
1389 on the southern line of Nine Mile Road adjacent to Eastgate Town Shopping Center. This
1390 new medical facility is considered an urgent care facility that is open 8 a.m. to 8 p.m.
1391 seven days a week with no appointments or referrals needed. They offer services that
1392 include x-rays, IVs, and stitches, in addition to routine wellness and prevention services
1393 of a neighborhood medical center.

1394

1395 Staff did receive two calls from neighborhood residents who wanted additional
1396 information as to where the building was proposed, but did not object to the use.

1397

1398 The building elevations in the packet provide a building primarily constructed of red brick
1399 pattern tilt-up concrete panel with black standing seam metal roof and fabric awning.
1400 Staff has provided a sample of the concrete panel to Mr. Archer, right here, so it can be
1401 passed around for reference. The concrete panels are permitted by proffers, but staff has
1402 encouraged the applicant to consider constructing the building out of individual brick like
1403 the rest of the buildings in the retail and shopping centers that will surround this building;
1404 but they declined staff's request.

1405

1406 Should the Commission approve this request, staff recommends approval subject to the
1407 annotations on the plan, the standard conditions for developments of this type, and
1408 conditions 29 through 34 in the agenda.

1409

1410 I would be happy to answer any questions the Commission may have of me. Jeff Beck
1411 from MedExpress and Jordan Fleishman are here should you have any questions for
1412 them.

1413

1414 Mr. Leabough - Are there any questions from the Commission for Ms.
1415 Goggin? Mr. Nelson.

1416

1417 Mr. Nelson - What was declined?
1418
1419 Ms. Goggin - I asked them if they would use individual brick versus the
1420 concrete panel, and they would like to use concrete panel versus individual brick. The
1421 concrete panel is permitted by proffers.
1422
1423 Mr. Nelson - So I'm assuming they're declining it for cost purposes?
1424
1425 Ms. Goggin Probably.
1426
1427 Mr. Nelson - Are they here?
1428
1429 Ms. Goggin Yes they are. Right here.
1430
1431 Mr. Nelson - Okay. So I guess that's a question. Is there a rationale for
1432 why you would decline individual brick versus this panel?
1433
1434 Mr. Fleishman - Good morning. Jordan Fleishman with CESO. The brick
1435 paneling is about half the cost of the installation. It's 12 dollars a square foot for the brick
1436 and 6 dollars a square foot for the paneling, as well as the benefits of the brick paneling,
1437 the easiness of replacement. And there's a 50-year warranty for the panels as well.
1438
1439 Mr. Nelson - Is this normal? Do we see this often?
1440
1441 Mr. Leabough - There have been other commercial buildings that have used
1442 the same material. I believe VCU on a lot of their new buildings has used this material
1443
1444 Mr. Nelson - This brick panel?
1445
1446 Mr. Leabough - Yes.
1447
1448 Mr. Nelson - So what are you going to do with the six dollar per square
1449 foot? Are you reinvesting that in the building?
1450
1451 Mr. Leabough - They're reducing the cost for residents in Henrico I'm sure.
1452
1453 Mr. Nelson - I mean I laugh and they're laughing, so that was a serious
1454 question. So are you reinvesting it somewhere? I understand you're in business and it's
1455 cost savings. But it's a quality development that we're trying to put up here.
1456
1457 Mr. Beck - Yes sir. My name is Jeff Beck. I'm with MedExpress. The goal
1458 with the additional money would be to reinvest that into future developments in the
1459 surrounding areas in the County here itself. That is the overall goal.
1460
1461 Mr. Nelson - So around the area like Eastern Henrico.
1462

1463 Mr. Beck - I know the Broad Street location is another location that we
1464 have proposed. I believe it's going through right now. I know our real estate department
1465 is looking in the area for other locations. I don't have any specifics as of right now
1466 though.
1467
1468 Mr. Leabough - Any other questions? One quick question regarding the
1469 facility. Is this an urgent care facility?
1470
1471 Mr. Beck - That is correct.
1472
1473 Mr. Leabough - Similar to Patient First or Better Med?
1474
1475 Mr. Beck - Yes sir, that's correct.
1476
1477 Mr. Leabough - What are the proposed hours? I know that's not a part of the
1478 case, but just for my own edification.
1479
1480 Mr. Beck - It is open 8 a.m. to 8 p.m., Monday through Sunday. So
1481 seven days a week.
1482
1483 Mr. Leabough - You know Patient First stays open I think until 10.
1484
1485 Mr. Nelson - Mr. Chair, I do have another question. How many
1486 MedExpress locations are there? Do you guys have anymore MedExpress facilities in
1487 Richmond/Henrico?
1488
1489 Mr. Beck - Currently, like I said, I know that Broad Street is in Planning
1490 right now, if it hasn't moved further in Permitting. Nationwide, we have 196 centers.
1491 Typically, on the majority of the centers, I'd say of those 196 ground-up, freestanding
1492 centers, around 140 of them are that same material that you have in front of you.
1493
1494 Mr. Nelson - You say inside. What kind of personnel work inside of these
1495 centers?
1496
1497 Mr. Beck - Inside we have front office assistants. We always have a
1498 doctor on at the premise. At least one doctor would be there full day, 8 to 8, at every
1499 center. We have full staff, like I said. Probably four or five front office assistants that work
1500 there. We have at least one physician that will be on at the center at all times, and then a
1501 doctor as well. And then depending on this location, we will have an x-ray technician on
1502 staff as well.
1503
1504 Mr. Nelson - Who would be your quote/unquote competition? Is it more like
1505 Patient First? Do you guys fill scripts on site?
1506

1507 Mr. Beck - A limited amount we do. We carry a small amount of
1508 prescriptions on site. As far as our competition, just depending on the location. But the
1509 ones that you've all stated as local competition, I would agree with that.
1510

1511 Mr. Nelson - So you're interested in expanding your catalog. So there are
1512 some other areas you may be interested in.
1513

1514 Mr. Beck - Yes, absolutely.
1515

1516 Mr. Nelson - Okay. So just leave a card with me.
1517

1518 Mr. Beck - Okay, I can do that.
1519

1520 Mrs. Marshall - I do believe you guys have a MedExpress off Nuckols Road.
1521 Is that correct?
1522

1523 Mr. Beck - I would have to look. I'm not completely familiar.
1524

1525 Mr. Emerson - Is it possibly in Hickory Park Shopping Center or the office
1526 center.
1527

1528 Mrs. Marshall - In Hickory Park Shopping Center.
1529

1530 Mr. Emerson - I believe it's right across from the YMCA and the Wells Fargo
1531 bank.
1532

1533 Mr. Beck - I know that we are looking to expand.
1534

1535 Mr. Archer - I did have a couple of questions, but you all have asked all of
1536 them. Between the questions that have been asked and Mr. Nelson's request about the
1537 material and so forth. This is six-dollars' worth right here. I'll hang onto that then. I don't
1538 have a big problem with that because I have seen it used before. And in the last 20
1539 years, I don't think I've ever heard anybody complain about the hardness of the material.
1540

1541 The MedExpress facility, I think by and large these are good things. I had to use one of
1542 your competitors within the last two weeks, and I was glad they were there. It would have
1543 been closer if you had been up. With that, I don't really have any problem with it unless
1544 anybody else has another question they want to express.
1545

1546 Mr. Leabough - Mr. Witte, I believe you have a question for Ms. Goggin, not
1547 for the applicant.
1548

1549 Mr. Witte - I do.
1550

1551 Ms. Goggin - Yes, sir.
1552

1553 Mr. Witte - I notice the x's on the building for the identification of the
1554 property.
1555

1556 Ms. Goggin - Signage is not part of this review or approval.
1557

1558 Mr. Witte - Okay. But they do intend to have some type of signage to
1559 identify who they are.
1560

1561 Ms. Goggin - Yes sir. That's just to indicate that you're not reviewing
1562 signage or approving it at this time.
1563

1564 Mr. Witte - Thank you.
1565

1566 Mr. Leabough - Are there any other questions for Ms. Goggin? If not, Mr.
1567 Archer, how would you like to move forward?
1568

1569 Mr. Archer - Thank you, sir. Mr. Chairman, with that I will move for
1570 approval of POD2016-00511, MedExpress, subject to the annotations on the plan,
1571 standard conditions for developments of this type, and the additional conditions 29
1572 through 34.
1573

1574 Mrs. Marshall - Second.
1575

1576 Mr. Leabough - We have a motion by Mr. Archer, a second by Mrs. Marshall.
1577 All in favor say aye. All opposed say no. I see no opposition. The ayes have it; the
1578 motion passes.
1579

1580 The Planning Commission approved POD2016-00511, MedExpress, subject to the
1581 annotations on the plans, the standard conditions attached to these minutes for
1582 developments of this type, and the following additional conditions:
1583

- 1584 29. A concrete sidewalk meeting VDOT standards shall be provided along the south
1585 side of Nine Mile Road.
- 1586 30. The proffers approved as a part of zoning case C-69C-04 shall be incorporated in
1587 this approval.
- 1588 31. The certification of building permits, occupancy permits and change of occupancy
1589 permits for individual units shall be based on the number of parking spaces
1590 required for the proposed uses and the amount of parking available according to
1591 approved plans.
- 1592 32. Evidence of a joint ingress/egress and maintenance agreement must be
1593 submitted to the Department of Planning and approved prior to issuance of a
1594 certificate of occupancy for this development.
- 1595 33. The location of all existing and proposed utility and mechanical equipment
1596 (including HVAC units, electric meters, junctions and accessory boxes,
1597 transformers, and generators) shall be identified on the landscape plan. All
1598 building mounted equipment shall be painted to match the building, and all

1599 equipment shall be screened by such measures as determined appropriate by the
1600 Director of Planning or the Planning Commission at the time of plan approval.
1601 34. Except for junction boxes, meters, and existing overhead utility lines, and for
1602 technical or environmental reasons, all utility lines shall be underground.
1603

1604 Mr. Emerson - Mr. Chairman, we now move on to page 28 of your regular
1605 agenda and page 2 of your amended agenda for POD2016-00558, American
1606 Engineering Associates for O ICE, LLC. The staff report will be presented by Mr. Greg
1607 Garrison.
1608

1609 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**
1610

1611 1612 1613 1614 1615 1616 1617 1618	POD2016-00558 Take 5 Oil Change at 5220 Brook Road – 5220 Brook Road	American Engineering Associates for O ICE, LLC: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing 3,400 square-foot-restaurant and construct a three bay, one- story 1,634-square-foot auto service station. The 0.92-acre site is located at the northwestern corner of the intersection of Brook Road and Bentley Street, on parcel 785-744-6084. The zoning is B-3, Business District. County water and sewer. (Fairfield)
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1611
1612 Mr. Archer - Is there anyone present who is opposed to POD2016-00558,
1613 Take 5 Oil Change at 5220 Brook Road? I see no opposition. Mr. Garrison.
1614

1615 Mr. Garrison - Good morning. The applicant is requesting approval to
1616 demolish an existing 3400-square-foot restaurant and construct a one-story, 1,634-
1617 square-foot, three-bay auto service station with site lighting.
1618

1619 The elevations submitted propose a primarily beige color EIFS building with a red brick
1620 base and standing seam metal roof. The lighting plan proposes (5) 25-foot-tall LED
1621 parking lot lights with 11 building-mounted wall sconces.
1622

1623 Over the past few weeks, the applicant has been working with the traffic engineer to
1624 address concerns over adequate stacking. As of yesterday afternoon, staff has received
1625 this information. The revised layout in your addendum now provides an 18-foot-wide exit-
1626 only onto Bentley Street right here; a one-way drive aisle, which is right here; and,
1627 angled parking along the west side of the property.
1628

1629 Staff can now recommend approval subject to the annotations on the plans, the revised
1630 plan in your addendum, and added conditions 29 through 32. And as a reminder, you will
1631 need to waive the time limits. Staff and representatives of the applicant are available to
1632 answer any questions you may have.
1633

1634 Mr. Leabough - Are there any questions from the Commission for
1635 Mr. Garrison?
1636
1637 Mr. Baka - I have one.
1638
1639 Mr. Leabough - Yes sir.
1640
1641 Mr. Baka - Mr. Garrison, if you're driving south on Route 1, and you miss
1642 the entrance, and you turn on Bentley to come in there, is the curbing going to be—I see
1643 there's a curb on the curb outlet, east side.
1644
1645 Mr. Garrison - This light colored line here represents the existing curb line.
1646 And they're pinching this down to create—
1647
1648 Mr. Baka - Right there is what I'm thinking about as 90 right there. Why
1649 would you have it? It looks like I could drive in there if there's no one coming out, is all
1650 I'm saying.
1651
1652 Mr. Garrison - They'll be signage. But humans do make mistakes.
1653
1654 Mr. Baka - Maybe members of the Commission have seen this, but there
1655 are shopping centers where you have no turn in. They'll have pavement in addition to
1656 signage that will actually be able to make a non-verbal communication and impede your
1657 car's progress if you're going to cut in there. It's literally a sign that you have. In
1658 additional to signage, you'd have curbing which would be straight or flush or even curved
1659 to the left so that you can't necessarily turn in there. All I'm saying is you're just bringing
1660 it down to the 90 degree...
1661
1662 Mr. Garrison - Correct. You could still leave this site and turn left to get back
1663 to Brook Road.
1664
1665 Mr. Baka - So you could still turn left coming out. All I'm saying is, as you
1666 look at this, there might be ways in addition to signage to be able to adjust the curbing.
1667 Just a comment.
1668
1669 Mr. Garrison - Okay. This is something that the applicant could work with the
1670 traffic engineer on. You're saying that this could be more of a 90-degree.
1671
1672 Mr. Baka - I've seen that. I'm not even sure if it's been in Henrico or not.
1673 But I've seen that in many other outparcels where the plan is trying to suggest to the
1674 driver that this is an exit only and you can't come in there. If I find a good example, I can
1675 e-mail it to you later just for reference.
1676
1677 Mr. Garrison - Okay.
1678
1679 Mr. Baka - Thanks.

1680
1681 Mr. Leabough - Any other questions for Mr. Garrison? All right. Mr. Archer,
1682 would you like the applicant to come forward please?
1683
1684 Mr. Archer - I don't think so, to be honest with you.
1685
1686 Mr. Leabough - Well how would you like to proceed, sir?
1687
1688 Mr. Archer - Well, I would like to first of all make a couple of comments
1689 about this particular case and some others in the area that we've had—well one today,
1690 actually.
1691
1692 This area of the County is adjacent to the City or right near the City. And it is in a place
1693 that has been declining for years. I guess the reclamation started back when we did the
1694 Wawa a few years ago. And then adjacent to is, of course, is where there Walmart
1695 grocery store went in. And just this morning, we approved a Bojangles, which I think is
1696 right across the street almost from where this one is. So this particular area is really
1697 coming along. And I'm glad to see it. If we could just find somebody to fill up the old
1698 Azalea Mall shopping center. But I'm sure that's down the road.
1699
1700 Mr. Garrison, if you could speak with the applicant about what Mr. Baka was talking
1701 about.
1702
1703 Mr. Garrison - Yes sir, I can do that.
1704
1705 Mr. Archer - We might be able to straighten that out. I don't think it's going
1706 to be much of a problem. There aren't a lot of things left in there that need to be revised,
1707 but there are some. And hopefully as the future approaches us, we will see some more
1708 improvement on that.
1709
1710 We did get the traffic issue taken care of. That was seemingly going to be a hang-up for
1711 a little while, but Mr. Garrison and the applicant were able to work that out with Traffic.
1712 So I think we're good to get started with that.
1713
1714 I would first all move that the time limits be waived on the revised plan.
1715
1716 Mr. Witte - Second.
1717
1718 Mr. Leabough - We have a motion by Mr. Archer, a second by Mr. Witte. All in
1719 favor say aye. All opposed say no. The ayes have it; the motion passes.
1720
1721 Mr. Archer - All right. And with that I will for approval of POD2016-00558,
1722 Take 5 Oil Change at 5220 Brook Road, subject to the revised plan, standard conditions
1723 for developments of this type, and additional conditions 11B and 29 through 31.
1724
1725 Mr. Baka - Second.

1726

1727

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

1729

1730

The Planning Commission approved the plan of development and lighting plan for POD2016-00558, Take 5 Oil Change at 5220 Brook Road, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

1731

1732

1733

1734

1735

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.

1736

1737

1738

1739

29. A concrete sidewalk meeting VDOT standards shall be provided along the west side of Brook Road.

1740

1741

30. Outside storage shall not be permitted.

1742

1743

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

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1746

1747

1748

32. The owner or manager on duty shall be responsible for temporarily closing the auto service station when the on-site stacking space is inadequate to serve customer demand to prevent a backup of vehicles onto the public right-of-way. 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 facility.

1749

1750

1751

1752

1753

1754

1755

Mr. Emerson - Mr. Chairman, we now move on to page 30 of your agenda for POD2016-00566, HG Design Studio for Grenoble, LLC. The staff report will be presented by Mr. Lee Pambid.

1756

1757

1758

1759

PLAN OF DEVELOPMENT AND LIGHTING PLAN

1760

POD2016-00566
Burger Media – 2507
Grenoble Road

HG Design Studio for Grenoble, LLC: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 5,600 square foot office warehouse building. The 0.4-acre site is located on the eastern line of Grenoble Road, approximately 550 feet south of its intersection with Willard Road, on parcel 765-747-3588. The zoning is M-1, Light Industrial District. County water and sewer. **(Tuckahoe)**

1761

1762 Mr. Archer - Is there anyone present who is opposed to POD2016-00566,
1763 Burger Media? I see no opposition. Mr. Pambid.

1764
1765 Mr. Pambid - Good morning, sir, members of the Commission. The
1766 proposal is for a single-story office warehouse building totaling 5,568 square feet in area
1767 on a parcel zoned M-1 with no proffers, for Burger Media, a video production and film
1768 equipment company.

1769
1770 The proposed building features light red brick with dark red brick horizontal bands for the
1771 office portion of the building along the entire front elevation and along the sides. The
1772 remainder of the building, which contains the warehouse portion, will be split face CMU,
1773 which is light khaki in color.

1774
1775 The 1500 square feet of office and 4,000 square feet of warehouse space are proposed.
1776 The warehouse will be accessed through the rear of the building through two roll-up bay
1777 doors.

1778
1779 The lighting plan illustrates two building-mounted wall packs at a height of 16 feet and
1780 three pole-mounted single-fixture lights at a height of 20 feet. All lights are flat lens, LED
1781 fixtures, and the plan complies with the County lighting guidelines.

1782
1783 Also in the addendum is an update to the staff report. Since the distribution of the
1784 packets, staff has received and reviewed a request of the waiver from the 12-1/2-foot
1785 entrance requirements from adjacent property lines. The Director of Planning, Director of
1786 Public Works, and the Chief of Police have granted this waiver, and all agencies can now
1787 recommend approval.

1788
1789 Staff recommends approval of the plan of development subject to the annotations on the
1790 plan, standard conditions for developments of this type, condition 11B, and the additional
1791 conditions 29 through 31.

1792
1793 This concludes my presentation, and I can now field any questions you may have
1794 regarding this. Applicant representatives Kevin Burger and Chris Burger and Andy
1795 Sisson with HG are also here.

1796
1797 Mr. Leabough - Any questions from the Commission for Mr. Pambid?

1798
1799 Mr. Witte - I don't have any questions, but do you have an overlay of the
1800 area?

1801
1802 Mr. Pambid - I have an aerial.

1803
1804 Mr. Witte - Okay. Is the wooded area behind it developable?

1805
1806 Mr. Pambid - First of all, directly behind this site and the other properties
1807 facing Grenoble Road is an unopened 20-foot alley. So there are woods located within

1808 that. And directly opposite on that alley is, for all intents and purposes, a corporation yard
1809 for Pruitt Company.

1810
1811 Mr. Witte - All right, thank you.

1812
1813 Mr. Pambid - And that is zoned M-1. A portion of that is zoned M-2. There
1814 are no adjacent residences to the subject site.

1815
1816 Mr. Leabough - Any other questions for Mr. Pambid? With that, Mr. Baka,
1817 would you like the applicant to come forward?

1818
1819 Mr. Baka - With no opposition, unless there are any questions from the
1820 Commission...this is a small office warehouse use, blending in with the other uses,
1821 compatible. New materials. I have no questions of the applicant.

1822
1823 Mr. Leabough - So how would you like to proceed, sir?

1824
1825 Mr. Baka - At this time, Mr. Chairman, I would move that POD2016-
1826 00566, Burger Media, including the lighting plan, be approved subject to the annotations
1827 on the plans, the standard conditions for developments of this type, additional conditions
1828 11B and 29 through 31, and the revised staff recommendation in the addendum.

1829
1830 Mrs. Marshall - Second.

1831
1832 Mr. Leabough - We have a motion by Mr. Baka, a second by Mrs. Marshall.
1833 All in favor say aye. All opposed say no. There's no opposition. The ayes have it; the
1834 motion passes.

1835
1836 The Planning Commission approved the plan of development and lighting plan for
1837 POD2016-00566, Burger Media, subject to the annotations on the plans, the standard
1838 conditions attached to these minutes for developments of this type, and the following
1839 additional conditions:

- 1840
1841 11B. Prior to the approval of an electrical permit application and installation of the site
1842 lighting equipment, a plan including light spread and intensity diagrams, and fixture
1843 specifications and mounting heights details shall be revised as annotated on the
1844 staff plan and included with the construction plans for final signature.
- 1845 29. Outside storage shall not be permitted.
- 1846 30. Approval of the construction plans by the Department of Public Works does not
1847 establish the curb and gutter elevations along the Henrico County maintained
1848 right-of-way. The elevations will be set by Henrico County.
- 1849 31. The location of all existing and proposed utility and mechanical equipment
1850 (including HVAC units, electric meters, junction and accessory boxes,
1851 transformers, and generators) shall be identified on the landscape plans. All
1852 equipment shall be screened by such measures as determined appropriate by the
1853 Director of Planning or the Planning Commission at the time of plan approval.

1854
1855 Mr. Emerson - Mr. Chairman, we now move on to page 32 of your regular
1856 agenda and page 3 of your amended agenda for POD2016-00563, Bay Companies for
1857 Ivey Self Storage, LLC and Oakley Center LLC. The staff report will be presented by Mr.
1858 Lee Pambid.

1859
1860
1861
1862

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2016-00563
Oakley's Center Industrial
Park, Phase 4- 4201
Oakley's Court

Bay Companies for Ivey Self Storage, LLC and Oakley Center LLC: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct three one-story office warehouse buildings totaling 31,750 square feet. The 7.24-acre site is located at the intersection of Oakley's Place and Oakley's Court, approximately 675 feet south of Oakley's Lane, on parcel 816-721-7613. The zoning is M-1C, Light Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

1863
1864 Mr. Leabough - Is there anyone present who is opposed to POD2016-00563,
1865 Oakley's Center Industrial Park, Phase 4? We have opposition. After Mr. Pambid
1866 provides the staff report, Mr. Emerson, do you mind sharing with the audience the
1867 guidelines for speaking at a public hearing?

1868
1869 Mr. Emerson - Yes, sir.

1870
1871 Mr. Leabough - Go ahead, Mr. Pambid.

1872
1873 Mr. Pambid - Thank you. The applicant proposes development of a site
1874 containing three one-story office warehouse buildings totaling 31,750 square feet,
1875 associated parking and maneuvering areas, and a BMP. Building A, which is this main
1876 building here and it faces Oakley's Place, contains 14 offices with associated warehouse
1877 spaces and is 14,500 square feet in area.

1878
1879 Building B, which is this middle building here, contains two offices with warehouse space
1880 and nine small warehouse spaces with no offices physically associated with them.

1881
1882 Building C, which is the easternmost building, contains 29 small warehouse units with no
1883 offices physically associated with them and is 7,650 square feet in area.

1884
1885 A 50-foot transitional buffer is required along the Oakley's Lane frontage, that's here,
1886 since the subject property is zoned M-1C and the adjacent properties are zoned
1887 Agricultural and RTHC respectively. The proffers of zoning case C-123C-88 shall apply.

1888

1889 These are the elevations, and they are labeled to indicate which elevations are brick and
1890 which ones are metal. Previously, staff had requested some materials be improved along
1891 building elevations facing public roads. Those would be these northernmost elevations
1892 here. There is a combination of red brick veneer and red metal siding, and this is typical
1893 for the other buildings in the Oakley's Center Industrial Park. In lieu of providing
1894 additional brick, the applicant has agreed to provide additional landscaping along
1895 Oakley's Place and behind Building C. So a potential arrangement of trees here would,
1896 as you come down into Oakley's Place, further screen this elevation here and this
1897 elevation here, which are currently proposed as metal. And then additional landscaping
1898 along the back of building C. The remainder of the property is to remain vacant and
1899 reserved for future development, so there are no development plans at this time.

1900
1901 Provided in your addendum are condition #33, which addresses this and formalizes that
1902 additional landscaping, as well as this conceptual landscape plan for your information.

1903
1904 The lighting plan illustrates 36 building-mounted wall packs at a height of 12 feet and 7
1905 pole-mounted single-fixture lights at a height of 20 feet. All lights are flat lens LED
1906 fixtures, and the plan complies with the County lighting guidelines.

1907
1908 Staff has received comment from one adjacent owner regarding the future alignment and
1909 construction of Oakley's Lane, as well as the hours of construction. Condition #34 in your
1910 addendum is based on proffer #27 of the zoning case for the townhouses across the
1911 street here. Just very generally, it restricts hours of construction to certain times and
1912 certain days, except when construction may take place when agreed upon by the
1913 developer and the management of Mankin Mansion.

1914
1915 Staff recommends approval of the plan of development subject to annotations on the
1916 plan, standard conditions for developments of this type, as well as the additional
1917 conditions listed in the agenda and your addendum.

1918
1919 This concludes my presentation. I can now field any questions you have regarding this.
1920 Applicant representatives Dan Caskie with the Bay Companies and Terry Wethington of
1921 Lampe Management, the developer, are also here.

1922
1923 Mr. Leabough - Are there any questions for Mr. Pambid from the
1924 Commission? No questions.

1925
1926 Mr. Archer - Not at this point, Mr. Chairman. But I would like to hear from
1927 the opposition.

1928
1929 Mr. Leabough - Would the opposition please come forward?

1930
1931 Mr. Emerson - Mr. Chairman, as the opposition comes forward, I will go over
1932 the guidelines the Commission has regarding your public hearings. The applicant is
1933 allowed ten minutes to present the request, and time may be reserved for responses to
1934 testimony. Opposition is allowed ten minutes to present its concerns, and that is a

1935 cumulative ten minutes of all opposition. Commission questions do not count into time
1936 limits. The Commission may waive the time limits for either party at its discretion, and
1937 comments must be directly related to the case under consideration.
1938

1939 Mr. Leabough - Thank you, sir.
1940

1941 Mr. Ramirez - Good morning, Mr. Chairman and members of the Planning
1942 Commission and Mr. Nelson. My name is Martin Ramirez with Historic Mankin Mansion
1943 Bed and Breakfast located behind or to the side of the proposed project.
1944

1945 On behalf of the Ramirez and mansion families, we fully support this proposed project
1946 only after the already County-approved rerouting of Oakley's Lane is completed.
1947

1948 As you may know, this dangerously substandard and narrow stretch of road running
1949 through the middle of the mansion property is grossly overused. In 2011, it was
1950 concluded by the Planning Department and Board of Supervisors that no further
1951 development causing further increased traffic will be approved until the road to handle
1952 such a load is completed. I'm referring to the townhomes across the street from this
1953 proposed project. When the project was approved, case C-1C-11, 80 townhomes were
1954 approved to be built. In the proffers, #22, titled "Phasing," additional homes could be built
1955 only upon the rerouting and widening of Oakley's Lane. Our confusion is how can the
1956 proposed project be approved when across the street they are not able to build
1957 additional homes because of the additional traffic concerns on this stretch of road. We
1958 want to make sure that there is no contradiction from the County with development in the
1959 area.
1960

1961 Once the road is rerouted, in addition, we ask that we are consulted, as I mentioned
1962 previously, with the hours of construction, of operation, and buffer requirements, as the
1963 property does come next to the mansion. I'm not sure if this applies here, but also tenant
1964 hours of operation, as we do have another business in there. The original building on
1965 Oakley's Court works quite late and does affect our bed and breakfast and wedding
1966 business.
1967

1968 I can answer any questions.
1969

1970 Mr. Leabough - Any questions for Mr. Ramirez?
1971

1972 Mr. Archer - Mr. Ramirez, what was the proffer number you mentioned?
1973

1974 Mr. Ramirez - It is proffer number 22 in the case C-1C-11. It's titled
1975 "Phasing."
1976

1977 Mr. Leabough - Any other questions?
1978

1979 Mr. Witte - I don't have a question, but I'd like to comment on the
1980 mansion. Years ago when I was in the fire department down in that area, the place was
1981 in disrepair. It's really impressive how it's been revitalized.
1982
1983 Mr. Ramirez - Thank you.
1984
1985 Mr. Witte - I think it's an asset to the County to have that old mansion the
1986 way it is now.
1987
1988 Mr. Ramirez - I appreciate it. Thank you.
1989
1990 Mr. Leabough - I do have a question, Mr. Archer. Mr. Ramirez made a
1991 comment about a previous rezoning case. Mr. Emerson, could you speak to that or is
1992 there anyone else that you would like to speak to that? From my understanding, rezoning
1993 cases are specific to the parcel in which they're applicable to. They don't cross over into
1994 other parcels that are not a part of the case.
1995
1996 Mr. Emerson - That is correct, Mr. Chairman. That proffer only applies to the
1997 Godsey Townhome case that was approved. It would not apply to an existing-zoned
1998 property that has use by right such as this.
1999
2000 Mr. Leabough - I just wanted to address that.
2001
2002 Mr. Archer - Thank you for bringing that point up. And that was the reason
2003 why I had asked Mr. Ramirez for what the proffer condition was. Mr. Ramirez and I and
2004 several people up here have long known about the condition of the road down there. And
2005 we know that there have been plans afoot to try to have that improved. It seems like it's
2006 slowly working towards that end.
2007
2008 Mr. Nelson - Can I just make a point real quick?
2009
2010 Mr. Archer - Yes, go right ahead.
2011
2012 Mr. Nelson - I think there are some efforts going forward. I think you and
2013 Tim Foster met. I spoke to the manager about the road. Tim and Mr. Ramirez, and then I
2014 think next month there are some others that are supposedly coming to the table to
2015 include Godsey and some others, and hopefully myself. So hopefully we'll see the road
2016 addressed. It takes time. But I just wanted to make sure to let the Planning Commission
2017 know that there are conversations going on about the road.
2018
2019 Mr. Archer - Appreciate that. Mr. Ramirez, you have indicated that you
2020 have no problems at all with the plan of development that we have here.
2021
2022 Mr. Ramirez - Correct.
2023

2024 Mr. Archer - But I wanted to make sure that everybody understood where
2025 the proffers in that other case apply as to this case and also to just make a comment on
2026 the road.

2027
2028 As Mr. Witte said, I've been in the mansion several times, and I remember the first
2029 couple times I went in there, I couldn't wait to get out. There was a beam that I was
2030 afraid was going to give way any minute. But you all have really done a remarkable job
2031 with that, and I hope business has improved for you.

2032
2033 There are some conditions that have been added to the case as it stood. I remember you
2034 being here not too long ago. We were talking about hours of construction. And I think Mr.
2035 Pambid lifted those conditions from that similar case. Have you had any problems since
2036 then with the working hours being a distraction to your business?

2037
2038 Mr. Ramirez - No. Mr. Godsey actually came over to the mansion and
2039 brought over Ryan Homes, who are building the townhomes. And we now have their
2040 direct phone numbers for any future—they are the ones that are now taking over mainly
2041 on that project. So we do have their direct lines with management so that if we do have
2042 any issues. And they are aware that they need to check with us first as per the proffers.
2043 And they said they are putting signs up as well so that their contractors and
2044 subcontractors are aware of the situation. Again, our main days of business are
2045 Saturdays and Sundays with weddings and such.

2046
2047 Mr. Archer - We were trying to duplicate those conditions in this particular
2048 case. And of course you know the key to it all is communication. So make sure
2049 everybody has everybody else's phone number and you all can communicate when the
2050 time comes.

2051
2052 Mr. Ramirez - Right. I appreciate that. And I did receive the information right
2053 now. So they have given me their information. And like I said, the only thing other than
2054 that in the future would be tenant hours of operation. I'm not sure who that would apply
2055 to. The original building, I think it's a power distribution center. They operate until 10 or
2056 11:00 at night with forklifts, noise and such. So that would be another point of concern for
2057 us.

2058
2059 Mr. Archer - Okay. Anybody else have questions? All right, thank you, Mr.
2060 Ramirez.

2061
2062 Mr. Ramirez - Thank you for your time.

2063
2064 Mr. Archer - Mr. Pambid, do you have anything to add?

2065
2066 Mr. Pambid - No sir.

2067
2068 Mr. Archer - All right. Well with that, and since there has been no objection
2069 to the case as it stands and there have been quite a few improvements made, as

2070 indicated in the addendum this morning, I will move for approval of POD2016-00563,
2071 Oakley's Center Industrial Park, Phase 4, subject to the plan annotations, standard
2072 conditions for developments of this type, and the additional conditions 11B and 31
2073 through 34, with 33 and 34 being added in the addendum this morning.

2074

2075 Mr. Witte - Second.

2076

2077 Mr. Leabough - We have a motion by Mr. Archer, a second by Mr. Witte. All in
2078 favor say aye. All opposed say no. No opposition. The ayes have it; the motion passes.

2079

2080 The Planning Commission approved the plan of development and lighting plan for
2081 POD2016-00563, Oakley's Center Industrial Park, Phase 4, subject to the annotations
2082 on the plans, the standard conditions attached to these minutes for developments of this
2083 type, and the following additional conditions:

2084

2085 11B. Prior to the approval of an electrical permit application and installation of the site
2086 lighting equipment, a plan including light spread and intensity diagrams, and fixture
2087 specifications and mounting heights details shall be revised as annotated on the
2088 staff plan and included with the construction plans for final signature.

2089 29. The proffers approved as a part of zoning case C-123C-88 shall be incorporated
2090 in this approval.

2091 30. Approval of the construction plans by the Department of Public Works does not
2092 establish the curb and gutter elevations along the Henrico County maintained
2093 right-of-way. The elevations will be set by Henrico County.

2094 31. The location of all existing and proposed utility and mechanical equipment
2095 (including HVAC units, electric meters, junction and accessory boxes,
2096 transformers, and generators) shall be identified on the landscape plans. All
2097 equipment shall be screened by such measures as determined appropriate by the
2098 Director of Planning or the Planning Commission at the time of plan approval.

2099 32. The certification of building permits, occupancy permits and change of occupancy
2100 permits for individual units shall be based on the number of parking spaces
2101 required for the proposed uses and the amount of parking available according to
2102 approved plans.

2103 33. Evergreen landscape material shall be installed along Oakleys Place and behind
2104 Building C along the proposed property line, as shown on the conceptual
2105 landscape plan.

2106 34. Hours of Construction: The hours of site work construction, including operation of
2107 bulldozers and other earth-moving equipment, shall be between 8:00 a.m. and
2108 5:00 p.m., Monday through Friday, except in emergencies or where unusual
2109 circumstances require extending the specific hours in order to complete work,
2110 such as concrete pours or utility connections. No site work construction will be
2111 performed on Saturday or Sunday. The hours of outside building construction
2112 shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, except in
2113 emergencies or where unusual circumstances require extending the specific
2114 hours in order to complete work, such as concrete pours or utility connections.
2115 Outside building construction on Saturday may take place if mutually agreed to by

2116 the developer and the manager of Mankin Mansion. No outside building
2117 construction shall be performed on Sunday. Signs, in both English and Spanish,
2118 stating the above-referenced provisions, shall be posted and maintained at all
2119 entrances to the property prior to any land disturbance activities thereon.
2120

2121 Mr. Emerson - Mr. Chairman, we now move on to page 34 of your agenda
2122 and page 4 of your amended agenda for SUB2016-00199, Koontz-Bryant, P.C. for
2123 Wilton Acquisitions, LLC. The staff report will be presented by Mr. Mike Kennedy.
2124

2125 **SUBDIVISION**
2126

SUB2016-00199 The Glens at Scott Place (January 2017 Plan) - Scott Road	Koontz-Bryant, P.C. for Wilton Acquisition, LLC: The 16.29-acre site proposed for 115 two-story residential townhouses for sale is located at the northwest corner of East Parham Road (State Route 73) and Interstate 95 (I- 95), and fronting on the south side of Scott Road, east of Brockton Street (unimproved), on parcels 785-757-5477, 785-757-5749, 785-757-6118, 785-757-8737, and 785- 757-9998. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. (Fairfield) 115 Lots
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2127
2128 Mr. Archer - Is there anyone present who is opposed to SUB2016-00199,
2129 The Glens at Scott Place (January 2017 Plan)? I see no opposition, Mr. Kennedy.
2130

2131 Mr. Kennedy - Good morning, members of the Commission.
2132

2133 The proposed subdivision layout for 115 townhouses is generally in conformance with
2134 the conceptual layout proffered with REZ2016-00024. The staff has received the revised
2135 plans requested. The revised plan relocates a proposed sanitary sewer easement from
2136 this area here to the back of the building so that we're not encroaching into the buffer
2137 along I-95. It will also extend a sanitary sewer easement across this wetlands area to
2138 provide sewer service to Brockton Street. Additional information has been provided
2139 regarding the grading of the BMP pond here. It will be a dry pond. Staff wanted to make
2140 sure that there was sufficient area for landscaping and for safety. Since this is a dry
2141 pond, they only need to have a 4-to-1 slope as opposed to having safety benches and
2142 more flat area.
2143

2144 Construction plans for the subdivision will return to the Planning Commission for POD
2145 approval. We'll have elevations and floor plans at that time. So right now, this is a
2146 conceptual plan for the layout.
2147

2148 Staff received these after the deadline, so a waiver of time limits is required. Staff has
2149 completed their review of the revised plan and has no objection to the waiver request.
2150 Should the Planning Commission approve the waiver of time limits, staff recommends
2151 approval of the plan subject to the annotations on the plans, standard conditions for

2152 residential townhouse subdivisions, and the additional conditions 15 and 16 on the
2153 agenda. I'll be happy to answer any questions.
2154
2155 Mr. Leabough - Are there any questions from the Commission for Mr.
2156 Kennedy?
2157
2158 Mr. Archer - I don't have any, Mr. Chairman. But if you all have questions,
2159 especially concerning the changes that were in the revised plan. I know what they are,
2160 but if you need to ask Mr. Kennedy, go right ahead.
2161
2162 Mr. Leabough - No sir, no questions.
2163
2164 Mr. Archer - Okay.
2165
2166 Mr. Witte - Actually, I do have one.
2167
2168 Mr. Archer - Go ahead, sir.
2169
2170 Mr. Witte - Mr. Kennedy, can you explain a membrane roof? It appears
2171 to be an A-frame roof. And I'm not familiar with a membrane.
2172
2173 Mr. Leabough - This is just a layout of the subdivision. You're on the wrong
2174 case.
2175
2176 Mr. Witte - I'm sorry.
2177
2178 Mr. Leabough - You got ahead of us, Mr. Witte.
2179
2180 Mr. Witte - I did. I jumped right ahead.
2181
2182 Mr. Leabough - You're an over-achiever, sir.
2183
2184 Mr. Archer - I still don't know what it is.
2185
2186 Mr. Leabough - Can you answer that question, Mr. Kennedy?
2187
2188 Mr. Witte - Yes, can you answer that for me?
2189
2190 Mr. Kennedy - The elevations that were provided will come back to the
2191 Commission.
2192
2193 Mr. Archer - All right, then. So am I to assume there are no questions.
2194 Thank you, Mr. Kennedy. With that, I will first move to waive the time limits for the
2195 revised plan.
2196
2197 Mrs. Marshall - Second.

2198
2199 Mr. Leabough - We have a motion by Mr. Archer, a second by Mrs. Marshall.
2200 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
2201

2202 Mr. Archer - Then I will move for approval of SUB2016-00199, The Glens
2203 at Scott Place (January 2017 Plan), subject to the revised layout, standard conditions for
2204 developments of this type, and the additional conditions 15 and 16.
2205

2206 Mr. Leabough - Second. We have a motion by Mr. Archer, a second by Mr.
2207 Leabough. All in favor say aye. All opposed say no. No opposition. The ayes have it; the
2208 motion passes.
2209

2210 The Planning Commission granted conditional approval to SUB2016-00199, The Glens
2211 at Scott Place (January 2017 Plan), subject to the standard conditions attached to these
2212 minutes for subdivisions served by public utilities, the annotations on the plans, and the
2213 following additional conditions:
2214

- 2215 15. A County standard sidewalk shall be constructed along the south line of Scott
2216 Road.
2217 16. The proffers approved as part of zoning case REZ2016-00024 shall be
2218 incorporated in this approval.
2219

2220 Mr. Emerson - Mr. Chairman, we now move on to page 35 of your agenda
2221 for POD2016-00584, Timmons Group for BHC Townes, LLC. The staff report will be
2222 presented by Mr. Lee Pambid.
2223

2224 **PLAN OF DEVELOPMENT**
2225

POD2016-00584 Saunders Station Townes at Broad Hill Centre Reconsideration – Condominiums – 12400 West Broad Street (POD2014-00227 Rev.)	Timmons Group for BHC Townes, LLC: Request for reconsideration of approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 78 four-story condominium units, replacing the previous approval for 78 three-story residential townhouses for sale. The 10.55-acre site is located at the terminus of Broad Hill Drive (private), approximately 675 feet north of the intersection of West Broad Street (U.S. Route 250) and Bon Secours Parkway, on parcel 730-767-7336. The zoning is RTHC, Residential Townhouse District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)
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2226
2227 Mr. Archer - Is there anyone present who is opposed to POD2016-00584,
2228 Saunders Station Townes at Broad Hill Centre Reconsideration – Condominiums? There
2229 is no opposition. Mr. Pambid.
2230

2231 Mr. Pambid - Along with the companion rezoning case REZ2016-00043,
2232 this case reconsiders the previous plan of development approval by the Planning
2233 Commission for 78 three-story residential townhouse units on July 23, 2014. The
2234 withdrawal of the conditional subdivision approval for the townhouse development
2235 appeared earlier in this agenda, and the Planning Commission withdrew that at the
2236 applicant's request.

2237

2238 The rezoning case, which was recommended for approval by the Planning Commission
2239 on December 8, 2016, and last night approved by the Board of Supervisors, has
2240 changed the zoning designation on this site from RTHC to R-6C. The new plan proposes
2241 78 four-story condominium units on the same site. The layout for the condominiums is
2242 nearly identical to the townhouse plan. The unit footprints have changed a little bit and
2243 the heights of the buildings have increased from three stories to four stories, coming in at
2244 just under 45 feet.

2245

2246 The garages can now accommodate two cars, and final construction plans for the
2247 townhouses were approved on May 2, 2016. However, the first administrative review of
2248 the revised plan for the condos has been completed by staff since the distribution of the
2249 agenda. There were no major problems found with that.

2250

2251 Staff recommends approval of the reconsideration subject to the standard conditions for
2252 developments of this type and additional conditions 29 through 36 in the agenda. We did
2253 have to rework the conditions a little bit to apply to condos as opposed to townhouses.

2254

2255 This concludes my presentation. I can now field any questions you have regarding this.
2256 Applicant representatives Rick Melchor and Shawn Smith with Timmons are also here to
2257 field your questions.

2258

2259 Mr. Witte - You know my question.

2260

2261 Mr. Pambid - I'm going to have to refer to Mr. Melchor on that.

2262

2263 Mr. Melchor - I'm Rick Melchor, BHC Townes, the owner. Mr. Witte, your
2264 question was regarding a roof?

2265

2266 Mr. Witte - Yes sir. I'm not familiar with a membrane roof on an A-frame
2267 structure.

2268

2269 Mr. Melchor - I am not familiar with it either, sir. That's the first time I've
2270 heard of a membrane roof. The builder is StyleCraft Homes, and we don't have a
2271 representative from StyleCraft here today.

2272

2273 Mrs. Marshall - I had one on my house at the river.

2274

2275 Mr. Witte - I guess we have no answer then.

2276

2277 Mr. Leabough - Is that like, what is it, an EPDM or something, like you'd see
2278 on a commercial building?
2279
2280 Mr. Melchor - That's what it looks like, yes sir. It's more of an urban look.
2281
2282 Mr. Leabough - Now that you've raised that question, I'm curious now. What's
2283 the thinking behind that?
2284
2285 Mr. Witte - These are very, very attractive townhomes. And they have a
2286 black, black membrane roof on it or gray or whatever color they come in.
2287
2288 Mr. Emerson - Would this possibly be for the patio area?
2289
2290 Mr. Witte - No, it shows it on the main roof.
2291
2292 Mr. Emerson - It does.
2293
2294 Mr. Witte - And the patio is glass.
2295
2296 Mr. Emerson - Well that's true. Good point.
2297
2298 Mr. Archer - I'm not an expert, Mr. Witte, but I do have some clients with
2299 buildings that have membrane roofs. They seem to think very highly of the buildings with
2300 membrane roofs on them. I think from a standpoint of longevity, they're supposed to be
2301 pretty good.
2302
2303 Mr. Witte - My concern was with aesthetics.
2304
2305 Mr. Archer - Yes.
2306
2307 Mr. Baka - Probably be consistent with more of an urban look. It fits with
2308 that near traditional urban townhouse style look.
2309
2310 Mr. Leabough - It looks like in the rendering it's shingles. I don't know if it has
2311 some sort of a feature that breaks up that membrane or something.
2312
2313 Mr. Emerson - Mr. Witte, what we will do, we will work to get you an answer
2314 to that after we conclude today.
2315
2316 Mr. Witte - Okay, thank you.
2317
2318 Mr. Leabough - I do have a question, too, if that's okay. What's the thinking in
2319 terms of converting from RTH to condos now, from townhomes to condos?
2320
2321 Mr. Melchor - They're still townhomes. The reason we went to condos is
2322 because going to the larger unit, there were setbacks that we could not meet in the

2323 RTHC. So with condos, those setbacks were—for instance, these balconies that are the
2324 front of the buildings are allowed to be included on the units. And the decks on the rear
2325 of the buildings are now allowed to be included. That's the reason to change to the
2326 condo style.

2327
2328 Mr. Leabough - Okay. That's something that changed with the market that I
2329 wasn't aware of. Okay, thank you.

2330
2331 Mr. Witte - So you found a technicality.

2332
2333 Mr. Melchor - Yes sir. And the market does warrant the balconies. They
2334 want the outdoor living spaces. And these terrace porches on the top is also something
2335 that is really coming back into vogue. So you have three different outdoor spaces on
2336 your building.

2337
2338 Mr. Leabough - Thank you, sir.

2339
2340 Mr. Melchor - All right.

2341
2342 Mr. Leabough - Mrs. Marshall, how would like to proceed?

2343
2344 Mrs. Marshall - Mr. Chairman, I move POD2016-00584, Saunders Station
2345 Townes at Broad Hill Centre Reconsideration – Condominiums, be approved subject to
2346 the annotations on the plan, the standard conditions for developments of this type, and
2347 additional conditions 29 through 36 in the agenda. Just for Mr. Witte, if we can find out
2348 what a membrane roof is, it would make him very happy.

2349
2350 Mr. Witte - Second.

2351
2352 Mr. Leabough - We have a motion by Mrs. Marshall, second by Mr. Witte. All
2353 in favor say aye. All opposed say no. The ayes have it; the motion passes.

2354
2355 The Planning Commission approved POD2016-00584, Saunders Station Townes at
2356 Broad Hill Centre Reconsideration – Condominiums, subject to the annotations on the
2357 plans, the standard conditions attached to these minutes for developments of this type,
2358 and the following additional conditions:

- 2359
2360 29. The unit house numbers shall be visible from the parking areas and drives.
2361 30. The names of streets, drives, courts and parking areas shall be approved by the
2362 Richmond Regional Planning District Commission and such names shall be
2363 included on the construction plans prior to their approval. The standard street name
2364 signs shall be installed prior to any occupancy permit approval.
2365 31. Outside storage shall not be permitted.
2366 32. The proffers approved as a part of zoning case REZ2016-00043 shall be
2367 incorporated in this approval.

- 2368 33. Evidence of a joint ingress/egress and maintenance agreement must be
2369 submitted to the Department of Planning and approved prior to issuance of a
2370 certificate of occupancy for this development.
- 2371 34. The location of all existing and proposed utility and mechanical equipment
2372 (including HVAC units, electric meters, junction and accessory boxes,
2373 transformers, and generators) shall be identified on the landscape plans. All
2374 equipment shall be screened by such measures as determined appropriate by the
2375 Director of Planning or the Planning Commission at the time of plan approval.
- 2376 35. The limits and elevations of the Special Flood Hazard Area shall be conspicuously
2377 noted on the plan and labeled "Limits of Special Flood Hazard Area." In addition,
2378 the delineated Special Flood Hazard Area must be labeled "Variable Width
2379 Drainage and Utility Easement." The easement shall be granted to the County
2380 prior to the issuance of any occupancy permits.
- 2381 36. A draft of the Declaration of Covenants, Conditions, and Restrictions shall be
2382 submitted to the Department of Planning for review and approval prior to the
2383 issuance of any certificates of occupancy in this development.

2384
2385 Mr. Emerson - Mr. Chairman, next on your agenda is the consideration of
2386 the approval of your minutes from your December 14, 2016 meeting. I do not see an
2387 errata sheet in my packet, so my guess is that we do not have an errata sheet.

2388
2389 APPROVAL OF MINUTES: December 14, 2016

2390
2391 Mr. Leabough - I will entertain a motion on approval of the minutes.

2392
2393 Mr. Baka - So moved.

2394
2395 Mr. Witte - Second.

2396
2397 Mr. Leabough - We have a motion by Mr. Baka, a second by Mr. Witte. All in
2398 favor say aye. All opposed say no. The ayes have it; the motion passes.

2399
2400 The Planning Commission approved the December 14, 2016 minutes as submitted.

2401
2402 Mr. Leabough - Mr. Secretary, is there any other business to come before the
2403 Commission today?

2404
2405 Mr. Emerson - Mr. Chairman, I have nothing further for the Commission
2406 today other than to remind you at your next meeting you do have the CIP hearing
2407 beginning at 6 p.m., and we do have a work session at 5:15 p.m. And that is on February
2408 14th. So other than to remind you of that schedule, I have nothing further.

2409
2410 Mr. Leabough - Just a quick request. Knowing that schedules are tight and it's
2411 a busy time of year for most of us, would you mind asking someone to kind of give us a
2412 quick reminder call the day before?

2413

2414 Mr. Emerson - Sure.
2415
2416 Mr. Leabough - I usually put it on my calendar, but I know from time to time
2417 we get caught up in meetings and lose track of time.
2418
2419 Mr. Emerson - Absolutely.
2420
2421 Mr. Leabough - Thank you. Any other items from other members of the
2422 Commission? If not, I'll entertain a motion for adjournment.
2423
2424 Mr. Archer - Mr. Chairman, I move that this January 25, 2017 meeting of
2425 Subdivisions and Plans of Development be adjourned.
2426
2427 Mrs. Marshall - Second.
2428
2429 Mr. Leabough - We have a motion by Mr. Archer, a second by Mrs. Marshall.
2430 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
2431
2432 This meeting's adjourned.



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



Mr. Joseph Emerson, Jr., Secretary

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **January 25, 2017**, which shall be as much a part of this approval as if details were fully described herein. Nine (9) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised October 2015)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.

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

21. Vehicles shall be parked only in approved and constructed parking spaces.
22. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
23. The site, including paving, pavement markings, signage, curb and gutter, dumpster screens, walls, fences, lighting and other site improvements shall be properly maintained in good condition at all times. Any necessary repairs shall be made in a timely manner.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. Insurance Services Office (ISO) calculations shall be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
27. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
28. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
29. **(Start of miscellaneous conditions)**

STANDARD CONDITIONS FOR LANDSCAPE/LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **January 25, 2017**, which shall be as much a part of this approval as if all details were fully described herein. Four (4) sets of prints of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Conventional Single-Family Subdivisions Served By Public Utilities

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Conventional Single-Family Subdivisions Not Served By Public Utilities

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Residential Townhouse for Sale (RTH) Subdivisions

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Zero Lot Line Subdivisions

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Road Dedication with No Lots

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