Minutes of the regular monthly meeting of the Planning Commission of Henrico County held in the County Administration Building in the Government Center at Parham and Hungary Springs Roads beginning at 9:00 a.m. Wednesday, July 22, 2015.

Members Present: Mr. Robert H. Witte, Jr., Chairman (Brookland)
Mr. Tommy Branin, (Three Chopt)
Ms. Bonnie-Leigh Jones, C.P.C. (Tuckahoe)
Mr. Eric Leabough, C.P.C.,(Varina)
Ms. Jean Moore, Assistant Director of Planning
Acting Secretary
Mrs. Patricia S. O'Bannon,
Board of Supervisors' Representative

Members Absent: Mr. C. W. Archer, C.P.C., Vice-Chairman (Fairfield)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary

Others Present: Ms. Leslie A. News, PLA, Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, AICP, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Aimee B. Crady, AICP, County Planner
Mr. Paul M. Gidley, County Planner
Mr. J.T. (Tom) Tokarz, Deputy County Attorney
Ms. Sharon Smidler, Traffic Engineer
Ms. Logan Hamilton, Office Assistant/Recording Secretary

Mrs. Patricia S. O'Bannon, the Board of Supervisors' representative, abstains on all cases unless otherwise noted.

Mr. Witte - Good morning. Welcome to the July 22nd meeting of the Planning Commission. This is our Subdivisions and Plans of Development hearing. I ask that you turn off or mute your cell phones while standing with us for the Pledge of Allegiance.

We have one member absent. Mr. Archer is on vacation. We do have a quorum. And we have Mrs. O'Bannon with us as the Board of Supervisors' representative. We do have some special guests here, and we'll get them in just a minute. With that I'll turn the meeting over to Ms. Moore.

Ms. Moore - Thank you, Mr. Chairman. First on your agenda are the requests for deferrals and withdrawals for your consideration. Those will be presented by Ms. Leslie News.

Ms. News - Good morning, members of the Commission. We have four items that are requested for deferral on your agenda. The first is found on page 7 or your agenda, and is located in the Three Chopt District. This is POD2015-00094, Innsbrook Commercial at 4101 Dominion Boulevard. The applicant has requested a deferral to the September 23, 2015 meeting.

(Deferred from the June 24, 2015 Meeting)
PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2015-00094 Innsbrook Commercial at 4101 Dominion Blvd – 4101 Dominion Blvd	**Timmons Group for Doswell Properties, Inc. and Dominion GA, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing one-story retail building, and construct a one-story 14,610 square foot building containing 4,200 square feet of medical office, 3,400 square feet of retail, and 7,010 square feet of restaurant with one drive-through facility. The 2.37-acre site is located at the northeast corner of the intersection of W. Broad Street and Dominion Blvd., on parcel 747-760-6472. The zoning is B-2C, Business District. County water and sewer. **(Three Chopt)**

Mr. Witte - Is there anyone in opposition to the deferral of POD2015-00094, Innsbrook Commercial at 4101 Dominion Boulevard? I see none.

Mr. Branin - Mr. Chairman, I'd like to move that POD2015-00094, Innsbrook Commercial at 4101 Dominion Boulevard, be deferred to the September 23rd meeting per the applicant's request.

Ms. Jones - Second.

Mr. Witte - We have a motion by Mr. Branin, a second by Mrs. Jones. All in favor say aye. All opposed? The motion passes.

At the request of the applicant, the Planning Commission deferred POD2015-00094, Innsbrook Commercial at 4101 Dominion Boulevard, to its September 23, 2015 meeting.

Ms. News - The next item is on page 11 of your agenda and is located in the Fairfield District. This is POD2015-00111, Our Store Furniture Store. The applicant has requested a deferral to the September 23, 2015 meeting.

(Deferred from the June 24, 2015 Meeting)

PLAN OF DEVELOPMENT

POD2015-00111 Our Store Furniture Store – 837 Azalea Avenue	**Advanced Engineering, LLC for S & L Creative Visions, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 1,238 square foot furniture showroom building. The 0.303 acre site is located along the southern line of Azalea Avenue at its intersection with Crenshaw Avenue, at the City-County Boundary line on parcels 788-744-0451and 788-744-1549. The zoning is B-2 Business District. County water and sewer. **(Fairfield)**

Mr. Witte - Is there any opposition to the deferral of POD2015-00111, Our Store Furniture Store? I see none.

Mr. Leabough - Mr. Chairman, I move that POD2015-00111, Our Store Furniture Store, be deferred at the applicant's request to the September 23rd meeting.

Mr. Branin - Second.

Mr. Witte - We have a motion by Mr. Leabough, a second by Mr. Branin. All in favor say aye. All opposed? The motion passes.

At the request of the applicant, the Planning Commission deferred POD2015-00111, Our Store Furniture Store, to its September 23, 2015 meeting.

Ms. News - Next on page 17 of your agenda and located in the Fairfield District is POD2015-00227, Dollar General at 200 Azalea Avenue. The applicant has requested a deferral to the August 13, 2015 meeting, which is your Zoning meeting.

PLAN OF DEVELOPMENT

POD2015-00227 Dollar General at 200 Azalea Avenue – 200 Azalea Avenue	**Highmark Engineering, LLC and/or for Dreamlen Company, LLC, and Par 3 Development Group, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 9,459 square foot retail building. The 2.09 - acre site is located on the northwest corner at the intersection of Azalea Avenue and Wilkinson Road, on parcel 794-745-2416. The zoning is B-1C Business District (Conditional) and ASO Airport Safety Overlay District. County water and sewer. **(Fairfield)**

Mr. Witte - Is there anyone in opposition to the deferral of POD2015-00227, Dollar General at 200 Azalea Avenue? I see none.

Mr. Leabough - Mr. Chairman, I move that POD2015-00227, Dollar General at 200 Azalea Avenue, be deferred at the applicant's request to the August 13th meeting.

Mr. Witte - Second. We have a motion by Mr. Leabough, a second by Mr. Witte. All in favor say aye. All opposed? The motion passes.

At the request of the applicant, the Planning Commission deferred POD2015-00227, Dollar General at 200 Azalea Avenue, to its August 13, 2015 meeting.

Ms. News - Next on page 19 of your agenda and located in Brookland District is SUB2015-00092, Emerson Residence. This is an alternative fence height request. This is a deferral request by the Planning Commission to August 13, 2015.

ALTERNATIVE FENCE HEIGHT PLAN

SUB2015-00092 Emerson Residence – Greendale Forest – 6613 Fernwood Street	**Joann Emerson:** Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-106, 24-95 (l)(7)(b) and 24-106.2 of the Henrico County Code, to allow a 6 foot tall fence to encroach 24 feet into the front yard. The 6,500 square foot site is located at 6613 Fernwood Street, on the east line of Fernwood Street, approximately 880 feet south of Penick Road, on parcel 771-746-2846. The zoning is R-4 One-Family Residential District. County water and sewer. **(Brookland)**

Mr. Witte - Is there any opposition to the deferral of SUB2015-00092, Emerson Residence? I see none. Therefore, I move that SUB2015-00092, Emerson Residence, be deferred to the August 13, 2015 meeting by request of the Commission.

Ms. Jones - Second.

Mr. Witte - We have a motion by Mr. Witte, a second by Mrs. Jones. All in favor say aye. All opposed? The motion passes.

At the request of the Planning Commission, the Planning Commission deferred SUB2015-00092, Emerson Residence, to its August 13, 2015 meeting.

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

Mr. Witte - Thank you, ma'am.

Ms. Moore - Mr. Chairman, next on your agenda are the expedited items, which, again, will be presented by Ms. Leslie News.

Ms. News - We have two items on our expedited agenda this morning. The first item is found on page 4 of your agenda. This is a transfer of approval for POD-06-08. It's a portion of a POD for Diamond Springs, formerly Eubank Center. Staff recommends approval. This is in the Varina District.

TRANSFER OF APPROVAL

POD-06-08 (pt.) POD2015-00274 Diamond Springs (formerly Eubank Center) – 4208 Eubank Road	**Engineering Design Associates for Diamond Virginia Partners, LLC, and Eubank Center, LLC:** Request for transfer of approval of a portion of a POD as required by Chapter 24, Section 24-106 of the Henrico County Code from Eubank Center, LLC to Diamond Virginia Partners, LLC. The 1.874-acre portion of the 6.63-acre site is located at the terminus of November Avenue, approximately 650 feet west of its intersection with Glen Alden Drive, on parcel 814-713-4008. The zoning is M-1 Light Industrial District and ASO Airport Safety Overlay District. County water and sewer. **(Varina)**

Mr. Witte - Is there any opposition to transfer of approval POD-06-08 (pt.) (POD2015-00274), Diamond Springs (formerly Eubank Center)? I see none.

Mr. Leabough - Mr. Chair, I move that the transfer request for a portion of POD-06-08 (pt.) (POD2015-00274), Diamond Springs (formerly Eubank Center), be approved on the expedited agenda subject to the conditions noted on the agenda.

Ms. Jones - Second.

Mr. Witte - We have a motion by Mr. Leabough, a second by Mrs. Jones. All in favor say aye. All opposed? The motion passes.

The Planning Commission approved the transfer of approval request for POD-06-08 (pt.) (POD2015-00274), Diamond Springs (formerly Eubank Center), from Eubank Center, LLC to Diamond Virginia Partners, LLC, subject to the standard and added conditions previously approved and the following additional condition:

1. A revised site plan showing the new property line shall be submitted to the County for administrative review and approval.

Ms. News - The next item is on page 22 of your agenda and located in the Three Chopt District. This is POD2015-00223, Short Pump Manor at Bacova, Section 2. This is a landscape plan. Staff recommends approval.

LANDSCAPE PLAN

POD2015-00223 Short Pump Manor at Bacova Section 2 – 4660 Pouncey Tract Road	**Youngblood, Tyler and Associates for Bacova, LLC:** Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 9.284-acre site is located on the west line of Pouncey Tract Road (State Route 271), approximately 700 feet north of Bacova Drive, on part of parcel 738-766-9367. The zoning is R-5AC General Residence District (Conditional), and WBSO West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Mr. Witte - Is there any opposition to POD2015-00023, Short Pump Manor at Bacova Section 2? I see none.

Mr. Branin - Mr. Chairman, I'd like to move that POD2015-00023, Short Pump Manor at Bacova Section 2, Landscaping Plan, be approved on the expedited agenda.

Mr. Leabough - Second.

Mr. Witte - We have a motion by Mr. Branin, a second by Mr. Leabough. All in favor say aye. All opposed? The motion passes.

The Planning Commission approved the landscape plan for POD2015-00023, Short Pump Manor at Bacova Section 2, subject to the annotations on the plans, and the standard conditions attached to these minutes for landscape and fence plans.

Ms. News - That completes our expedited agenda.

Ms. Moore - Mr. Chairman, now we move on to the agenda where we have requests for Subdivision Extensions of Conditional Approval. These will be presented by Mr. Lee Pambid.

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL FOR INFORMATIONAL PURPOSES ONLY

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2011-00054 (SUB-008-11) Kings Manor (July 2011 Plan)	9	9	3	Varina	~~6/24/2016~~ 7/27/2016
SUB2014-00087 Kingsland Greene (July 2014 Plan)	120	120	0	Varina	~~6/24/2016~~ 7/27/2016
SUB2014-00072 Laurel Pines (June 2014 Plan)	3	3	0	Brookland	~~6/24/2016~~ 7/27/2016

Mr. Witte - Good morning.

Mr. Pambid - Good morning. This map indicates the location of three subdivisions that are presented for extensions of conditional approval. They are eligible for a one-year extension to July 27, 2016. Please note in the addendum the corrected extension date for all three of these cases. These extensions are for informational purposes only and do not require Commission action at this time.

This concludes my presentation. Staff can now field any questions you have regarding these.

Mr. Witte - Any questions? I see none. Thank you, sir.

Mr. Pambid - You're welcome.

Ms. Moore - Mr. Chairman, we now move to your regular agenda starting on page 3. This is for POD-76-04. This is ARHC AORMDVA01, LLC for NNN Advanced Orthopaedic Etals. Mr. Pambid.

TRANSFER OF APPROVAL

POD-76-04
POD2015-00129
Advanced Orthopaedic Center – 7858 Shrader Road

ARHC AORMDVA01, LLC for NNN Advanced Orthopaedic Etals: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from CSE Real Estate, LLC to ARHC AORMDVA01, LLC. The 5.0-acre site is located on the north line of Shrader Road, approximately 500 feet west of its intersection with Hungary Spring Road, on parcel 764-

753-8211. The zoning is O-2C Office District (Conditional). County water and sewer. **(Brookland)**

Mr. Pambid - The applicant has completed all work pursuant to the inspection report dated July 7, 2015. Deficiencies outlined in that report include missing trees and groundcover, as well as pavement directional markings. The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval.

Staff recommends approval of this transfer request. This concludes my presentation. Staff can now field any questions you have regarding this.

Mr. Witte - Is there any opposition to transfer of approval POD-76-04 (POD2015-00129), Advanced Orthopaedic Center? Any questions for Mr. Pambid? I see none. With that I move that transfer of approval POD-76-04 (POD2015-00129), Advanced Orthopaedic Center, be approved as presented subject to previously approved conditions and annotations on the plans. And I think that will do it.

Ms. Jones - Second.

Mr. Witte - We have a motion by Mr. Witte, a second by Mrs. Jones. All in favor say aye. All opposed? The motion passes.

The Planning Commission approved the transfer of approval request for POD-76-04 (POD2015-00129), Advanced Orthopaedic Center from CSE Real Estate, LLC to ARHC AORMDVA01, LLC, subject to the standard and added conditions previously approved.

Ms. Moore - The next item is on page 5 of your regular agenda. This is SUB2015-00062. This is Jordan Consulting Engineers for Dana W. Harding and Mill Road, LLC. Mr. Pambid?

SUBDIVISION

SUB2015-00062 Hunton Fields (May 2015 Plan) – 11581 Mill Road	**Jordan Consulting Engineers for Dana W. Harding and Mill Road, LLC:** The 7.53-acre site proposed for a subdivision of 13 single family dwellings is located on the south line of Mill Road, approximately 250 feet east of Swanson Mill Way, on parcel 769-774-0539. The zoning is R-2 One-Family Residence District. County water and sewer. **(Brookland) 13 Lots**

Mr. Witte - Is there any opposition to SUB2015-00062, Hunton Fields (May 2015 Plan)? I see none. Mr. Pambid.

Mr. Pambid - Yes sir. This proposal is for a thirteen-lot subdivision on two proposed cul-de-sac streets emanating from Mill Road. Staff has heard from four adjacent

property owners regarding this proposal. Their concerns include the location and screening of the BMP, the impact of construction on landscaping and fencing within existing easements, and drainage issues.

Staff requested that the common area and the BMP be designed in such a way as to minimize the impact to adjacent properties. The developer has since provided a revised plan with the following changes:

- The dry BMP and common area, previously proposed directly adjacent to two lots in the Hunton Estates subdivision, has been moved next to Mill Road. That's this lot up here. It was previously on this lot here. Therefore, the public drainage easement between lots 14 and 15 of Section B of Hunton Estates will not be disturbed.

- The proposed sanitary sewer line for Darleanna Court, originally located along the western property line, has been moved away from the adjacent parcel. That's this feature right here. It was previously proposed to be directly on the property line. That's been moved away about thirty-five feet.

- A landscape easement has been added at the end of Lyons Lane to provide screening for the end of the cul-de-sac from the affected lot in Hunton Estates. There is little easement right here designated for landscaping.

The proposed sanitary public sewer line for Lyons Lane remains in its originally proposed location through a public easement between lots 15 and 16, which was recorded in 2003. A sidewalk is proposed along the south line of Mill Road and along one side of each of the streets. A conceptual landscape plan was also submitted, but provided for informational purposes only.

Since the distribution of the agenda, one letter of support has been received by staff. This letter is from the owners of lot 15 in Hunton Estates.

Staff recommends approval subject to the annotations on the plans, standard conditions for developments of this type, and additional conditions 13 through 16.

This concludes my presentation. Staff can now field any questions you have regarding this. The applicant, Brian Duke of Duke Development, is also here.

Mr. Witte - Any questions for Mr. Pambid? Would the applicant come down, please?

Mr. Duke - Good morning.

Mr. Witte - State your name, please.

Mr. Duke - Good morning, my name is Brian Duke, Duke Development.

Mr. Witte - Brian, I just wanted to make note that I think you've done an exceptional job working with these neighbors. It seems through the phone calls and letters and e-mails and texts that I've received that everyone is going to enjoy this property. There is probably nobody happier than you, though, I would think.

Mr. Duke - Thank you.

Mr. Witte - Anyway, I hope this goes forward with great success. I think it will be an asset to the area over there.

Mr. Duke - I think it will be too. I live right around the corner, and I want it to look nice as well, so.

Mr. Witte - Does anybody have any questions for Mr. Duke?

Ms. Jones - No.

Mr. Witte - All right then. Thank you, sir.

Mr. Duke - Thank you.

Mr. Witte - With that, I move conditional approval of SUB2015-00062, Hunton Fields (May 2015 Plan), as presented, subject to the annotations on the plans, standard conditions for subdivisions served by public utilities, and additional conditions 13 through 16.

Mr. Leabough - Second.

Mr. Witte - We have a motion by Mr. Witte, second by Mr. Leabough. All in favor say aye. Opposed? The motion passes.

The Planning Commission granted conditional approval to SUB2015-00062, Hunton Fields (May 2015 Plan), subject to the standard conditions attached to these minutes for subdivisions served by public utilities, the annotations on the plans, and the following additional conditions:

13. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
14. A subdivision landscape plan addressing the 25 foot wide planting strip along Mill Road, the common area landscaping around the BMP, the street tree locations, and the plantings in the landscape easement adjacent to Hunton Estates shall be

submitted to the Department of Planning for review and approval prior to recordation of the plat.

15. A County sidewalk shall be constructed along the south side of Mill Road.
16. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.

Mr. Witte - Before we go on, can we meet our guests?

Ms. Moore - Absolutely.

Mr. Witte - We have some guests with us this morning. Would you like to come down and introduce them?

Ms. Klevinksy - Good morning, Mr. Chair, members of the Planning Commission. My name is Cristol Klevinsky. I'm a management specialist in the County Manger's Office. I coordinate our summer interns. I thought as part of their summer experience they should attend a Planning Commission meeting, so we picked today to come and hear your cases. I will ask them to stand up and introduce themselves, if you'll permit me to do that. And also with us are the three County attorney interns. I wanted them to attend to specifically since the amendment for the zoning ordinance—I believe is the right way to say that—is on this agenda. So I wanted them to hear that as well. Lastly, Mike Schnurman and Holly Zinn from our office are also with us.

If you'll let them introduce themselves, I'll ask them to do that. You want to go ahead and stand up first?

Mr. Branin - You all have to come down.

Ms. Jones - If you don't mind.

Mr. Branin - We are so sorry to do this, but it's recorded.

Ms. Klevinsky - Okay, very good.

Mr. Branin - And this way we get to ask each of every one of you a lot of questions.

Ms. Waters - Oh good. Good morning. My name's Eileen Waters, and I'm a legal intern with the County Attorney's Office.

Mr. Waschler - Hey, uh—sorry.

Mr. Witte - Hey.

Mr. Waschler - How's it going?

Mr. Branin - What's up, dude?

Mr. Waschler - Nothing much.

Mrs. O'Bannon - Could you expand on where you're going to school or you have a major or you're in college? Can you come back and add to that? Thank you.

Ms. Waters - I'm going to be a third-year law student at the University of Richmond.

Mrs. O'Bannon - Very good. Thank you.

Mr. Witte - Hey.

Mr. Waschler - Hello. I'm Ben Waschler. I'm going to be a third-year law student at William and Mary. So far I've been the best intern. That's pretty much it.

Mr. Branin - And where are you from?

Mr. Waschler - I'm from Richmond, Virginia, and I went to Penn State undergrad.

Mr. Branin - And you are from Richmond?

Mr. Waschler - Yes sir.

Mr. Branin - Where'd you go to high school?

Mr. Washler - Freeman.

Mr. Branin - Freeman.

Mrs. O'Bannon - Freeman. Oh, very good.

Mr. Lofton - My name is Anthony Lofton, Jr. I just recently graduated from Varina High School. I'm going to George Mason in the fall. I'm going to be studying business management with a minor in entrepreneurship.

Mrs. O'Bannon - Excellent.

Mr. Leabough - The best district in Henrico, right?

Mr. Lofton - Oh, you know it.

Ms. Parrish - Hi, I'm Audrey Parrish. I'm a rising junior at Virginia Tech and studying political science, Spanish, and sociology. I'm interning with the County Manager.

Mr. Branin - Are you from Henrico?

Ms. Parish - I went to Deep Run.

Mr. Branin - Deep Run.

Ms. Fitzgerald - Hi, I'm Shannan Fitzgerald, and I'm an intern with the County Attorney's Office. I am a 3L, or rising third-year law student at the University of Richmond. I graduated from Hermitage High School.

Mrs. O'Bannon - Very good.

Mr. Branin - We have a good blend of all of our schools throughout the County. That is excellent. Have you all enjoyed your time?

Several - Yes.

Mr. Branin - And when do you finish?

Ms. Fitzgerald - I have two more weeks after this one.

Mr. Waschler - [Off microphones.] Two days.

Mr. Branin - Two days? Dude, seriously?

Female - [Off microphone.] I have one more week.

Mr. Branin - And are any of you going to try to come back to Henrico County?

Several - [Off microphone; inaudible.]

Mr. Branin - Good answer, good answer.

Mrs. O'Bannon - I know Ms. Klevinsky can talk or expand on the fact that this was an award-winning program with the National Association of Counties. And we do hire some of the interns, right?

Ms. Klevinsky - That's correct. I think we've had—well, HR would be the best to give us that number—I think close to eighty interns since we started the program in the last couple of years. I think they recently have hired three interns into full-time positions. And they've had at least double or triple that number apply for positions. So yes, we're starting to see a good increase and a big difference in what this program—award-winning program, as you mentioned—is making with the County. I'm very proud of it.

Mrs. O'Bannon - Right. Thank you.

Mr. Witte - Thank you.

Several - Thank you.

Mr. Leabough - Good luck with school.

Ms. Moore - Moving on with the agenda—and thank you for that presentation. On page 9 of your regular agenda is POD2015-00133. This is Timmons Group for Talley Family LTD Partnership and MGP Retail Consulting, LLC. This will be presented by Ms. Crady.

(Deferred from the June 24, 2015 Meeting)
PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2015-00133 MGP Retail Grocery Store – 5110 S. Laburnum Avenue	**Timmons Group for Talley Family LTD Partnership and MGP Retail Consulting, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing car dealership building and construct a one-story, 36,170 square foot retail grocery store. The 4.63-acre site is located on the west line of S. Laburnum Avenue, approximately 250 feet south of Williamsburg Road (U.S. Route 60), on part of parcel 816-713-3624. The zoning is M-1 Light Industrial District, and ASO Airport Safety Overlay District. County water and sewer. **(Varina)**

Mr. Witte - Is there any opposition to POD2015-00133, MGP Retail Grocery Store? I see none. Ms. Crady.

Ms. Crady - Good morning.

Mr. Witte - Good morning.

Ms. Crady - This plan of development was deferred from your June 24, 2015 Planning Commission hearing to provide an opportunity to reexamine the loading dock and dumpster corral configuration. The location of these two elements has not changed, but the applicant has made several changes to the plans to support the request for the configuration shown on the plan. The masonry screen wall has been raised to include twelve feet of height that you can see in this rendering. It was previously eight, so it will be twelve feet. And then a roll-down door was added to the loading dock, as you can see here. In addition, the landscape plan now shows dense evergreens to be planted around the dumpster corral and will be installed at eight feet in height at the time of planting.

Staff supports this configuration due to the mitigation of potential views into the dumpster area – if it were oriented the other way at the end of a drive aisle from the entrance. There are some cases in the County where this has been supported, and this is a good example of how it can be implemented correctly.

The lighting plan is also included in the plans for the approval. No changes were made since last month.

Staff continues to recommend approval subject to the annotations on the plan, the standard conditions for developments of this type, and conditions 11B and 29 through 34 in your agenda.

Several representatives from MGP Retail are here. Patrick Waldron, Noah Bachow, and Brian Kearney. Ryan Ritterskamp and Junie West are here from Timmons. And the architect for the project, Ryan Doherty, is here if you have any questions of them. And staff can answer any questions you may have of staff.

Ms. Jones - I do. Mrs. Crady, we've all seen this case before and kind of struggled with the items that we're discussing today. The loading dock, is that a straight shot in from the parking lot level?

Ms. Crady - Are you asking about the grade?

Ms. Jones - Yes.

Ms. Crady - Okay.

Ms. Jones - In other words, the truck that is using that loading area will be fully visible. For instance, at the Aldi that we worked on, there is a bit of a downward slope that at least it's a bit more camouflaged.

Ms. Crady - There is the same configuration with the slope where it drops approximately four feet from the entrance of the ramp to the actual dock. This wall is higher than the one that we did at Aldi, and Aldi does not have a drop-down door. The applicant has informed us that at any time that there is not entering or exiting of this loading dock, they're able to close the roll-down door.

Ms. Jones - I think that's absolutely key, because you have obviously a very utilitarian use in a very visible spot. None of us really like this, but I understand where we are. I don't know how, closing that door, hopefully 90 percent of the time is going to be accomplished. Maybe the applicant can explain to us. But that, to me, is the whole key for whether this can really be a go. Just to drop that thought.

Ms. Crady - I think the other thing that may be helpful is to find out more about the operations for the coming grocer.

Mr. Leabough - Could you talk along those same lines? We struggle with the dumpster location, but in talking with staff and talking with the applicant, it looks like actually orienting the dumpster to face the building is probably a better option than actually having the doors, which typically we deal with challenges. So can you speak to that a little bit, please?

Ms. Crady - Sure. The dumpster in this location has three sides and then an opaque gate. In our experience, if an operator's gate is facing into their main entrance, they're more likely to close it so that they don't have to look at their own dumpster. The other component here is that you're getting a lot more evergreen landscaping around this than you would see on a typical streetscape.

The quality of the materials that are offered with this landscape plan are higher than you would normally see. And I'll zoom in there along the streetscape. You have several eight-foot trees here and then all of these trees here. I want say they are—

Ms. Jones - They're shrubs, aren't they?

Ms. Crady - There is emerald green arborvitae, there are 11 of those around the dumpster. They are drawn like shrubs because they are columnar. They are the ones that will be planted at eight-foot height. So there are two types of arborvitaes on here. It's very dense.

Honestly, it's probably more heavily landscaped than any other dumpster that is along a right-of-way in the County.

Ms. Jones - Is this irrigated?

Ms. Crady - You know, that's a good question. It's not proffered, so it's up to the user to decide whether they want irrigation. They could probably answer that question, whether they're going to install it or not.

Mr. Leabough - In your opinion, Ms. Crady, this is a better alternative than having the doors face Laburnum.

Ms. Crady - I believe that it is better than most alternatives other than putting it behind the building.

Mr. Leabough - I guess if they were to position it next to the loading dock on the rear portion of the site, you'd actually see more of the dumpster area than you're seeing now.

Ms. Crady - On your approach into the site you would see that, yes.

Mr. Leabough - I think with the enhanced landscaping, that actually is a better alternative than what was proposed before.

Ms. Crady - Yes. And you had expressed concerns about the servicing of the dumpster. Is that something you addressed with them?

Mr. Leabough - Yes.

Ms. Crady - Yes, okay.

Mr. Leabough - Any other questions?

Ms. Jones - Not for Ms. Crady.

Mr. Leabough - Would the applicant please come forward?

Mr. West - Good morning. I'm Junie West with Timmons Group. To all the interns, I was an intern forty years ago. Believe me, it goes quick. So make the most of it.

Mr. Chairman, Commission members, Ms. O'Bannon, we're here to ask for your approval of the case. One of the questions that I was going to kind of recap—and Aimee did a great job of kind of going back through the last thirty days. One of the concerns was the truck well. It is a four-foot recessed truck well. So in essence with the twelve-foot wall, there's kind of a sixteen-foot—I'll call it a parapet or barrier there. The pull-down door—there's probably a better technical term that Ryan Doherty could give me for that—it will be closed at all times. And that literally will be over 99 percent of the time because the only time that it will be open is when trucks come in and out. And that's only on an infrequent basis. That door will be permanently shut – over 99 percent of the time.

The added landscaping, we certainly wanted to take a look at the perspectives on that and make sure that we looked it at not only from the plan view but also from the three-dimensional view and the actual view. When we took a look at it with the original landscaping, we realized we needed more mature landscaping to enhance that. We made the decision to—I'll call it do the elevated landscaping. So getting to see the drawings was certainly something we wanted to take a look at it and we felt pretty comfortable with.

The additional item that we revised was the inner parcel connectivity to CVS that was requested, and we did create that interconnectivity. Certainly minimizes, somewhat, road traffic for that interconnectivity and makes it convenient to exit other portions of the site as well.

We do have the development team that was mentioned here to answer any operation questions or engineering questions or architectural questions as it relates to the door material or whatever there may be.

Mr. Leabough - I'd like to hear from the store operator, please.

Mr. West - Sure.

Mr. Branin - Before Mr. West leaves, there was one question proposed earlier to staff in regards to irrigation. Is there existing irrigation there now?

Mr. West - I don't think there's existing irrigation.

Mr. Branin - Are you planning to put in irrigation? I mean, you guys are responsible for the trees, and you're putting in a lot of trees. So I would think—

Mr. West - I would, yes.

Mr. Branin - It's going to be cheaper than replace trees.

Mr. West - Do you know the answer to that, Ryan? It is irrigated, okay.

Mr. Leabough - It is irrigated.

Mr. West - Yes.

Mr. Branin - I figured it would be.

Mr. West - I did, too, but I didn't want to say anything incorrect.

Ms. Jones - Okay.

Mr. West - I can't imagine we could put that level of landscaping there and not have it.

Mr. Branin - Like I said, it's a lot cheaper to do it one time than twenty times.

Mr. Leabough - Could you state your name, please?

Mr. Waldron - Yes. I'm Pat Waldron, and I'm director of real estate with MGP Retailer US.

Mr. Leabough - Sir, could you speak to the frequency of deliveries, just so that we understand your operations?

Mr. Waldron - Yes, absolutely. It's very infrequent. We have one truck per day that comes from our distribution center. We don't have any other trucks coming, so one per day—late afternoon, evening—and that's it. So much less so than your standard grocer. We have one distribution center all of our goods come from, so we're not getting deliveries from different companies all day.

Mr. Leabough - Trash, the dumpster area. What do you anticipate the frequency of that dumpster being emptied or what have you? And how will you handle

holidays where you have a lot of deliveries? I just don't understand enough about your operations. So can you speak to that? What I've experienced or what I've noticed is that holidays come up, there are a bunch of deliveries or what have you, and the dumpster piles up. That was the concern with having the dumpster on Laburnum. So could you speak to that, please?

Mr. Waldron - Yes, absolutely. I can't speak to the exact frequency, but what I can tell you is we're absolutely adamant about that sort of thing. We'd never have our dumpster overflowing. It wouldn't be something we would allow. So as frequently as needed. We're very, very particular with our real estate, the quality of the experience for the customer, so as much as needed. It would never be overflowing.

Mr. Leabough - So you would have the ability to call for an additional pickup or something if needed.

Mr. Waldron - Absolutely, absolutely.

Ms. Jones - Mr. . . ?

Mr. Waldron - Waldron.

Ms. Jones - Waldron. Actually, I do have just a couple of questions. My first is a comment, though. My introduction to your store was in Sicily last fall, as a matter of fact.

Mr. Waldron - Okay, great.

Ms. Jones - So I should expect that to be what I see here?

Mr. Waldron - It will be similar in the way we operate, but it'll be a lot more Americanized for the US. We won't be just bringing over our European store. As you probably saw, the prototype here is a lot different than the one in Europe. So some similarities, but it will be much more Americanized, and all the products will be sourced here in the US.

Ms. Jones - You did have a very successful operation, the one I was in.

Mr. Waldron - Thank you.

Ms. Jones - And we wish you well here. There are just a couple frustrating things. Mr. Branin touched on the irrigation. If your entire solution to this somewhat strange problem—we normally don't have this because this is not what we try to do is have these kinds of exposures on major thoroughfares. Irrigation is absolutely without a question going to be vital to keeping up what is the biggest part of this mitigation of the site. So good. Irrigation is absolutely necessarily.

Deliveries one time a day? I guess that's certainly as little as can be, but we would encourage you not to be a lax about closing that door. It's just not a view that folks should have. The parapet has been raised, and there is a bit of an incline so that yes, it does give some protection and a little bit of protection of the site views, but you'll see be able to see the operation; it'll be right in front of people's faces as they drive in there.

That leads me to really my last and really only big question: This prototype was presented to us as the prototype that was going to have to be used; this is how these stores are built. If we have to go through this with every store that comes to Henrico County, it's going to get old really quickly. Is there another prototype that you all are considering for stores or can you site other stores without having this issue come up?

Mr. Waldron - We have the option to move the loading dock, and I believe we've looked at the different options for the loading dock there. And that's the only one that physically worked on the site for our store. So we're happy to work with the County at other sites on a case-by-case by basis. The store size itself is pretty much set, but if we need to move the loading dock on different stores, we can. Unfortunately, that's not an easy process. Redesigning an entire store is quite complex, but it's something we can work with you all on.

Ms. Jones - But you understand our dilemma.

Mr. Waldron - Yes, absolutely.

Ms. Jones - Dumpster and loading areas in visible places are certainly not what we want.

Mr. Waldron - Absolutely. And I think we've looked at those options with the staff, different dumpster locations. One in the back of the loading dock, in the back of the site, we were concerned about employee safety, having a dumpster in the very back of the site there. But it's something we're happy to work with you all on a case-by-case basis.

Ms. Jones - I'm happy to have your assurance on that.

Mr. Branin - You all are setting up your stores and your distribution throughout the Mid-Atlantic area. Are you putting your distribution center in Fredericksburg?

Mr. Waldron - Yes. The governor just announced we'll have a distribution center in Fredericksburg.

Mr. Branin - Did you look at Henrico?

Mr. Waldron - We looked all over the state.

Mr. Branin - Okay.

Mr. Witte - So you settled for second best?

Mr. Branin - We have a great area in Eastern Henrico that you should have chosen.

Mr. Waldron - It's not to say that there might not be more to come. I'm more the retail store real estate, so I can't speak to exactly where we looked. But I know the state as a whole was studied.

Mr. Branin - Great road network.

Mr. Leabough - Corporate offices too. We'll take those.

Mr. Branin - We like corporate offices as well.

Mr. Waldron - I'll write that down.

Mrs. O'Bannon - If I can add one more thing. Having dealt with a lot of corporations through the years that come to us—let's say a Walgreens or a CVS or an Aldi—they usually have five or six different prototypes or five or six different plans. Do you have five or six different plans for your store? I think that's what Ms. Jones was getting at.

Mr. Waldron - At the moment, we have the one store size. We do have some flexibility with the loading dock. And as we continue to develop our prototypes, I'm sure we'll have different ones we can use. But at the moment, it is fairly standard.

Mrs. O'Bannon - Usually they come with a book full, or six or eight. Sometimes I've asked to see number eight or number five, if they have one that doesn't seem to go well on the site. So that's just a really broad suggestion.

Mr. Waldron - Right. It's absolutely something we're looking at. Great suggestion. Like I said, this is our initial phase of entering into the US, so we have the one store size where we can move some things around. But we obviously will be adapting the prototype for more flexibility down the road.

Mrs. O'Bannon - Another reason they have that many, if I may—say it's a Walgreens or something—is it's often in plans or in a zoning case that says it must look like colonial or must look like a certain style. I have seen styles where once I asked a corporation, you mentioned you had fourteen, can I see number twelve. And they said oh, that's one that we use in Florida. It has a roll-tile roof, you know, and it looks very Florida-ish. We have a lot of zoning cases in our County where it says it needs to look like some other shopping center. We've had those before too. So if you come with some alternates, three or four, that would be helpful in any community. That's what we're getting at.

This issue of the loading dock and the dumpster is specific to this site. But in the future, you may be faced with it needs to be brick or it needs to have EIFS on it or the style has to be a certain kind of roofline or colors. We've dealt with Walmart, and they've been very open about that. They'll come in and show different colors or different styles for different shopping centers. So I just would like to point that out, that usually the larger corporations come in with maybe a half dozen possible looks to the exterior.

Mr. Waldron - Right, absolutely. I think in certain situations you're absolutely right, we'll have to adjust for things like colonial architecture. I think that's what our construction department is taking a look at at the moment.

Mrs. O'Bannon - There's one in Leesburg that I really, really like. There's a Walgreens in Leesburg. It happens to be in a historic district, though. In other words, there are specific things that the community has put on it.

Mr. Waldron - Right, right.

Mr. Witte - Any other questions?

Mr. Leabough - Before I make a motion, I'd like to thank staff for their work, Ms. Crady and others for their efforts to bring this case to where it is today. I'd also like to thank the applicant and their team for at least working with us to come up with a solution to our concerns. So we thank you all for that as well.

With that I'd like to move that POD2015-00133, MGP Retail Grocery Store, be approved subject to annotations on the plans, standard conditions for developments of this type, and additional conditions on the agenda, 11B and 29 through 34.

Mr. Branin - Second.

Mr. Witte - We have a motion by Mr. Leabough, a second by Mr. Branin. All in favor say aye. Opposed? The motion passes.

The Planning Commission approved POD2015-00133, MGP Retail Grocery Store, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

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.

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

30. A concrete sidewalk meeting County standards shall be provided along the west side of S. Laburnum Avenue.
31. There shall be no outdoor storage or outdoor storage in moveable storage containers, including but not limited to, cargo containers and portable on demand storage containers.
32. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
33. 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.
34. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

Mr. Witte - Thank you, sir.

Mr. Waldron - Thank you for your time. We're looking forward to working with you in the future. And also we would like to thank staff as well. They've been extremely easy to work with.

Ms. Moore - Next on the agenda is POD2015-00185. This is Silvercore for Oakview Properties, LLC and Haley Builders. I should note this is on page 13 of your regular agenda and page 1 of your revised agenda. Mr. Pambid.

(Deferred from the June 24, 2015 Meeting)
PLAN OF DEVELOPMENT

POD2015-00185 Lindsay's Auto Repair Addition – 8701 Oakview Avenue POD-42-85 Revised	**Silvercore for Oakview Properties, LLC and Haley Builders:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 2,890 square foot addition to an existing 4,106 square foot auto repair building. The 0.50-acre site is located on the east line of Oakview Avenue, approximately 600 feet south of its intersection with Oakdale Avenue, on parcel 771-755-8541. The zoning is M-1 Light Industrial District. County water and sewer. **(Brookland)**

Mr. Witte - Is there anyone in opposition to POD2015-00185, Lindsay's Auto Repair Addition? I see none. Mr. Pambid.

Mr. Pambid - Good morning.

Mr. Witte - Good morning.

Mr. Pambid - This plan was deferred from last month's meeting after some discussion about the condition of the pavement. No changes have been made to the proposal as presented last month; however, since the distribution of the Planning Commission's packets last week, the applicant has agreed to pave the asphalt area as requested. This is noted is your addendum.

Staff continues to recommend approval subject to the annotations on the plans, the standard conditions for developments of this type, and additional conditions 29 through 31.

This concludes my presentation. Staff can now field any questions you have regarding this. Andrew Bowman, the project engineer with Silvercore is also here.

Mr. Witte - Any questions? Yes ma'am.

Ms. Jones - Mr. Pambid, I'm happy they've agreed to repave the asphalt. Is there a time frame on that?

Mr. Pambid - It would have to be done as part of the construction, but we don't have a time frame on that.

Mr. Witte - When I spoke to the gentleman—actually, I was there—he said he would like to wait until the construction was finished so that they wouldn't tear up the new asphalt. I said I think that would be a condition of the occupancy permit.

Ms. Jones - Okay, that would be fine.

Mr. Witte - Any other questions for Mr. Pambid? I see none. Would anybody like to hear from the applicant? Let's have the applicant come down.

Mr. Bowman - Good morning. Andrew Bowman with Silvercore.

Mr. Witte - Mr. Bowman, you heard our little discussion up here. Is that your understanding also?

Mr. Bowman - Yes sir.

Mr. Witte - That it will be paved prior to occupancy?

Mr. Bowman - Yes sir.

Mr. Witte - And all the other conditions have been agreeable?

Mr. Bowman - Yes sir.

Mr. Witte - Okay, I have no other questions. Any other questions? Okay, thank you, sir.

Mr. Bowman - Thank you.

Mr. Witte - With that I move approval of POD2015-00185, Lindsay's Auto Repair Addition, as presented, subject to the annotations on the plan, standard conditions for developments of this type, and additional conditions 29 through 31.

Mr. Leabough - Second.

Mr. Witte - We have a motion by Mr. Witte, second by Mr. Leabough. All in favor say aye. Opposed? The motion passes.

The Planning Commission approved POD2015-00185, Lindsay's Auto Repair Addition, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

29. The right-of-way for widening of Oakview Avenue as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
30. All repair work shall be conducted entirely within the enclosed building.
31. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

Ms. Moore - The next item is on page 15 your agenda. This is POD2015-00229. This is Silvercore for Don-Barry, LLC and Michael Sifen, Inc.

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2015-00229 Mini-Price Warehouse II – 4300 W. Broad Street (U.S. Route 250) (POD-31-09 Revised)	**Silvercore for Don-Barry, LLC, and Michael Sifen, Inc.:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to remove an existing one-story building and construct a three-story 42,075 square foot self-storage facility adjacent to an existing 105,240 square foot self-storage facility. The 1.87-acre site is located on the north side of West Broad Street (U.S. Route 250), approximately 1,000 feet south of Westmoreland Street, on

parcel 776-734-8993. An additional portion of the site, totaling 0.85 acres, is located within the City of Richmond, along W. Broad Street (U.S. Route 250). The zoning is M-1 Light Industrial District. County water and sewer. **(Brookland)**

Mr. Witte - Is there any opposition to POD2015-00229, Mini-Price Warehouse II? I see none. Mr. Garrison.

Mr. Garrison - Good morning. This is a request to remove an existing one-story building and construct a three-story 42,075-square-foot self-storage facility adjacent to an existing 105,240-square-foot self-storage facility approved with POD-31-09. The building straddles the County boundary with 20,463 square feet of the building in the city and 21,612 square feet of the building in Henrico County.

The color and materials of the new building will match the existing self-storage building. The lighting plan proposes two new LED wall packs near the door and the rear of the building. The rest of the site will be lit by existing LED light fixtures approved with POD-31-09.

Staff can recommend approval subject to the annotations on the plans, standard conditions for developments of this type, and added conditions 29 through 32. Staff and representatives of the applicant are available to answer any questions that you may have.

Mr. Witte - Do we have any questions for Mr. Garrison? I have one. Has this been approved by the City of Richmond?

Mr. Garrison - We've been in correspondence with the City of Richmond. They are reviewing the plans. As far as I know, it has not been approved yet, but it is under review. I think this is being handled through a use permit. Andrew Bowman can handle that or answer that part better than I could.

Mr. Witte - We'll have Mr. Bowman come down then.

Mr. Leabough - Does this applicant own the storage facility next door as well?

Mr. Garrison - Yes sir, it does.

Mr. Leabough - That's what I was thinking. Okay, thank you.

Mr. Bowman - Good morning again. Andrew Bowman with Silvercore. I'm a representative of the owner as well.

Mr. Smith - Don Smith, vice president of Sifen Incorporated.

Mr. Witte - Can you help us out with that question as far as what the status is with the City of Richmond?

Mr. Bowman - Yes. It's been submitted as a special use permit to the City. It's running concurrently with these plans as far as being reviewed.

Mr. Witte - Okay. Do you understand that approval here would be conditional on approval with the City also?

Mr. Bowman - Yes sir.

Mr. Witte - Any other questions? I feel like the Lone Ranger.

Mr. Leabough - Why are they asking you to submit a special use permit and not a plan of development?

Mr. Bowman - Because the zoning in the City of Richmond only allows for I think 20,000 feet of storage on the parcel. We're getting an increase on that square footage and changing to a different zoning. It's a by-right zoning in Henrico; it's not in the city.

Mr. Leabough - Okay. Thank you.

Mr. Witte - All right, thank you. Madam Secretary, do we need to have separate motions for the POD and the lighting plan?

Ms. Moore - I believe we do.

Mr. Leabough - No.

Ms. Moore - No, okay.

Mr. Garrison - No. Actually, though, I need to add a standard condition. It's 11B. Whenever lighting is approved with a POD, 11B is usually included. It was missed, so we just need to add 11B to it.

Mr. Witte - Okay. With that, I move that POD2015-00229, Mini-Price Warehouse II, be approved as presented, subject to the annotations on the plans, standard conditions for developments of this type, and additional conditions 11B and 29 through 23.

Ms. Jones - Second.

Mr. Witte - We have a motion by Mr. Witte, a second by Mrs. Jones. All in favor say aye. Opposed? The motion passes.

The Planning Commission approved the plan of development and lighting plan for POD2015-00229, Mini-Price Warehouse II, subject to the annotations on the plans, the

standard conditions attached to these minutes for developments of this type, and the following additional conditions:

11B. ADDED - 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.

29. Details for the gate and locking device at the entrance road and emergency access road shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshall. The owner or owner's contractor shall contact the County Fire Marshall prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshall's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
30. Outside storage shall not be permitted.
31. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
32. Evidence that the City of Richmond has reviewed and approved construction plans for the portion of this site located within the City limits shall be provided prior to final approval of construction plans by Henrico County.

Ms. Moore - The last item on your agenda today is POD2015-00254. This is BCWH Architects for Second Baptist Church, TRS.

LIGHTING PLAN

POD2015-00254 Second Baptist Church – Family Life Center Addition – 9614 River Road (POD-40-00 Revised)	**BCWH Architects for Second Baptist Church, TRS:** Request for approval of a lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 10.56-acre site is located at the northeast corner of River Road and N. Gaskins Road on parcels 743-737-0432 and 743-737-1972. The zoning is R-1 One-Family Residential District. County water and sewer. **(Tuckahoe)**

Mr. Witte - Is there any opposition to the lighting plan for POD2015-00254 Second Baptist Church – Family Life Center Addition? I see none. You have the floor.

Ms. Goggin - Good morning.

Mr. Witte - Good morning.

Ms. Goggin - Second Baptist Church received POD approval and is currently undergoing construction plan review for a new Family Life Center expansion for their

church. Part of the expansion is the installation of new parking lots and lighting for the new and existing parking lots.

To clarify and give you an idea, these are the new parking lots. This is the new family facility. Currently, there is a parking lot right here that will be removed with the new building.

The church had a meeting with the adjacent property owners to discuss the proposed lighting plan with them on June 17, 2015. The proposed lights are LED and concealed source, which means they will be night-sky friendly and angle the light towards the ground versus up and out, mitigating possible light pollution. The applicant is proposing twenty-foot-tall poles for a majority of the lights with fourteen-foot-tall poles proposed for the lights at the two Gaskins Road entrances and the drop-off loop at the sanctuary/ Family Life Center. No new lights are proposed within the main building campus portion of the site.

The fourteen-foot tall lights are going to be in this area here, at this drop-off here, and in this loop area here. They are not proposing any new lights in the campus-style portion of the campus.

The light levels are below half a foot candle before they reach the adjacent George's Bluff neighborhood to the north or the parcel to the east. The levels on the photometric plan do not take into account obstacles such as landscaping that would further mitigate light trespass onto adjacent properties. Staff drew in the approximate half-foot candle line so it could be seen a little bit easier. This is the adjacent agricultural property. That's a single-family dwelling. You can see this is the half-foot candle line, and this is George's Bluff neighborhood. This is the River Road property and the single-family dwelling parcel. George's Bluff's neighborhood is back here, and this is Gaskins Road. This is where they're not proposing new lights.

The church intends to implement security lighting standards within this plan. They intend to keep the fourteen-foot-tall lights on all night, turn off some of the lights at 9 p.m., and turn off the rest at midnight. Should the need arise to keep the lights on beyond those hours due to security concerns, Second Baptist promises to contact neighbors to let them know that the lights will remain on after normal hours until the concern goes away.

Staff recommends approval subject to the annotations on the plan and the standard conditions for lighting plans. There is a representative from the architect here if you would like to ask them questions. And I am here should have any questions for me.

Mr. Witte - Any questions?

Ms. Jones - Actually. I think we have covered every aspect of this many times over. We have a situation here, though. I would like to just take a moment. This has been a cooperative effort, and I can't thank the church enough for the time and effort that they have taken to make sure that the concerns, no matter real or imagined, from the surrounding area are addressed to everyone's satisfaction. The neighbors from George's Bluff have been very proactive. The Moomaws have been involved as well. And we've had

representatives from the neighborhood in here to look over these lighting plans, and they are well satisfied. So it is just a nice feeling to bring something along that is in accordance with everyone's desires and certainly does reflect a quality project.

Now we do have one more public hearing related to this, and that will be the landscape plan. That has a few elements that we will have to probably make sure everyone's fine with. But other than that, this project is moving along well. And I thank everyone, especially staff. Christina's been great and very patient, and Mike Kennedy as well. So I thank you, and I would like to make a motion if there are no more questions. I don't need to talk to the applicant.

Mr. Witte - You have the floor.

Ms. Jones - I am perfectly content. This is a good lighting plan that suits everyone.

I move approval of the lighting plan for POD2015-00254 Second Baptist Church – Family Life Center Addition. This is approval subject to annotations on the plans and standard conditions for lighting plans.

Mr. Branin - I'd like to second that.

Mr. Witte - We have a motion by Mrs. Jones, second by Mr. Branin. All in favor say aye. Opposed? The motion passes.

The Planning Commission approved the lighting plan for POD2015-00254 Second Baptist Church – Family Life Center Addition, subject to the standard conditions attached to these minutes for lighting plans.

Mr. Witte - I think we may have a guest in the back who wants to come speak.

Ms. Jones - Not yet.

Mr. Witte - No, not yet.

Ms. Jones - We move to the next item on the agenda.

Mr. Witte - Is there anybody else who would like to address the Commission?

Ms. Moore - Next, Mr. Chairman, we do have the consideration of your approval of the minutes from your June 24, 2015 meeting. We do have an errata sheet in front you.

APPROVAL OF MINUTES: June 24, 2015

Mr. Witte - Okay.

Ms. Jones - I move approval of the minutes as corrected.

Mr. Leabough - Second.

Mr. Witte - We have a motion by Mrs. Jones, second by Mr. Leabough. All in favor say aye. Opposed? The motion passes.

The Planning Commission approved the June 24, 2015 minutes as corrected.

Ms. Moore - Next we do have a public hearing item. This is an amendment to the Zoning Ordinance to implement action of the 2015 General Assembly. This was given to you briefly in detail with a work session that we had earlier this month. I don't know if Mr. Tokarz has anything to add to initiate this.

Mr. Tokarz - Given that this is a public hearing, I'll just briefly describe the ordinance, if I might. I will keep my comments under ninety minutes, as Mr. Witte has asked.

Mr. Witte - No, that was ninety seconds.

Ms. Moore - Mr. Tokarz, could you just state your full name and what department you're from?

Mr. Tokarz - My name is Tom Tokarz. I'm in the Henrico County Attorney's Office.

The ordinance that is before the Commission today has four basic components. The first is a change that is—changes that are required by the 2015 legislation of the Virginia General Assembly dealing with the powers of the Board of Zoning Appeals related to the approval of variances. There are changes in both the definition of variances and in the powers themselves. Those changes have been reflected virtually verbatim into the County's ordinance.

The second is there is one change to conform to state law that's actually been in effect since 1962 regarding the term of BZA members. The code provides right now for a term of three years; however, the state code provides for a term of five years. The Circuit Court has been making those appointments for five years when they were being done. So although the Circuit Court's in compliance, we want to conform the Zoning Ordinance to the state code. That would be the second change.

The third changes are housekeeping changes to eliminate extraneous language and redundancies to modernize and streamline the language. This would be things like changing *Chairman* to *Chair*. And there are various stylistic changes throughout the

ordinance. Not any attempt to make any substantive changes with those housekeeping changes.

The fourth is three changes that are not required by state law, but which staff would put forward. Those changes are:

1. Change the requirement in the ordnance that limits a conditional use permit applicant to a one-year period for beginning work on the work permitted by the conditional use permit. The proposal in the ordinance would be to extend that period to two years. That would be in recognition of some of the difficulties that folks have had in getting their operations mobilized or getting financing available for that work.
2. A provision that parallels language that is in the Zoning Ordinance now with respect to rezoning applications. This would simply say that the BZA would not make any consideration of essentially the same application within one year after it's been acted on and has denied it. That is parallel to what is in the current ordinance related to rezoning. We would recommend this change.
3. There is a provision in the ordinance right now that allows the BZA to grant temporary use permits as a conditional use permit. It's defined as being a period of 24 months. The recommendation is that the language would specify that the BZA could not extend or grant another 24-month period for a temporary use permit on the grounds that if it's going past 24 months, it's no longer a temporary use, and it's something that should be brought forward to both the Planning Commission and the Board of Supervisors as a rezoning item.

That is the summary of the ordinance amendments. I'll be glad to answer any questions.

Mr. Witte - Any questions by the Commission? You were well over your ninety seconds.

Mr. Tokarz - I apologize.

Mr. Witte - Thank you, sir.

Mrs. O'Bannon - I found one thing in here. It says under Organization: The Board shall elect one of its members as chair and one as vice chair," and you pointed out that you took away the word *chairman*. And then it says, "The chair or in his absence." I think the grammatically correct thing now is to say "in their absence."

Mr. Witte - Good catch.

Mrs. O'Bannon - I'm just nitpicking.

Ms. Jones - His or her?

Mrs. O'Bannon - You just use the term "their." I think that's grammatically what they use now. The chair or in their absence as vice chair. You know, instead of *his.*

Mr. Tokarz - I see that revision, Mrs. O'Bannon.

Mrs. O'Bannon - That's not a big deal.

Mr. Tokarz - I'd be glad to check on that. The word *their* to me usually is indicated as a plural.

Mrs. O'Bannon - I know.

Mr. Tokarz - But I would be glad to check into that between now and the Board meeting.

Mrs. O'Bannon - You used to use *his or her*.

Mr. Tokarz - Yes.

Mrs. O'Bannon - To take away the gender portion of it.

Mr. Tokarz - Right. That is always one of the problems we have when we're drafting these things.

Mrs. O'Bannon - I know, I know.

Mr. Tokarz - We could say "The chair, or in the chair's absence," and then we could avoid that problem, if you'd like to do that.

Mrs. O'Bannon - It's just I know that's a grammatical thing that they're using right now, that's all.

Ms. Jones - That's pretty clear.

Mr. Tokarz - Pardon me?

Ms. Jones - That's very clear.

Mr. Tokarz - Well then you certainly can recommend approval of the ordinance with that change.

Mrs. O'Bannon - In the chair's absence?

Ms. Jones - In the chair's absence.

Mr. Tokarz - That would be in the second sentence of proposed 24-115.

Mrs. O'Bannon - One fourteen.

Mr. Tokarz - Well it's also one in 115.

Mrs. O'Bannon - One fifteen, okay.

Mr. Tokarz - Right. Both sections, then, 24-114 and 24-115.

Mrs. O'Bannon - You're right. I didn't see that one. Okay.

Mr. Witte - Since this is a public hearing, is there anybody in opposition or would like to make comments about that? I see none.

Ms. Moore - Mr. Chairman, I guess we would make a motion as noted with the changes regarding the pronoun references.

Ms. Jones - And we would make a motion to the Board of Supervisors.

Ms. Moore - That's correct.

Ms. Jones - All right. I would like to move approval of these ordinance amendments with the two changes referenced for the chair to the Board of Supervisors.

Mr. Witte - Second. We have a motion by Mrs. Jones, second by Mr. Witte. All in favor say aye. Opposed? The motion passes.

Ms. Moore - Mr. Chairman, I have no other items for you today.

Mr. Witte - I would like a motion to adjourn.

Ms. Jones - So moved.

Mr. Witte - Second. Thank you everyone for your patience and time.

Mr. Robert H. Witte, Jr., Chairman

Ms. Jean Moore, Acting Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**

1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**

1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**

2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least **48** hours prior to the start of any County water or sewer construction.

3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.

4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.

5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.

6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.

7. The plan of development plan shall be revised as annotated on the staff plan dated **July 22, 2015**, which shall be as much a part of this approval as if details were fully described herein. Eight (8) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application. **(Revised January 2008)**

8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.

9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.

10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.

11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.

11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.

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

12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.

13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.

14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.

15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.

16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses. **(Revised January 2008)**

17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.

18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.

19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the POD.

20. The approved Plan of Development is granted by the Planning Commission only to the owners(s)/applicant(s) listed on the Plan of Development application on file for this project. Upon written notification to the Director of Planning, the Plan of Development approval may be transferred to subsequent owner(s) subject to approval by this Commission. **(Revised July 2007)**

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

STANDARD CONDITIONS FOR LANDSCAPE /LIGHTING/FENCE PLANS

1. The plan shall be revised as shown in red on Staff plan dated **July 22, 2015**, 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.
33. The mechanical equipment for each building shall be located on its respective lot. Except for wall-mounted electric meters, in no case shall the eight-foot easement for construction, drainage, and maintenance access on the abutting lot be used to locate other mechanical equipment (such as HVAC equipment, generators, and the like) for the subject lot.

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

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

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

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

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

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

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

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

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

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

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

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

CONDITIONAL SUBDIVISION STANDARD CONDITIONS

Standard Conditions for Conventional Subdivisions Served By Public Utilities Public Water and/or Sewer

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 Director of Planning for final approval of street names before the recordation plat is submitted for review.

8. The plat shall be revised as shown in red on Staff plan dated **July 22 2015**, 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 21, 2016**, 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

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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **July 22, 2015**, 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 21, 2016**, 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

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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 22, 2015**, 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 21, 2016**, 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

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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 22, 2015**, 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 21, 2016**, 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.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, 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 Director of Planning for final approval of street names before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **July 22, 2015**, 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 21, 2016**, 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.