

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County,
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, July 28, 2010.
4

Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairman (Brookland)
Mr. C. W. Archer, C.P.C. Vice-Chairman (Fairfield)
Mrs. Bonnie-Leigh Jones, (Tuckahoe)
Mr. E. Ray Jernigan, C.P.C., (Varina)
Mr. Tommy Branin (Three Chopt)
Mr. R. Joseph Emerson, Jr., Director of Planning, Secretary
Mr. David A. Kaechele (Three Chopt)
Board of Supervisors Representative

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning
Ms. Leslie A. News, CLA, Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Aimee Berndt, AICP, County Planner
Mr. Jeff Perry, Public Works
Mr. Tommy Catlett, Assistant Traffic Engineer
Mr. Ralph Claytor, Public Utilities
Ms. Kim Vann, Henrico Police
Ms. Holly Zinn, Recording Secretary

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6 **Mr. David A. Kaechele, the Board of Supervisors' representative, abstains from**
7 **voting on all cases unless otherwise noted.**

8
9 Mr. Vanarsdall - Good morning, everybody. The Henrico County Planning
10 Commission will now come to order.

11
12 Mr. Jernigan - Good morning, Mr. Chairman.

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14 Mr. Vanarsdall - Glad to have everybody. Good morning, fellow
15 Commissioners. A special good morning to Mr. Kaechele on the left down there who
16 represents the Board of Supervisors

17
18 Mr. Kaechele - Good morning.

19
20 Mr. Vanarsdall - Director of Planning, Mr. Emerson. Is anyone from the news
21 media here this morning? Now, I would like to ask you to stand and **Pledge Allegiance**
22 **to the Flag.**

23
24 Thank you for standing. I never have turned around to see if anyone wasn't standing.
25 Now, we'll turn the meeting over to Mr. Emerson, our secretary.

26
27 Mr. Emerson - Thank you, Mr. Chairman. The first item on your agenda
28 today is the requests for deferrals and withdrawals, and I believe you have one request
29 for deferral. That will be presented by Ms. Leslie News.

30
31 Ms. News - Thank you, Mr. Chairman. Good morning, members of the
32 Commission. We have one request for deferral that is located in the Brookland District.
33 It is found on page 19 of your agenda. This is SUB-60-07, Winfrey Meadows (November
34 2007 Plan). This is a reconsideration to request a withdrawal, and the applicant has
35 requested that this reconsideration be deferred to September 22, 2010.

36
37 **SUBDIVISION – REQUEST FOR WITHDRAWAL**

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SUB-60-07 **David Jinnett for Madeline, LLC:** Request for withdrawal
SUB2008-00070 of conditional subdivision approval. The 6.39-acre site is
Winfrey Meadows located on the northeast side of Old Greenwood Road at
(November 2007 Plan) its intersection with Greenwood Road, on parcel 777-770-
Reconsideration – 3917. The zoning is A-1, Agricultural District. County water
Request for Withdrawal – and sewer. **(Brookland) 1 Lot**
10885 Old Greenwood Road

39
40 Mr. Vanarsdall - Is anyone in the audience in opposition to the deferment of
41 SUB-60-07, Winfrey Meadows (November 2007) Reconsideration? No opposition. I
42 move that SUB-60-07, Winfrey Meadows (November 2007) Reconsideration, be
43 deferred at the applicant's request to September 22, 2010.

44
45 Mr. Jernigan - Second.

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47 Mr. Vanarsdall - Motion by Mr. Vanarsdall, seconded by Mr. Jernigan. All in
48 favor say aye. All opposed say no. The ayes have it; the motion passes.

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50 At the request of the applicant, the Planning Commission deferred SUB-60-07, Winfrey
51 Meadows (November 2007) Reconsideration, to its September 22, 2010 meeting.

52
53 Mr. Emerson - Mr. Chairman, that takes us to the next item on your agenda,
54 which are the requests for expedited items. Those will also be presented by Ms. Leslie
55 News.

56
57 Ms. News - The first item is found on page 3 of your agenda and is
58 located in the Three Chopt District. This is a transfer of approval for POD-35-84, West
59 Broad Commons Shopping Center. Staff recommends approval.

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TRANSFER OF APPROVAL

POD-35-84
POD2010-00099
West Broad Commons
Shopping Center – 9031
W. Broad Street (U.S.
Route 250)

DLC Management Corp for West Broad Improvements, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from W. Broad St. Land Co., John M. Purcell, Jr. et. al., Western Associates, Little-McMahon Properties, Inc., and West Broad Associates of Richmond to West Broad Improvements, LLC. The 11.83-acre site is located at the southeast corner of W. Broad Street (U.S. Route 250) and Tuckernuck Drive, on parcel 758-755-0890. The zoning is B-2, Business District. County water and sewer. **(Three Chopt)**

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Mr. Vanarsdall - Is there any opposition to POD-35-84, West Broad Commons Shopping Center in the Three Chopt District? No opposition, Mr. Branin.

Mr. Branin - Mr. Chairman, I'd like to move that the transfer of approval for POD-35-84, West Broad Commons Shopping Center, be approved on the expedited agenda.

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Mr. Jernigan - Second.

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Mr. Vanarsdall - Motion by Mr. Branin, seconded by Mr. Jernigan. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

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The Planning Commission approved the transfer of approval request for POD-35-84, West Broad Commons Shopping Center, from W. Broad St. Land Co., John M. Purcell, Jr. et. al., Western Associates, Little-McMahon Properties, Inc., and West Broad Associates of Richmond to West Broad Improvements, LLC, subject to the standard and added conditions previously approved.

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Ms. News - Next, on page 4 of your agenda and located in the Fairfield District, is LP/POD-62-08. This is Kingdom Hall lighting plan. Staff recommends approval.

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LANDSCAPE PLAN

LP/POD-62-08
POD2010-00007
Kingdom Hall – 2801
Mechanicsville Turnpike
(U.S. Route 360)

Carter Design for Ginter Park Congregation of Jehovah's Witnesses of Richmond, Virginia: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 3.48-acre site is located on the northeast corner of the intersection of Mechanicsville Turnpike (U.S. Route 360) and St. Claire Lane and the west line of 20th Street, on parcel 800-729-2497. The zoning is B-1C, Business District (Conditional). County water and sewer. **(Fairfield)**

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- Mr. Vanarsdall - Is there any opposition to LP/POD-62-08, Kingdom Hall?
- Ms. News - Excuse me; let me correct myself. This is actually for the landscape plan, not the lighting plan.
- Mr. Vanarsdall - No opposition.
- Mr. Archer - We already approved the lighting plan, I believe.
- Ms. News - Correct.
- Mr. Archer - Mr. Chairman, I move that LP/POD-62-08, Kingdom Hall, be approved subject to the standard conditions for developments of this type.
- Mr. Jernigan - Second.
- Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Jernigan. All in favor say aye. All opposed say no. The ayes have it; the motion passes.
- The Planning Commission approved the landscape plan for LP/POD-62-08, Kingdom Hall, subject to the standard conditions attached to these minutes for landscape plans.
- Ms. News - Next, on page 11 of your agenda and located in the Brookland District, is AutoZone at Sam's Club Shopping Center. There is an addendum item on page 2 of your addendum which simply states that there is a better quality print of the original staff plan in the addendum. Staff continues to recommend approval.

118 **PLAN OF DEVELOPMENT**

119

POD-09-10
POD2010-00033
AutoZone at Sam's Club
Shopping Center – 9450
W. Broad Street

Dewberry and Davis, Inc. for Woodhouse Family Limited Partnership and AutoZone, Inc.: 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 7,147 square foot retail building in an existing shopping center. The 1.00-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 600 feet east of Old Springfield Road, on parcel 756-757-2974. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

120

121 Mr. Vanarsdall -

What page did you say?

122

123 Ms. News -

Page 11.

124

125 Mr. Vanarsdall -

All right. I want to add 2 items, #9 amended and #34, which talks about the location's existing utilities and mechanical equipment. It's #42 on the Inglenook Cottages. I apologize to Aimee because she asked if I was okay with this, and I was until I drove down Broad Street and remembered all the boxes and ugliness that was on the back of one of the buildings sometime ago, so I didn't want that to happen this time. With that, I recommend approval of POD-09-10, AutoZone at Sam's Club Shopping Center.

132

133 Mr. Archer -

Second.

134

135 Mr. Vanarsdall -

Motion by Mr. Vanarsdall, seconded by Mr. Archer. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

137

The Planning Commission approved POD-09-10, AutoZone at Sam's Club Shopping Center, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

141

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.

145

29. Outside storage shall not be permitted.

146

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

147

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

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

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- 153 33. No merchandise shall be displayed or stored outside of the building(s) or on
154 sidewalk(s).
155 34. The location of all existing and proposed utility and mechanical equipment
156 (including HVAC units, electric meters, junction and accessory boxes,
157 transformers, and generators) shall be identified on the landscape plans. All
158 equipment shall be screened by such measures as determined appropriate by
159 the Director of Planning or the Planning Commission at the time of plan approval.
160

161 Ms. News - The next item is on page 12 of your agenda and is located in
162 the Varina District. This is Pleasanton Subdivision (July 2010 Plan). There's an
163 addendum item on page 2 of the addendum with a revised plan that changes the
164 request to 1 lot and a reserved parcel instead of 2 lots as originally proposed. Staff
165 recommends approval.
166

167 **SUBDIVISION**
168

SUB-11-10
SUB2010-00087
Pleasanton
(July 2010 Plan)
2510 Gay Avenue

Engineering Design Associates for Josephine Crafton and F. R. and LeeAnn Blankenship: The 3.67-acre site proposed for a subdivision of 1 single-family homes and a reserved parcel is located on the north side of Gay Avenue, approximately 300 feet east of Samara Drive, on parcels 807-716-6225 and 6995. The zoning is R-4, One Family Residential District. County water and sewer.
(Varina) 1 Lot

169
170 Mr. Vanarsdall - Is anyone in opposition to SUB-11-10, Pleasanton (July
171 2010 Plan)? No opposition, Mr. Jernigan.
172

173 Mr. Jernigan - Mr. Chairman, with that I will move for approval of SUB-11-
174 10, Pleasanton (July 2010 Plan), with standard conditions for subdivisions served by
175 public utilities and the following additional Condition #13 and the addendum changing it
176 to 1 lot rather than 2.
177

178 Mrs. Jones - Second.
179

180 Mr. Vanarsdall - Motion by Mr. Jernigan, seconded by Mrs. Jones. All in
181 favor say aye. All opposed say no. The ayes have it; the motion passes.
182

183 The Planning Commission granted conditional approval to SUB-11-10, Pleasanton (July
184 2010 Plan), subject to the standard conditions attached to these minutes for
185 subdivisions served by public utilities, the annotations on the plans, and the following
186 additional condition:
187

- 188 13. Any necessary offsite drainage easements must be obtained prior to final approval
189 of the construction plan by the Department of Public Works.
190

191 Ms. News - Next, on page 13 of your agenda and located in the Varina
192 District, is SUB-12-10, Scaffold Court (July 2010 Plan). Staff recommends approval.

193
194 **SUBDIVISION**

195
SUB-12-10
SUB2010-00089
Scaffold Court
(July 2010 Plan)
6196 Scaffold Court

Engineering Design Associates for Robert A. Foote:
The 9.997-acre site proposed for a subdivision of 1 single-family home is located north of Csiki's Acres at the terminus of Scaffold Court, on parcel 856-705-2677. The zoning is A-1, Agricultural District. Individual well and individual on-site sewage disposal system. **(Varina) 1 Lot**

196
197 Mr. Vanarsdall - Is anyone in the audience in opposition to SUB-12-10,
198 Scaffold Court (July 2010 Plan)? No opposition, Mr. Jernigan.

199
200 Mr. Jernigan - Mr. Chairman, with that I'll move for approval of SUB-12-10,
201 Scaffold Court (July 2010 Plan), subject to the annotations on the plan and the standard
202 conditions for subdivisions not served by public utilities.

203
204 Mr. Archer - Second.

205
206 Mr. Vanarsdall - Motion by Mr. Jernigan, seconded by Mr. Archer. All in favor
207 say aye. All opposed say no. The ayes have it; the motion passes.

208
209 The Planning Commission granted conditional approval to SUB-12-10, Scaffold Court
210 (July 2010 Plan), subject to the standard conditions attached to these minutes for
211 subdivisions not served by public utilities and the annotations on the plans.

212
213 Ms. News - Next, on page 14 of your agenda and located in the Varina
214 District, is SUB-07-10, Halie's Corner (July 2010 Plan). Staff recommends approval.

215
216 **SUBDIVISION**

217
SUB-07-10
SUB2010-00076
Halie's Corner
(July 2010 Plan)
5300 Nine Mile Road
(State Route 33)

HIS Land Surveying, Inc. for DL Hurst Homes, LLC:
The 1.48-acre site proposed for a subdivision of 3 single-family homes is located at the northeast corner of Nine Mile Road (State Route 33) and Bayard Street, on parcel 814-725-6975. The zoning is R-2, One-Family Residential District. County water and sewer. **(Varina) 3 Lots**

218
219 Mr. Vanarsdall - Is anyone in the audience in opposition to SUB-07-10,
220 Halie's Corner (July 2010 Plan)? No opposition, again, Mr. Jernigan.

221

222 Mr. Jernigan - Mr. Chairman, I move for approval of SUB-07-10, Halie's
223 Corner (July 2010 Plan), subject to the annotations on the plans, standard conditions for
224 subdivisions served by public utilities, and the following additional conditions, #13 and
225 #14.

226
227 Mrs. Jones - Second.

228
229 Mr. Vanarsdall - Motion by Mr. Jernigan, seconded by Mrs. Jones. All in
230 favor say aye. All opposed say no. The ayes have it; the motion passes.

231
232 The Planning Commission granted conditional approval to SUB-07-10, Halie's Corner
233 (July 2010 Plan), subject to the standard conditions attached to these minutes for
234 subdivisions served by public utilities, the annotations on the plans, and the following
235 additional conditions:

236
237 13. Each lot shall contain at least 18,000 square feet.

238 14. Detailed construction plans shall be submitted to the Department of Planning
239 before the final plats are submitted for final approval.

240
241 Ms. News - Next, on page 15 of your agenda and located in the Varina
242 District, is SUB-09-10, Woodlawn Terrace (July 2010 Plan). Staff recommends
243 approval.

244
245 **SUBDIVISION**

246
SUB-09-10 **Werner Engineering, LLC for Stephen R. Marks and**
SUB2010-00084 **Emerald Land Development, LLC:** The 5.89-acre site
Woodlawn Terrace proposed for a subdivision of 1 single-family home is
(July 2010 Plan) located on the east line of Defense Avenue,
252 Defense Avenue approximately 300 feet from its intersection with Dakar
 Drive, on parcel 830-717-7954. The zoning is R-4, One-
 Family Residential District and ASO, Airport Safety
 Overlay District. County water and sewer. **(Varina) 1**
Lot

247
248 Mr. Vanarsdall - Is anyone in the audience in opposition to SUB-09-10,
249 Woodlawn Terrace (July 2010 Plan)? Mr. Jernigan, you're pretty busy this morning with
250 her.

251
252 Mr. Jernigan - Mr. Chairman, I move for approval of SUB-09-10, Woodlawn
253 Terrace (July 2010 Plan), subject to the standard conditions for subdivisions served by
254 public utilities and the following additional conditions #13, #14, and #15.

255
256 Mrs. Jones - Second.

257

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

260
261 The Planning Commission granted conditional approval to SUB-09-10, Woodlawn
262 Terrace (July 2010 Plan), subject to the standard conditions attached to these minutes
263 for subdivisions served by public utilities, the annotations on the plans, and the following
264 additional conditions:

265
266 13. The limits and elevation of the Special Flood Hazard Area shall be conspicuously
267 noted on the plat and construction plans and labeled "Limits of Special Flood
268 Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width
269 Drainage & Utilities Easement."

270 14. Each lot shall contain at least 8,000 square feet, exclusive of the floodplain areas.

271 15. Prior to preparing the recordation plat, the engineer or surveyor shall furnish the
272 Planning Staff a plan showing a dwelling situated on the lot to determine if the lot
273 design is adequate to meet the requirements of Chapter 24 of the Henrico County
274 Code.

275
276 Ms. News - The final item is found on page 18 of your agenda and is
277 located in the Three Chopt District. This is SUB-01-06, West Broad Village (July 2006
278 Plan). This is a reconsideration of Blocks B and H. Staff recommends approval.

279 280 SUBDIVISION

281
SUB-01-06
SUB2010-00096
West Broad Village
(July 2006 Plan)
Reconsideration of Blocks
B and H

Timmons Group for West Broad Village, LLC and Markel I Eagle Advisors, LLC: Request for reconsideration of Blocks B and H of West Broad Village (July 2006 Plan). The original 35.72-acre site is located along the southern line of W. Broad Street (U.S. Route 250), west of the Interstate-64 interchange at Short Pump. The revised conditional subdivision plat deletes 3 townhouse lots in Block B, located between Powhatan's Trail and Redbud Road, and adds those 3 townhouse lots to Block H, located between Strolling Lane and Fishpond Lane. There is no net increase to the total number of lots. The affected blocks are located on parcels 741-760-5363, 743-760-7234, 8132, 6919, and 7818. The zoning is UMU, Urban Mixed Use District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt) 0 Lots**

282
283 Mr. Vanarsdall - Is there any opposition to SUB-01-06, West Broad Village
284 (July 2006 Plan), Reconsideration of Blocks B and H? No opposition, Mr. Branin.

285

286 Mr. Branin - Mr. Chairman, I'd like to move that SUB-01-06, West Broad
287 Village (July 2006 Plan), Reconsideration of Blocks B and H, be approved on the
288 expedited agenda.

289

290 Mrs. Jones - Second.

291

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

294

295 The Planning Commission approved SUB-01-06, West Broad Village (July 2006 Plan)
296 Reconsideration of Blocks B and H subject to the previously approved conditions, dated
297 October 12, 2006.

298

299 Ms. News - That completes our expedited agenda.

300

301 Mr. Vanarsdall - Thank you, Ms. News.

302

303 Mr. Emerson - Mr. Chairman, that now takes us to the Subdivision
304 Extensions of Conditional Approval. Those will be presented by Mr. Lee Pambid.

305

306 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

307

308 **FOR INFORMATIONAL PURPOSES ONLY – SUBDIVISION EXTENSIONS**

309

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2009-00073 (SUB-10-09) Oakleys Chase (June 2009 Plan)	145	135	0	Fairfield	7/27/2011

310

311 Mr. Vanarsdall - Good morning, Mr. Pambid.

312

313 Mr. Pambid - Good morning, Mr. Chairman, members of the Planning
314 Commission. This map indicates the location of 1 subdivision that is presented for
315 extension of conditional of approval this month. It's eligible for a one-year extension to
316 July 27, 2011. This is for informational purposes only. I can field any questions you have
317 regarding this one.

318

319 Mr. Vanarsdall - All right. Any questions for Mr. Pambid? Thank you, Mr.
320 Pambid.

321

322 Mr. Pambid - You're welcome.

323

324 Mr. Emerson - Mr. Chairman, that takes us to the first case on your regular
325 agenda.

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LANDSCAPE & LIGHTING PLAN AND TRANSITIONAL BUFFER DEVIATION

LP/POD-30-08
POD2010-00178
POD2010-00179
CVS Pharmacy #1991 –
Lauderdale Drive

Kimley-Horn and Associates, Inc. for The Rebkee Company: Request for approval of a landscape and lighting plan and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The transitional buffer deviation would permit 2 light poles to be located in the transitional buffer north of the property. The 2.6-acre site is located on the northeast corner of Patterson Avenue (State Route 6) and Lauderdale Drive, on parcel 738-742-9542. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

329

330 Mr. Vanarsdall - Is anyone in the audience in opposition to LP/POD-30-08,
331 CVS Pharmacy #1991?

332

333 Mr. Garrison - The applicant is requesting approval of a landscape and
334 lighting plan and a transitional buffer deviation for the CVS at Patterson and Lauderdale.
335 The staff plan before you today is a revised plan that addresses staff's comments
336 regarding additional plant material along Lauderdale Drive and the retention pond, as
337 well as an alternate plant material within a portion of the transitional buffer to the north
338 and along Patterson Avenue to accommodate existing utilities.

339

340 The transitional buffer deviation request would allow 2 light poles in an alternate
341 transitional buffer along the north property line. The alternate transitional buffer allows a
342 12-foot reduction of the required 25-foot transitional buffer with a 6-foot-tall masonry
343 wall.

344

345 Staff has suggested that the applicant provide external house-side shields to effectively
346 mitigate glare from the adjacent residential property. As of this morning, the applicant
347 has agreed to provide those.

348

349 As you know, CVS was approved with a BMP adjacent to Patterson Avenue that is
350 required to function as a dry basin except during a rain event. According to Public
351 Works, the BMP is functioning properly as a dry basin, and an erosion and sediment
352 control bond is in place to ensure that it continues to function as it should. This bond is
353 typically released once the site is stabilized according to the approved plan and the
354 BMP is certified by the engineer.

355

356 Should the Commission approve the applicant's request for a transitional buffer
357 deviation, staff recommends approval of LP/POD-30-08, subject to the annotations on
358 the plans and the standard conditions for landscape and lighting plans.

359

360 Brian McNeal and Christina Willis with Rebkee and David Ellington with Kimley-Horn
361 are available to answer any questions you may have.

362
363 Mr. Vanarsdall - Any questions for Mr. Garrison by Commission members?

364
365 Mrs. Jones - I have just a couple if no one else does.

366
367 Mr. Vanarsdall - Fire away.

368
369 Mrs. Jones - Okay. Good morning, Mr. Garrison. We've been a long way
370 with this case. I did want to just have you mention on the record about the landscaping,
371 the remaining landscaping at the basin.

372
373 Mr. Garrison - Yes. The remaining landscaping is right in here. These trees
374 right along in here have not been installed as of today due to water being in the pond. It
375 was acting as a sediment basin. Once the site is stabilized, it turns over to a dry BMP
376 basically.

377
378 Mrs. Jones - So installation will be done once that has worked its way to
379 some level of dryness?

380
381 Mr. Garrison - Yes, and we have a bond in place. The applicant has
382 requested a temporary CO, and in order to grant that temporary CO, we take out a bond
383 for the remaining deficient landscaping.

384
385 Mrs. Jones - The temporary CO that's in place right now is a 90-day?

386
387 Mr. Garrison - Yes, ma'am.

388
389 Mrs. Jones - Okay. The other Commissioners should know if you've been
390 by the CVS, this is an extremely large basin which has been in process to get it up and
391 running as it should. Even last week there was continued re-grading and flushing out of
392 the outfall so that it would work properly. This is a very, very challenging site so some of
393 the remaining landscaping can't be put in right now. But it will be and the bond is in
394 place, correct?

395
396 Mr. Garrison - Yes, ma'am.

397
398 Mrs. Jones - Okay. The bond also is in place for the actual functioning of
399 the basin?

400
401 Mr. Garrison - Yes, ma'am.

402
403 Mrs. Jones - Okay. There has been a perfect storm of issues with this
404 case through no one's fault, but it's just happened. We have had some complaints
405 about trash along Careybook. Can you just update me on that?

406
407 Mr. Garrison - As of yesterday, the trash was removed. I believe you're
408 referring to the area over here in the wetlands.
409
410 Mrs. Jones - Correct.
411
412 Mr. Garrison - It was removed, I believe, by Wilton Company.
413
414 Mrs. Jones - The owner of the property?
415
416 Mr. Garrison - The owner of the property.
417
418 Mrs. Jones - Okay. I know that a number of the installations on this site
419 were done by the applicant at their own risk because the timing was such that they
420 wished to open prior to the approvals being in place.
421
422 Mr. Garrison - Yes, ma'am.
423
424 Mrs. Jones - While I suggest this isn't a good long-term approach to the
425 development process, here we are, and I guess they've met all of staff's concerns at
426 this point. Correct?
427
428 Mr. Garrison - Yes.
429
430 Mrs. Jones - Okay. The neighborhood entrance column, the other
431 Commissioners need to know that in this case we also have a hit-and-run involved.
432 There was an entry column to the neighborhood for which the sidewalk was specially
433 designed to accommodate. Then, in December it was demolished by a hit-and-run
434 accident which cannot be traced to anyone except a Volvo owner because the grill was
435 left on site. If there is anything that could happen in this case, I think it's happened. The
436 entry column is not going to be put back at the moment, but that's another little glitch. I
437 do want to ask whether you have Mr. Gibbons' e-mail. I'll ask the applicant about asking
438 CVS to potentially put some money into replacement, if requested.
439
440 Mr. Garrison - I do have that e-mail, and I can put that in the file.
441
442 Mrs. Jones - Okay, if you would do that, please. All right. The only other
443 thing that I need to confirm with you on the record is the big recycle bin, which we
444 discussed this morning. Could you go ahead and just touch on that briefly?
445
446 Mr. Garrison - Sure. The recycle bin was not approved with the POD. A
447 dumpster was approved with the POD, and it had to be enclosed. The recycle bin is not
448 in the enclosure, therefore, it would have to be removed or the POD amended to show
449 an additional dumpster in place.
450

451 Mrs. Jones - And as of our conversation this morning, the applicant has
452 agreed that it will be removed, correct?
453
454 Mr. Garrison - Yes, ma'am.
455
456 Mrs. Jones - Thank you. Those are the points I wanted to touch on. I
457 would like to hear from the applicant.
458
459 Mr. Vanarsdall - Absolutely. Good morning.
460
461 Mr. McNeal - Good morning. I'm Brian McNeal with the Rebkee Company,
462 developer for CVS.
463
464 Mrs. Jones - Good morning, Brian. We're here. Yea! This has been a
465 long, drawn-out process. It's been several years since the project first was proposed, so
466 I'm sure you and others are very happy to be close to the end. Would you just tell us for
467 purposes of the other Commissioners what your timing is? You are already open,
468 correct?
469
470 Mr. McNeal - Yes. We opened this past Sunday.
471
472 Mrs. Jones - How's business been?
473
474 Mr. McNeal - It's been very good so far.
475
476 Mrs. Jones - I know; I was being chased around the parking lot for a
477 parking space. This is not the usual order of things. I'd just like to suggest that in the
478 future we all keep in mind that timing and deadlines are pretty set, and it works really
479 well when we work within them. I'll leave that to you. I think Rebkee, CVS, and the
480 County will probably be doing business for a long time together; I hope so. We need to
481 cooperate on that so we don't have tugs and pulls of timing. I wanted to just ask you to
482 confirm our arrangement about the shields on the light poles. It's very important to me
483 being in such close proximity to residential. You confirm that you are willing to install
484 the 4 light poles with shields to reduce the glare?
485
486 Mr. McNeal - Yes, four shields will be installed on those light poles that are
487 adjacent to the screen wall.
488
489 Mrs. Jones - And could you confirm that the recycle bin will be taken
490 away?
491
492 Mr. McNeal - The recycle bin was delivered in error and is scheduled to be
493 removed, and I will confirm back to both you and Greg.
494

495 Mrs. Jones - Okay. The basin has been a challenge. This is a hugely
496 challenging site. I appreciate your continually working with that. Has the final grading
497 and flushing been done?
498

499 Mr. McNeal - It has not. We need it to dry out a little bit so we can get the
500 topography to know exactly what needs to be graded so it is installed per plan. As soon
501 as that happens, we'll do that grading, the final flush, and then begin the stabilization.
502 Instead of putting just seed and straw down, we're going to put seed, straw, and matting
503 down so it actually stays in place and has a better chance of germinating during the
504 summer months.
505

506 Mrs. Jones - Because of the conditions right now, when do you expect
507 that might be done, given the fact that it will dry out here over the next—you know—?
508

509 Mr. McNeal - I would say approximately a week with continued dry
510 weather. We just lose a little bit of time every time we get some rain. It has dried out
511 substantially since we removed the sediment blockage in the VDOT stormwater pipe
512 there. Hopefully within a week.
513

514 Mrs. Jones - Okay. I really appreciate the fact that you've created a very
515 attractive site. With all of the problems we've been having, I don't want to overlook the
516 fact that you've created visually a very nice site. You've created, hopefully, a very
517 successful enterprise and a real complement to the area and the community. I think
518 that once the basin is all done and landscaping in place, it will be attractive at a visible
519 corner. Okay. I don't have any other questions for you because we've covered it, I
520 think. But I wish you well.
521

522 Mr. Vanarsdall - Anyone else have any questions?
523

524 Mr. Jernigan - I have a question for you.
525

526 Mrs. Jones - Yes.
527

528 Mr. Jernigan - Did you have rain?
529

530 Mrs. Jones - Did we have rain? Yes, we did.
531

532 Mr. Jernigan - I think I got slighted again. We didn't get any.
533

534 Mrs. Jones - It wasn't enough to write home about, but yes, we had rain,
535 yes, we did. All right. Thank you. All righty. If there's nothing else, I'll proceed with a
536 motion, Mr. Chairman.
537

538 Mr. Vanarsdall - Yes, ma'am, thank you.
539

540 Mrs. Jones - All right. I move that LP/POD-30-08, for POD2010-00178
541 and POD2010-00179. This is the landscape and lighting plan. Let's stop there. Should I
542 do a transitional buffer deviation first or can I do them together?

543
544 Mr. Emerson - You can do them together.

545
546 Mrs. Jones - Okay. Then I'll continue with my motion, that the landscape
547 and lighting plan, and the transitional buffer deviation be approved. This is subject to all
548 of the annotations on the plan and standard conditions for landscape and lighting plans.

549
550 Mr. Jernigan - Second.

551
552 Mr. Vanarsdall - Motion by Mrs. Jones, seconded by Mr. Jernigan. All in
553 favor say aye. All opposed say no. The ayes have it; the motion passes.

554
555 The Planning Commission approved the landscape and lighting plan and the transitional
556 buffer deviation for LP/POD-30-08, CVS Pharmacy #1991, subject to the standard
557 conditions attached to these minutes for landscape and lighting plans.

558
559 Mr. Vanarsdall - Before you go to the next one, I want to thank Mr. Archer for
560 sitting in for me last meeting. One thing about the arrangements of our Commission,
561 the Vice Chairman is just as good as the Chairman, so you never miss the Chairman.
562 Thank you, Mr. Archer.

563
564 Mr. Archer - Thank you for that compliment, Mr. Chairman.

565
566 Mr. Vanarsdall - You're welcome, sir.

567
568

569 **PLAN OF DEVELOPMENT – CHESAPEAKE BAY RESOURCE PROTECTION AREA**
570 **EXCEPTION**

571

F-130
Strawberry Hill Sewer
Pumping Station Master
Plan – 4800 Vawter
Avenue
Chesapeake Bay
Resource Protection Area
Exception

Greeley and Hansen, LLC for the County of Henrico Department of Public Utilities: Request for approval of a Chesapeake Bay Resource Protection Area Exception as required by Chapter 24, Sections 106.3(L) and 106.3(F) of the Henrico County Code. The exception would allow proposed public utility buildings and structures to encroach within the seaward 50-feet of the required 100-foot wide Resource Protection Area (RPA), a component of a Chesapeake Bay Preservation Area, adjacent to an unnamed tributary of the Chickahominy River in the Horse Swamp Creek Watershed. The exception would permit implementation of the Strawberry Hill Sewer Pumping Station Master Plan, which provides for the construction of a 5,806 square foot one-story standby power generator building, a wet weather flow equalization pipe with a maximum diameter of 108 inches, a 4,000 square foot one-story sewer tank pump station and odor control building, and two 16,500 square foot (6 million gallon) sewer wet weather flow equalization storage tanks, as well as related site improvements. The 21.1-acre site is located along the western line of Vawter Avenue, approximately 4,500 feet north of Laburnum Avenue, at 4800 Vawter Avenue, on parcel 799-742-8166. The zoning is M-2, General Industrial District and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

572

573 Mr. Vanarsdall - Is anyone in the audience in opposition to this case? No
574 opposition. Good morning, Mr. Kennedy, Mr. Perry.

575

576 Mr. Perry - Good morning, Mr. Chairman.

577

578 Mr. Vanarsdall - Glad to have you as a guest.

579

580 Mr. Perry - It's always a pleasure to be here. The Henrico County Code
581 provides for the establishment of a Resource Protection Area adjacent to perennial
582 streams and related water resources to provide for the removal and the reduction of
583 sediments, nutrients, and other unnatural substances in the runoff entering the
584 Chesapeake Bay or its tributaries. An RPA is a vegetated buffer 100 feet in width
585 located adjacent to and landward of a designated tributary. The Code permits the
586 Director of Public Works to review and approve certain exceptions within the landward
587 50 feet of the required RPA buffer subject to several specific conditions. However,
588 where the proposed encroachment into the RPA would exceed that 50 feet and be in
589 the seaward 50 feet, the Code requires that these encroachments be reviewed and may

590 be granted by the Planning Commission if they find, a) the exception would not confer a
591 special privilege denied to similarly situated property owners; b) the exception is not
592 based on conditions that are self-created; c) the exception is the minimum necessary to
593 afford relief; d) the exception is in keeping with the intent of the Code and is not of
594 substantial detriment to water quality; and e) that the Planning Commission has
595 imposed reasonable conditions to the exception which will prevent degradation of water
596 quality.

597
598 The existing Strawberry Hill Sanitary Sewer Pumping Station was acquired by the
599 Department of Public Utilities from the City of Richmond in 1977, prior to the adoption of
600 the provisions of the Henrico County Code regarding the Chesapeake Bay Protection
601 Area. The pump station is located in the lowest point within the sewer shed in order to
602 have the greatest service area. All the wastewater from the western portion of Henrico
603 County is routed through the Strawberry Hill Pump Station. The proposed generator
604 building would provide triple redundancy to power the pump station. The pump station is
605 currently served by redundant Virginia Dominion Power connections; however, both
606 connections were knocked out of service during Hurricane Isabel in 2003 and tropical
607 storm Gaston in 2004, resulting in a sanitary sewer discharge into the abutting stream.
608 The Department of Public Utilities has proposed an on-site generator building as a
609 backup power supply when both Virginia Power feeds are out of service. The
610 Department of Public Utilities indicates there are no other suitable locations for these
611 facilities at the Strawberry Hill Pump Station. These facilities would reduce the potential
612 for discharges of untreated sewage into the adjoining stream. Subsequently, their
613 construction may improve, rather than degrade, downstream water quality.

614
615 Upon review of the proposed provisions of Section 24-106.3 of the Zoning Ordinance,
616 the Department of Public Works recommends the Planning Commission approve the
617 proposed encroachments into the RPA, provided that all appropriate non-forested areas
618 on the site are reforested as part of the pump station improvements. These areas will be
619 identified during the administrative plan of development review process. Should the
620 Commission act on this request, staff recommends approval of this exception subject to
621 the following condition, which is, the applicant shall include a reforestation plan as a
622 component of the Plan of Development for administrative approval.

623
624 Do you have any questions?

625
626 Mr. Vanarsdall - Any questions for Mr. Perry?

627
628 Mr. Archer - Mr. Perry, I just have one question. What you read a few
629 minutes ago—"provided all appropriate non-forested areas on the site are reforested"—
630 Should that be non-forested, should that indicate something that there was forestation
631 and we took it out and have to put it back, or is that talking about putting forestation in
632 an area that doesn't have any now? Because it does say non-forested areas.

633
634 Mr. Perry - When we review, it will be both. There is a provision within
635 the Code that if something is not vegetated or forested now—

636

637 Mr. Archer - We can do it.

638

639 Mr. Perry - —they should put it back.

640

641 Mr. Archer - Okay.

642

643 Mr. Perry - So basically, you'd be enhancing that as well as going back
644 and putting back areas that you had removed.

645

646 Mr. Archer - That was a little confusing when I first read it.

647

648 Mrs. Jones - I have a question. In the standards by which the Planning
649 Commission must judge this request, these four points, [inaudible] that this request
650 meets those standards that we are to approve?

651

652 Mr. Perry - We do. We have a very rigorous test. When this plan first
653 came through, we rejected it, Public Works. We needed more information. Public
654 Utilities was able to show us where they had a force main underground, where they
655 basically had infrastructure where we couldn't move the facility out of the RPA. I think
656 the Planning Commission basically hears very, very few of these cases. As a matter of
657 fact, I'd say maybe the fewest in the State because we have such a rigorous review that
658 you have to go through to ensure that you have to be in the RPA. That includes not just
659 seaward but also a landward RPA, and there are probably some engineers here that
660 could attest to that.

661

662 Mrs. Jones - It's a high standard, I'm sure. Whether or not this could be
663 granted to a similarly-situated property owner—and those kinds of standards always
664 seem so vague to me—that I'm not sure that it wouldn't be granted at times.

665

666 Mr. Perry - Yes. In a case like this where it's a utility, public works,
667 basically a pump station, there are really not too many similar cases out there, but we
668 would apply that to all pump stations, the same standard.

669

670 Mr. Branin - Mrs. Jones, I don't think any of the neighbors are going to
671 say if we don't get this addition we're going to be pumping raw sewage into a creek.

672

673 Mrs. Jones - I don't think so either, but I take my standards very seriously.

674

675 Mr. Kaechele - Mr. Perry, just to understand this operation a little bit. The
676 storage tanks, how tall are they?

677

678 Mr. Perry - I probably have someone here from Utilities that could
679 actually tell me how tall those things are.

680

681 Mr. Kaechele - Huge tanks.

682
683 Mr. Perry - Very big tanks.
684
685 Mr. Kaechele - They contain raw sewage during wet weather? You pump it
686 in there?
687
688 Mr. Perry - Right. I guess when power goes out when we've had big
689 storms. Yes, there's raw sewage in there.
690
691 Mr. Kaechele - And are they empty most of the time?
692
693 Mr. Perry - Well, if you want me to help with that. I'm sorry; I'm not the
694 expert on that.
695
696 Mr. Claytor - Good morning, Mr. Chairman, members of the Commission.
697 I'm Ralph Claytor with Public Utilities. The wet-weather element, the tanks, is a newer
698 technology that we've employed in a couple other locations. In the event that we lost all
699 power or the wet weather creates flows that exceed the capacity of the downstream
700 sewer system, the excess flow would be diverted into these tanks. When the rainfall
701 abates and we regain capacity, we would empty the tanks and clean them out. The
702 tanks I would expect would be concrete tanks, given what we've built at other sites.
703 They look pretty much like a water tank, actually. Sidewall height would be on the order
704 of 40 feet, so they should fall within the elevation requirements without need for a height
705 exception. We would have odor control on the facilities so that it would minimize the
706 potential for odor associated with it.
707
708 Mr. Kaechele - But they're dry mostly during the year, and you clean them
709 out after each time they're used?
710
711 Mr. Claytor - That's correct.
712
713 Mr. Kaechele - Okay. Thank you.
714
715 Mr. Jernigan - I have a question. We'd still keep the 4 ponds that we have
716 plus the tanks?
717
718 Mr. Claytor - That's correct. The open basins are an older technology, but
719 we'd still need the storage that they afford.
720
721 Mr. Vanarsdall - Thank you. Any more questions? Thank you, Mr. Perry.
722 Nice to see you again. Mr. Archer?
723
724 Mr. Archer - Okay, Mr. Chairman. In the specific conditions listed in the
725 proposal, the second paragraph, delineated as A through E have been met, I move that
726 F-130 Chesapeake Resource Protection Area Exception be approved.
727

728 Mr. Jernigan - Second, Mr. Chairman.
729
730 Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Jernigan. All in favor
731 say aye. All opposed say no. The ayes have it; the motion passes.
732

733 The Planning Commission approved the Chesapeake Bay Resource Protection Area
734 Exception for F-130, Strawberry Hill Sewer Pumping Station Master Plan - Chesapeake
735 Resource Protection Area Exception subject to the following condition:
736

737 1. The applicant shall include a reforestation plan as a component of the plan of
738 development for administrative approval.
739

740 **PLAN OF DEVELOPMENT**
741

742
743 **POD-011-10 E.D. Lewis and Associates, P.C. for Patterson**
744 **POD2010-00082 Investments, Inc. and IC, LLC:** Request for approval of a
745 **Inglenook Cottages** plan of development, as required by Chapter 24, Section
746 **(Formerly Maybeury) –** 24-106 of the Henrico County Code, to construct 30
747 **9301 Patterson Avenue** detached dwellings for sale with zero lot lines. The 6.06-
748 **(State Route 6)** acre site is located at the southeast corner of Patterson
749 **748-741-8046.** Avenue (State Route 6) and Maybeury Drive, on parcel
750 **The zoning is R-5AC, General Residential** District (Conditional). County water and sewer.
751 **(Tuckahoe)**

742
743 Mr. Vanarsdall - Is anyone in the audience in opposition to this case, POD-
744 11-10, Inglenook Cottages (Formerly Maybeury)? On a sad note, one of the teachers
745 who would be teaching this September at the school was killed in a boating accident at
746 25 years old.
747

748 Mrs. Jones - Mr. Chairman, she was a teacher at Longan.
749

750 Mr. Vanarsdall - Oh, okay. Excuse me.
751

752 Mrs. Jones - But it was a very—
753

754 Mr. Vanarsdall - It has no bearing on the case, I just thought I'd—
755

756 Mrs. Jones - Well, it was very sad.
757

758 Mr. Emerson - I think you may have that confused with one of the students
759 from University of Richmond that was killed. I believe I read that one of those, they had
760 been a student teacher at Maybeury and that may be where you're confused.
761

762 Mrs. Jones - That is true.
763

764 Mr. Vanarsdall - They had 2 boating accidents. They were killed in an
765 automobile, weren't they?

766
767 Mr. Emerson - They were, yes, sir.

768
769 Mr. Vanarsdall - Thank you. Mr. Wilhite?

770
771 Mr. Wilhite - Good morning. The packet of plans just handed out to you
772 includes an overall plan. The only revision here is the location of the free-standing
773 garages has been adjusted to meet the requirements that they all be in the rear yards;
774 some of them were encroaching into the side yards. There are also some revised
775 architectural elevations that are included in there.

776
777 The site plan for this project conforms to the zoning exhibit and also the conditional
778 subdivision that was approved. There are 30 lots being proposed for this POD. The
779 POD includes a sidewalk along the south side of the entrance drive from Maybeury,
780 wraps around both cul-de-sacs, and would connect with the pedestrian access to the Y
781 at the eastern end of the property. A minimum of 10-foot landscape buffers are included
782 along Patterson Avenue and Maybeury Drive and along the southern property line next
783 to Maybeury Elementary School. The easement crossings through these buffers have
784 been minimized as much as possible. They're all crossing perpendicular in about 5
785 places. Fences are going to be provided along Patterson Avenue, a 42-inch-high picket
786 fence. Along the southern property line, a 6-foot-high board fence will be provided.
787 These are in keeping with the proffered conditions.

788
789 The plan does meet the proposed road improvement requirements. There will be a turn
790 lane along Maybeury Drive leading to Patterson Avenue. I would note that we've
791 recently approved a plan for Maybeury Elementary School to add a second entrance
792 into the site and also to stripe Maybeury Drive for a left turn lane into the school site.
793 Remaining improvements that were required will be done with the POD for Inglenook.

794
795 Landscaping and lighting would be required to come back to the Planning Commission
796 for approval in the future. The architectural plans have been revised for this project. I
797 have included 4 revised elevations. Basically the style is the same. The architectural
798 detailing on the elevations has been changed. There has been no reduction in the
799 quality of the architectural design, in staff's opinion. Color and material information has
800 been provided. The buildings are constructed primarily of cementitious siding and also
801 brick foundations. They do meet the proffered requirements.

802
803 Three basic units are being proposed. There is 1 custom unit that would be at the
804 corner of Patterson and Maybeury. This was in order to meet a narrow buildable area.
805 The basic floor area for this unit ranges from 1,530 square feet to 1,970 square feet.
806 Footprints are a little bit larger than what you saw during the rezoning case. At that time,
807 there was a proffer requirement for 1,300 minimum square feet. The new architectural
808 plans do include basement options. The original two-story garages have been removed
809 from the plans. They do now include a two-car garage option.

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855

We did have an open house on July 12, 2010, that was attended by 8 citizens. Since that time, staff has not been contacted by anybody from the neighborhood.

Staff is in a position to recommend approval of the plan with the addendum on page 1, a change in recommendation, plus modifications to 5 of the conditions. With that, I'd be happy to answer any questions that you have.

Mr. Vanarsdall - Questions for Mr. Wilhite by Commission members?

Mrs. Jones - Mr. Wilhite, we do have the VDOT comments in here, correct?

Mr. Wilhite - Yes, we do. I think the issue with VDOT was the location of the entrance off Maybeury and the closeness to Patterson Avenue. They have approved that location. That was the biggest comment they originally had.

Mr. Branin - Mr. Wilhite, may I ask a question? Condition #3—I didn't understand that one.

Mr. Wilhite - Condition 32 is a standard condition that we have used on zero lot line developments. Originally most of the time we had zero lot lines approved in the past, the common wall that sits on the lot line typically had not had any openings or windows. About 5 to 10 years ago, there was modification to this that allows it to be approved by the Building Official as long as it meets the code requirements. Originally, we had also the Director of Planning part of that as well, but we do review the architectural plans during the POD review. If we had issues then we would bring it up at that time. It's sort of redundant to have the Director of Planning in also with the building permit.

Mr. Branin - In Twin Hickory, which was prior to my time, there is a zero lot line called Parsons Walk.

Mr. Emerson - And Willows Run or Willows Bend.

Mr. Branin - Did those 2 have the same conditions?

Mr. Emerson - I believe it probably does, yes, sir.

Mr. Branin - I thought I saw windows on them.

Mrs. Jones - Mr. Branin, I questioned that as well. Windows can be approved; it's just that this requires a process. I discussed this with Mr. Wilhite. I think it may be appropriate for us to take a look at this at some point, but this is a standard condition on these.

856 Mr. Branin - I haven't yet done a zero lot line, so all the ones that are in
857 the Three Chopt District were prior to my coming on the Commission. So when I read
858 that the other night I was like...
859
860 Mrs. Jones - Yes, I agree it should be revisited.
861
862 Mr. Vanarsdall - I've seen it before, but I've never questioned it. What
863 prompted this?
864
865 Mr. Branin - What did prompt it?
866
867 Mr. Vanarsdall - Not just this case.
868
869 Mr. Wilhite - Are you talking about the change to this?
870
871 Mr. Branin - Well, no, not this case, just the general policy.
872
873 Mr. Wilhite - There was a problem with the building code allowing window
874 openings on walls sitting on a property line. I believe it's a Fire issue. So they actually
875 have to get approval from the Building Official in order to allow windows in these walls. I
876 think if you go back to the earlier zero lot line units we've done, it's more typical to see
877 those walls actually be blank without any openings on them. Today, you will probably
878 see more window openings along zero lot line walls than you've had in the past. But in
879 order to get that approved, they do have to have special approval from the Building
880 Inspections office.
881
882 Mr. Branin - Is that correct, Mr. Secretary, that it was a Fire issue?
883
884 Mr. Emerson - I believe that's correct. That's the way I understood it.
885
886 Mr. Branin - Really.
887
888 Mr. Emerson - Yes, sir. We can dig it into a little more and advise you, but I
889 believe that's correct. Windows can be approved; it's just an exception process you
890 have to go through.
891
892 Mr. Jernigan - If the buildings are 20-plus feet away from the next structure,
893 you can have the window on the side.
894
895 Mr. Wilhite - I don't know what the distance requirement is. Ever since we
896 started using this condition, I don't recall any issues with actually getting windows
897 installed in these walls. And the requirement is a minimum of 20 feet on zero lot lines
898 from the next unit over.
899
900 Mr. Jernigan - The reason they put this in is because is you have a
901 tremendous fire, you always see the flames coming out [inaudible], protruding out. With

902 a zero lot line where the houses are so close together, the flames would leap to the
903 adjoining structure.

904

905 Mr. Vanarsdall - I have a question for you. In what part of the code did you
906 read that?

907

908 Mr. Jernigan - Well, on the 20 feet?

909

910 Mr. Vanarsdall - On the flames.

911

912 Mr. Jernigan - I had a case some years ago, and it was explained to me.

913

914 Mr. Emerson - We can check with the Building Official and have that
915 clarified.

916

917 Mr. Jernigan - I think that's what they told me and that's the reason. But if it
918 was 20 feet or farther, I don't think it's [inaudible] less than 20 feet.

919

920 Mr. Emerson - Right. We haven't had any trouble with the widow approvals
921 to my knowledge.

922

923 Mr. Jernigan - If you have a solid wall there it encases the flame.

924

925 Mr. Branin - Mrs. Jones, I'm sorry to throw you into this. I've never had
926 one, and when I saw it I was like what is this about.

927

928 Mrs. Jones - I questioned it as well. I think we'll discuss it after this case
929 to see if maybe that is potentially a source of a little bit of review for the wording and this
930 kind of thing. The bottom line is these homes can have windows. It is not a problem to
931 have windows.

932

933 Mr. Vanarsdall - All right then, Mrs. Jones, there is no opposition. You don't
934 need to hear from the applicant, do you?

935

936 Mrs. Jones - I would like to just briefly, for the benefit of the other
937 Commissioners, talk to the applicant for a second. Thank you, Mr. Wilhite.

938

939 Mr. Vanarsdall - Mr. Lewis is waiting in the wing there. He's waiting to bat.

940

941 Mr. Lewis - Have to earn my keep.

942

943 Mrs. Jones - Well, you've earned your keep, I think, on this one. I think
944 traffic and drainage have been 2 of the biggest issues to this case, and the other
945 Commissioners understand that this has been a case with a lot of involvement from
946 everyone. If you can update us on the school entrance, please, that's underway right

947 now. The school entrance, the timing of that. Do you know how long it's going to take?
948 Is it several weeks still?

949
950 Mr. Lewis - Yes, ma'am. For the record, my name is Monte Lewis. I'm
951 with E. D. Lewis and Associates representing the applicant. Yes. We started Monday
952 with that work. It should take 2 to 3 weeks. Our goal is have it finished before school
953 starts, hopefully before the teachers have to return. We want to get some time so that
954 the schools and Transportation can get information out to the residents and the parents
955 so that they'll know of the new traffic pattern that they're going to encounter. We went
956 by there yesterday, and they're proceeding. It's just a small construction, so it should go
957 very quickly.

958
959 Mrs. Jones - That was going to happen, not going to happen, and now it's
960 happening. So if it's going to happen, this is the time to do it. I hope that will make a big
961 difference. Certainly, in addition to the other improvements coming down the line, it
962 should make a big difference to the traffic flow in that area.

963
964 Mr. Lewis - Yes, ma'am. I think the right turn lane is really going to be
965 what solves the problem. Originally, we were going to put in this turn lane and see if
966 that solved it and then the school was going to decide whether they wanted the access
967 or not because they just took it out 2 years ago. The decision was made higher up that
968 they wanted it now so we separated that out from our plans, and the County gave us a
969 quick review so that we could get it under construction before the summer ended.

970
971 Mrs. Jones - Okay. My other question or discussion point is the drainage.
972 There have been slight changes in that since the rezoning. There have been slight
973 changes in the underground [inaudible]. Can you just touch on that briefly?

974
975 Mr. Lewis - Yes. Because we're in the Chesapeake Bay Act area, we're
976 required to treat our runoff. We have numerous underground treatment systems, all of
977 them underground. There are 2 varieties. One of them is a filter cartridge type system;
978 the other one is what's called a Filterra, which is a tree with a biofilter in it where the
979 water goes in it, percolates through, and it looks like a tree and a grate. I think you have
980 them along the road in a development out on Staples Mill, Crossridge. I think the Filterra
981 people said they have them along that street right now. Those look pretty good. We are
982 going to pick the variety ourselves so that they don't clash with our landscape plan.
983 They give you a laundry list of plants that you can put in them. Some of them look okay
984 for a street; some of them do not. So we're going to make sure we get a street-type tree
985 in that.

986
987 As Kevin said, our home size from rezoning that you saw, we went from 1,300 square
988 feet to now our smallest unit is 1,537 square feet. Our largest is 1,969 square feet. With
989 that additional, we have to add more treatment, which we had to have the Filterra
990 systems, providing us with that treatment.

991

992 Mrs. Jones - The landscape and lighting are coming back. They are
993 critical elements to a planned community, especially with zero lot line and the rate that
994 you're going. I'm sure you understand the need to take a real hard look at that.
995

996 Mr. Lewis - Yes, ma'am.
997

998 Mrs. Jones - I appreciate your willingness to do that. I have no more
999 questions unless someone else does.
1000

1001 Mr. Kaechele - Just one. At the eastern end of Maybeury Court, is there a
1002 barrier there or just a curbing or what?
1003

1004 Mr. Lewis - That is curbing. We have that temporary turnaround for cars.
1005 We do have a sidewalk with steps that go down to the YMCA so that people can walk
1006 through and get down to the Y. Also since the rezoning, we added sidewalk along the
1007 southern end. The zoning case said we just had to have sidewalk on one side of the
1008 streets. Well, we added so it's a continual sidewalk on the southern side all the way
1009 around the cul-de-sacs all the way over to the Y. We did add that, and the construction
1010 entrance is over at the Y, which was proffered.
1011

1012 Mrs. Jones - A sales trailer will be near the Y entrance, if it's approved by
1013 the BZA?
1014

1015 Mr. Lewis - Right. We've put that in to the BZA for their consideration,
1016 the sales trailer. Once they have a presale of around 8 to 12 homes, whatever's
1017 required by the bank, then they will start construction. The sales trailer, if BZA approves,
1018 is good for 1 year. I think they can grant an exception, but once construction starts, that
1019 will be removed shortly thereafter. We have met with the YMCA throughout this
1020 process and kept them abreast of what we're doing. That portion of the land is on our
1021 property, but we have a cross-access easement with them. Once the subdivision is
1022 recorded, that portion which is in the drive is not part of the subdivision so the people
1023 are not burdened with those improvements or keeping that maintained.
1024

1025 Mrs. Jones - That makes a lot of sense.
1026

1027 Mr. Lewis - Yes, ma'am. We plan on getting the lighting plan to you fairly
1028 soon, before the landscaping plan, because we need to get those wires and conduits
1029 underground before you get to the final stages. You'll see the lighting plan first and then
1030 a landscape plan as soon as the County will let us in. I think they want to see the site
1031 cleared before—
1032

1033 Mr. Vanarsdall - Any other questions for Mr. Lewis?
1034

1035 Mr. Lewis - If I could touch on that condition that you are concerned
1036 about regarding the windows. Once you dig into it, you're probably going to find out that
1037 you can drop that from your other cases because it's required by building code. Any

1038 overhangs—we have eave overhangs that overhang the zero lot line. We have to get
1039 the same exception from the Building Official for that also. I've talked to Bolman Bowles
1040 about this, and he said that's pretty much standard with all zero lot lines.

1041
1042 Mrs. Jones - You certainly will have windows on the zero lot line side, will
1043 you not?

1044
1045 Mr. Lewis - Yes, ma'am. I think we have windows on most of the units.
1046 The one on the corner, we'll have some architectural feature on that. I'm not sure if it's a
1047 window or not, but that's one of the conditions that Kevin just added that we'll have an
1048 architectural feature on that big wall.

1049
1050 Mrs. Jones - Obviously, a blank wall has no visual appeal, and you
1051 certainly want to make these as appealing as possible.

1052
1053 Mr. Lewis - The window might be a small window because there's a
1054 bathroom on that side and for bathrooms, you want a higher window. It will be some
1055 kind of architectural feature to break up that wall.

1056
1057 Mr. Vanarsdall - Thank you for sharing that with us.

1058
1059 Mr. Lewis - Yes, sir.

1060
1061 Mr. Vanarsdall - Any other questions?

1062
1063 Mrs. Jones - As my fellow Commissioners and everyone who has been
1064 here for all of these proceedings know, this has come a long way. There has been a lot
1065 of emotion surrounding this case. The proposed development, the feeling about it was
1066 intense. Mr. Wilhite? I thought you had something to add, and I didn't want to proceed
1067 unless we heard what it was. There were many concerns. The neighborhood had many
1068 concerns throughout this rezoning and POD process, and all those frustrations were
1069 very real. I think it's a compliment to the neighbors and certainly to the developer and
1070 hopefully to the Planning Department that we are at this point.

1071
1072 It has proceeded, this plan of development, as required. The open house may not have
1073 had a lot of folks attending, but I think the attention paid to the case worked out many,
1074 many, many issues through the rezoning process so that the POD was a little bit
1075 smoother. I really feel I am satisfied that at the end of the day this is going to be a
1076 neighborhood that will be a complement to this Maybeury area, certainly to the
1077 Tuckahoe District and the County. I expect a high quality of construction. I expect a high
1078 quality of layout. I expect that it will be a plus for all concerned; otherwise, I wouldn't
1079 recommend it for approval.

1080
1081 I do want to thank the neighbors for their involvement. This has been, as I said,
1082 frustrating at times but, hopefully in the end, rewarding because they've made it a better
1083 case than it would have been otherwise.

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I do want to thank Kevin for his patience with me and work on this POD. I really do look forward to the landscape and lighting plans because I think bringing this project to fruition will be a rewarding process. So, I just want to thank everyone for their help.

I'm going to put forward a motion. I move approval of POD-011-10, POD2010-00082, Inglenook Cottages (Formerly Maybeury).

Mr. Branin - Second.

Mrs. Jones - I'm not finished. I would like to move for approval with annotations on the plan, standard conditions for developments of this type, the following additional Conditions #9 and #11 amended, #29 and #30 on the agenda, Conditions #31, #32, #33, #34, and #35 as revised on the addendum, and conditions #36 through #42 as listed on the agenda. I'm finished.

Mr. Branin - Second.

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

The Planning Commission approved POD-011-10, Inglenook Cottages (Formerly Maybeury), subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

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.
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.
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 buildable area shown on the approved plan. Any deviation in buildable area 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 during the building permit application process.

- 1130 33. The subdivision plat for Inglenook Cottages shall be recorded before any building
1131 permits are issued.
- 1132 34. The road improvements and drainage facilities on Patterson Avenue (State
1133 Route 6) shall be approved by the Virginia Department of Transportation and the
1134 County.
- 1135 35. Evidence certifying that the requirements of the Virginia Department of
1136 Transportation Land Use permit have been completed, shall be submitted to the
1137 Department of Planning prior to any occupancy permits being issued.
- 1138 36. A concrete sidewalk meeting County standards shall be provided along the east
1139 side of Maybeury Drive.
- 1140 37. The proffers approved as a part of zoning case C-30C-09 shall be incorporated in
1141 this approval.
- 1142 38. A note in bold lettering shall be provided on the erosion control plan indicating
1143 that sediment basins or traps located within buildable areas or building pads shall
1144 be reclaimed with engineered fill. All materials shall be deposited and
1145 compacted in accordance with the applicable sections of the state building code
1146 and geotechnical guidelines established by the engineer. An engineer's report
1147 certifying the suitability of the fill materials and its compaction shall be submitted
1148 for review and approval by the Director of Planning and Director of Public Works
1149 and the Building Official prior to the issuance of any building permit(s) on the
1150 affected sites.
- 1151 39. The pavement shall be of an SM-2A type and shall be constructed in accordance
1152 with County standard and specifications. The developer shall post a defect bond
1153 for all pavement with the Department of Planning - the exact type, amount and
1154 implementation shall be determined by the Director of Planning, to protect the
1155 interest of the members of the Homeowners Association. The defect bond shall
1156 remain in effect for a period of three years from the date of the issuance of the
1157 final occupancy permit. Prior to the issuance of the last Certificate of Occupancy,
1158 a professional engineer must certify that the roads have been designed and
1159 constructed in accordance with County standards.
- 1160 40. Approval of the construction plans by the Department of Public Works does not
1161 establish the curb and gutter elevations along the Henrico County maintained
1162 right-of-way. The elevations will be set by Henrico County.
- 1163 41. The owners shall not begin clearing of the site until the following conditions have
1164 been met:
- 1165 (a) The site engineer shall conspicuously illustrate on the plan of development
1166 or subdivision construction plan and the Erosion and Sediment Control
1167 Plan, the limits of the areas to be cleared and the methods of protecting
1168 the required buffer areas. The location of utility lines, drainage structures
1169 and easements shall be shown.
- 1170 (b) After the Erosion and Sediment Control Plan has been approved but prior
1171 to any clearing or grading operations of the site, the owner shall have the
1172 limits of clearing delineated with approved methods such as flagging, silt
1173 fencing or temporary fencing.
- 1174 (c) The site engineer shall certify in writing to the owner that the limits of
1175 clearing have been staked in accordance with the approved plans. A copy

1176 of this letter shall be sent to the Department of Planning and the
 1177 Department of Public Works.
 1178 (d) The owner shall be responsible for the protection of the buffer areas and
 1179 for replanting and/or supplemental planting and other necessary
 1180 improvements to the buffer as may be appropriate or required to correct
 1181 problems. The details shall be included on the landscape plans for
 1182 approval.
 1183 42. The location of all existing and proposed utility and mechanical equipment
 1184 (including HVAC units, electric meters, junction and accessory boxes,
 1185 transformers, and generators) shall be identified on the landscape plans. All
 1186 equipment shall be screened by such measures as determined appropriate by
 1187 the Director of Planning or the Planning Commission at the time of plan approval.
 1188
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 1190

SUBDIVISION

SUB-10-09
 SUB2010-00102
 Oakleys Chase
 (June 2009 Plan)
 Reconsideration of stub
 streets and lot layout

Balzer and Associates, Inc. for Edward E. Jr. and Steven N. West, EJD Associates, Inc., and Gelletly and Associates, Inc.: Request for reconsideration of Oakleys Chase (June 2009 Plan). The original 107.55-acre site is located at the southeast intersection of S. Laburnum Avenue and Thornhurst Street and on the south line of Colwyck Drive, approximately 150 feet west of Gretna Court. The revised conditional subdivision plat would remove 2 stub streets, add 1 lot, and add a common area access strip. The affected blocks are located on parcels 813-720-2876, 813-721-9111, 815-721-0244, and 6748. The zoning is C-1, Conservation District, M-1, Light Industrial District, R-3C, One-Family Residence District, and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield) 146 Lots**

1191
 1192 Mr. Vanarsdall - Is anyone in the audience in opposition to SUB-10-09,
 1193 Oakleys Chase (June 2009 Plan)? No opposition.
 1194

1195 Mr. Pambid - Good morning. As Mr. Emerson said, included in your
 1196 addendum is a revised layout that shows Section 1 as reviewed and the locations of the
 1197 utility lines as reviewed by the Department of Public Utilities. The annotations and
 1198 comments from the original staff plan in your packet still apply.
 1199

1200 A reconsideration of the subdivision lot layout is requested to delete 2 stub streets
 1201 connected with Orinda Drive and Dalglish Road. These 2 streets are existing dead-end
 1202 streets in the adjacent Hechler Village subdivision to the west. Those connections are
 1203 shown here and here. To make these connections would require temporary construction
 1204 easements from those homeowners, and physically it would interfere vertically with the
 1205 driveway connections of those properties. The sewer line cannot bear the weight of
 1206 anymore fill. The removal of the stub streets also impacts common area accessibility to

1207 the west, and all of these areas behind these lots here will ultimately be dedicated as
1208 common area.

1209

1210 In order to compensate for the loss of the access provided by the stubs, a 20-foot-wide
1211 common area access strip has been provided, and it also enables 1 additional lot to be
1212 added to the overall layout. That common area access strip is located here between lots
1213 29 and 30.

1214

1215 The proposed Section 2 final layout showing 62 lots, which was already received prior
1216 to this reconsideration, would violate the Public Works policy limiting the number of lots
1217 on 1 point of access to 50. This section will be revised and resubmitted for final
1218 subdivision approval. Again, that will be limited to 50 until an additional access is
1219 provided by a future section. That access would also be on Oakleys Lane, and that
1220 would be provided here.

1221

1222 Staff recommends approval of this reconsideration subject to the conditions in the
1223 agenda and annotations on the plan. This concludes my presentation. I can answer any
1224 questions that you have. Brandon Sovick is also here from Balzer, and he can also
1225 address your questions.

1226

1227 Mr. Vanarsdall - Any questions by Commission members for Mr. Pambid?

1228

1229 Mr. Archer - I don't have any, Mr. Chairman; I asked all mine yesterday,
1230 but some of you other Commission members might.

1231

1232 Mr. Vanarsdall - Thank you, Mr. Pambid.

1233

1234 Mr. Pambid - You're welcome.

1235

1236 Mr. Archer - I would like to ask the Director a question, if I may.

1237

1238 Mr. Emerson - Yes, sir.

1239

1240 Mr. Archer - Do you know when and if there are going to be proposed
1241 changes to Oakleys Lane?

1242

1243 Mr. Emerson - No, sir, I don't.

1244

1245 Mr. Archer - Anything on the drawing board at all?

1246

1247 Mr. Emerson - To my knowledge there isn't anything on the drawing board.
1248 It's been discussed, as you know. We've talked about it through several different
1249 development proposals in this area, but I do not believe there are any plans for any
1250 improvements to Oakleys at this time.

1251

1252 Mr. Archer - Okay. We've been working with this for quite a while now,
1253 and we thank you so much for your diligent effort in trying to make this work. It appears
1254 that we will be able to get this to a point where it's workable. The only question that sort
1255 of lays on my mind is if there is any idea when the next section might be done that
1256 would have the additional access?

1257
1258 Mr. Pambid - Let me start with Section 1. That is this section at the
1259 intersection of basically Laburnum, and I believe that's Colwyck.

1260
1261 Mr. Archer - Thornhurst, I think.

1262
1263 Mr. Pambid - Thornhurst; excuse me. That is under review. Mr. Gelletly is
1264 very close to recordation. He owes us a landscape plan, and covenants are very close
1265 to being recorded. If everything goes according to plan, he should be able to do this, I
1266 would say, within the next 3 to 4 weeks. That's a very lengthy time, and he could
1267 probably do that sooner. Section 2, you see this heavy line here, that's not necessarily
1268 a section line; that is a property line. This 60-acre piece is actually 2 sections. As we
1269 reviewed this one prior to the reconsideration—again, I made mention of the 62 lots—
1270 following this property line would have been Section 2, and that would have contained
1271 62 lots. Again, 50 lots are the maximum. The question you asked, Mr. Archer, of when
1272 will the rest of this property be developed—I can't answer that.

1273
1274 Mr. Archer - I didn't think so.

1275
1276 Mr. Pambid - Maybe the engineer who is here from Balzer has some
1277 inside information on that. I don't believe Mr. Gelletly is here to answer directly.

1278
1279 Mr. Archer - Okay, thank you, sir.

1280
1281 Mr. Pambid - You're welcome.

1282
1283 Mr. Archer - Good morning, sir.

1284
1285 Mr. Sovick - Brandon Sovick, Balzer and Associates. We're going to do
1286 that third section as soon as possible. We'll get this second one finished up, and then
1287 the third one will be right behind it. It won't be a large period of time in between. I know
1288 that he wants to get it all done as quickly as possible.

1289
1290 Mr. Archer - And that will have its own point of access.

1291
1292 Mr. Sovick - Yes, sir.

1293
1294 Mr. Archer - That's all I needed to ask.

1295
1296 Mr. Sovick - Okay.

1297

1298 Mr. Archer - Thank you, sir. Anybody else have anything? All right. With
1299 that, Mr. Chairman, I will move for approval of SUB-10-09, SUB2010-00102, Oakleys
1300 Chase (June 2009 Plan) for reconsideration of stub streets and lot layout, subject to the
1301 revised plan, dated July 28, 2010, standard conditions for subdivisions served by public
1302 utilities, and the following additional Conditions #13 through #18.

1303

1304 Mr. Jernigan - Second.

1305

1306 Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Jernigan. All in favor
1307 say aye. All opposed say no. The ayes have it; the motion passes.

1308

1309 The Planning Commission granted conditional approval to SUB-10-09, SUB2010-
1310 00102, Oakleys Chase (June 2009 Plan), subject to the standard conditions attached to
1311 these minutes for subdivisions served by public utilities, the annotations on the plans,
1312 and the following additional conditions:

1313

1314 13. The limits and elevation of the Special Flood Hazard Area shall be conspicuously
1315 noted on the plat and construction plans and labeled "Limits of Special Flood
1316 Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width
1317 Drainage & Utilities Easement."

1318 14. Each lot shall contain at least 11,000 square feet.

1319 15. At least sixty days prior to recordation of the plat, a draft of the covenants and
1320 deed restrictions for the maintenance of the common area shall be submitted to
1321 the Department of Planning for review. Such covenants and restrictions shall be
1322 in form and substance, satisfactory to the County Attorney and shall be recorded
1323 prior to recordation of the subdivision plat.

1324 16. The proffers approved as part of zoning case C-58C-07 and C-9C-09 shall be
1325 incorporated in this approval.

1326 17. The developer shall construct an all-weather surface walkway within, and a fence
1327 and landscaping along each side of, the common area access strip between lots
1328 29 and 30 in Block B. The type, design, and other details shall be indicated on
1329 the construction plans for the approval of the Department of Planning.

1330 18. A subdivision landscape plan shall be submitted to the Department of Planning
1331 for review and approval prior to the recordation of the plat.

1332

1333 Mrs. Jones - Mr. Chairman, I'd like to just add something quickly before
1334 we move on. I don't believe that I took a moment at the end of the CVS case to thank
1335 staff and especially Greg Garrison for his help on that. I thought, you know, for the
1336 hours he has spent with me, I certainly need to acknowledge that. So I'd like to add that
1337 to your minutes.

1338

1339 Mr. Emerson - The next item on your agenda is approval of the 2011
1340 Planning Commission calendar. You did receive a calendar in your packet, and if it
1341 meets with the Commission's expectations, we would look for you to endorse it at this
1342 time.

1343

1344 Mr. Vanarsdall - I've looked at it, Mr. Secretary, and it doesn't interfere with
1345 the APA, which will be in Boston, I believe, this year.

1346
1347 Mr. Emerson - That's correct, yes, sir.

1348
1349 Mr. Vanarsdall - I like the fact that the 2 meetings are early in December. And
1350 we have no meeting in August. As far as I'm concerned, it's okay.

1351
1352 Mrs. Jones - Mr. Chairman, I'd like to raise my annual question about the
1353 August meeting. I think at this point it's become a traditional calendar issue; however, at
1354 some point in this consideration, perhaps for next year, if there is a quantifiable reason
1355 to look at the scheduling in August, I may request that we visit that issue again.

1356
1357 Mr. Vanarsdall - Do you know of any problems we've run into by not having a
1358 meeting in August? I ask that every time it comes up. We don't have any problems we
1359 know of. In fact, I just had one that was deferred until September. The Quaker Steak,
1360 we did the same thing. Do you want to approve this?

1361
1362 Mr. Emerson - Yes.

1363
1364 Mr. Archer - I move that the schedule be approved as rendered.

1365
1366 Mr. Branin - Second.

1367
1368 Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Branin. All in favor
1369 say aye. All opposed say no. The ayes have it; the motion passes.

1370
1371 Mr. Emerson - Thank you, Mr. Chairman. The next item is the consideration
1372 of approval of your June 23, 2010 minutes.

1373
1374 APPROVAL OF MINUTES: June 23, 2010

1375
1376 Mr. Vanarsdall - Anybody have any corrections?

1377
1378 Mr. Branin - I have two. Page 14, line 489. Instead of it saying "banging
1379 them," it should say, "banging the dumpsters" And on 490, instead of it saying, "them," it
1380 should say "dumpsters."

1381
1382 Mr. Vanarsdall - All right. Any other corrections? Mrs. Jones?

1383
1384 Mrs. Jones - Oh, I'm fine with them. I actually think he said "them," but
1385 that's neither here nor there.

1386
1387 Mr. Archer - But being that I was not here, I can neither refute nor
1388 approve of what he said, so—
1389

1390 Mrs. Jones - I move the minutes be adopted as corrected.
1391
1392 Mr. Archer - Second.
1393
1394 Mr. Vanarsdall - Motion by Mrs. Jones, seconded by Mr. Archer. All in favor
1395 say aye. All opposed say no. The ayes have it; the motion passes.
1396
1397 The Planning Commission approved the June 23, 2010 minutes as corrected.
1398
1399 Mr. Emerson - Mr. Chairman, staff has no further business to bring forward
1400 to the Commission today.
1401
1402 Mr. Vanarsdall - Thank you, Mr. Secretary. With no further business, the
1403 Planning Commission will adjourn.
1404
1405 The meeting is adjourned.
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1411



Mr. Ernest B. Vanarsdall, Chairman



R. Joseph Emerson, Jr., Secretary

1430

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least **48** hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **July 28, 2010**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

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

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

STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **July 28, 2010**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

SUBDIVISION - CONDITIONAL APPROVAL

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

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

9. This approval shall expire on July 27, 2011, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **July 28, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **July 27, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 28, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **July 27, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. A draft of the Declaration of Covenants, Conditions and Restrictions shall be submitted to

the Department of Planning for review, prior to final approval. The proposed Homeowners Association for the project shall be responsible for the exterior maintenance of all buildings and grounds.

13. All block corners shall be monumented and referenced, where possible, to the exterior boundaries of the site
14. The record plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of (name of subdivision) and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.

Standard Conditions for Zero Lot Line Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 28, 2010**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **July 27, 2011**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated July 28, 2010, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on July 27, 2011, 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.