

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, March 26, 2014.
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Members Present: Mr. Eric Leabough, C.P.C., Chairman, (Varina)
Mr. Robert H. Witte, Jr., Vice Chairman, (Brookland)
Mr. C. W. Archer, C.P.C., (Fairfield)
Mrs. Bonnie-Leigh Jones, C.P.C. (Tuckahoe)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mr. David Kaechele,
Board of Supervisors' Representative

Member Absent: Mr. Tommy Branin, (Three Chopt)

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

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6 **Mr. David Kaechele, the Board of Supervisors' representative, abstains on all**
7 **cases unless otherwise noted.**
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9 Mr. Leabough - Welcome. I call this meeting of the Henrico County Planning
10 Commission to order. This is our Subdivisions and Plans of Development meeting.
11 Before we get started with the agenda, I'd like to ask that everyone please mute or
12 silence your cell phones. And once you're done with that, I'd ask that you rise with me for
13 the Pledge of Allegiance.
14

15 Is there anyone here from the news media? I don't believe so. Thank you.
16

17 Mr. Branin, who represents the Three Chopt District, is not able to be with us this
18 morning, but we do have four members of the Commission present. And we also have
19 Mr. Kaechele from the Board of Supervisors sitting with us this year. Thank you for being
20 here, Mr. Kaechele. We have a quorum, and we can conduct business.
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22 Next I'd like to turn the agenda over to our secretary, Mr. Emerson.
23

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

26
27 Ms. News - Good morning, members of the Commission, Mr. Secretary.
28 We have two items requested for deferral on our list this morning. The first item is
29 located in the Three Chopt District, found on page 11 of your agenda. This is SUB2013-
30 00222, Chesapeake Bay RPA Exception request for Lake Loreine, Section A, Block B,
31 Lot 1. The applicant is requesting a deferral to the April 23, 2014 meeting.

32
33 *(Deferred from the February 26, 2014 Meeting)*

34
35 **SUBDIVISION - CHESAPEAKE BAY RESOURCE PROTECTION AREA EXCEPTION**

36
SUB2013-00222 **Obsidian, Inc. for Page Bourgeois:** Request for approval
Lake Loreine Section A of a Chesapeake Bay Resource Area Exception as
Block B Lot 1 - 2316 required by Chapter 24, Sections 106.3(f) and 106.3(l) of
Persimmon Trek the Henrico County Code. The 1.41-acre site is located on
the west line of Persimmon Trek, approximately 300 feet
north of Brookmont Drive, on parcel 743-754-0927. The
exception would allow for the encroachment of a swimming
pool and related improvements within the 100-foot-wide
Chesapeake Bay Preservation area, adjacent to Lake
Loreine that drains into Stony Run, which drains to
Tuckahoe Creek in the James River watershed. The
zoning is R-2A, One-Family Residential District, and C-1,
Conservation District. County water and sewer. **(Three
Chopt)**

37
38 Mr. Leabough - Is there anyone here in opposition to the deferral of
39 SUB2013-00222, Lake Loreine, Section A, Block B, Lot 1? There is no opposition.

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41 Mr. Archer - Mr. Chairman, I move for deferral of SUB2013-00222, Lake
42 Loreine, Section A, Block B, Lot 1, to the April 23 meeting at the request of the applicant.

43
44 Mr. Witte - Second.

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

48
49 At the request of the applicant, the Planning Commission deferred SUB2013-00222,
50 Lake Loreine, Section A, Block B, Lot 1, Chesapeake Bay Resource Protection Area
51 Exception to its April 23, 2014 meeting.

52
53 Ms. News - The next item is found on page 18 of your agenda and is
54 located in the Varina District. This is POD2013-00428, plan of development for Family

55 Dollar at 60 E. Williamsburg Road. The applicant is requesting a deferral to the May 28,
56 2014 meeting.

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58 *(Deferred from the February 26, 2014 Meeting)*

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60 **PLAN OF DEVELOPMENT**

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POD2013-00428 Family Dollar at 60 E. Williamsburg Road - 60 E. Williamsburg Road (U.S. Route 60)	Balzer and Associates, Inc. for Brick House Manner, LLC and Twin Rivers Capital, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 8,320 square-foot retail store. The 1.09-acre site is located at the northwest corner of the intersection of E. Williamsburg Road (U.S. Route 60) and Garland Avenue, on parcels 827-716-7805, 827-716-7107, and 827-716-8603. The zoning is B-1, Business District, and ASO, Airport Safety Overlay District. County water and sewer. (Varina)
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63 Mr. Leabough - Is there anyone here in opposition to the deferral of
64 POD2013-00428, Family Dollar? There is no opposition. I move that POD2013-00428,
65 Family Dollar, be deferred to the May 28, 2014, meeting at the request of the applicant.

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37 Mrs. Jones - Second.

69 Mr. Leabough - Motion by Mr. Leabough, second by Mrs. Jones. All in favor
70 say aye. All opposed say no. The ayes have it; the motion passes.

72 At the request of the applicant, the Planning Commission deferred POD2013-00428,
73 Family Dollar, to its May 28, 2014 meeting.

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

77 Mr. Emerson - Mr. Chairman, that now takes us to the expedited items on
78 your agenda. Those will also be presented by Ms. Leslie News.

80 Ms. News - Sir, we have four items on our expedited agenda this
81 morning. The first is found on page three of your agenda and located in the Brookland
82 District. This is transfer of approval for POD-46-02, Extra Space Storage at Old Staples
83 Mill (Formerly Old Staples Mill Road Mini Storage). Staff recommends approval.

90 **TRANSFER OF APPROVAL**

91

POD-46-02 **Hirschler Fleischer for Extra Space Properties Two,**
POD2014-00010 **LLC:** Request for transfer of approval as required by
Extra Space Storage at Chapter 24, Section 24-106 of the Henrico County Code
Old Staples Mill (Formerly from Ms. Patricia L. Morris and Michael D. Sifen, Inc. to
Old Staples Mill Road Mini Extra Space Properties Two, LLC. The 5.55-acre site is
Storage) - 9001 Old located along the east line of Old Staples Mill Road,
Staples Mill Road approximately 400 feet north of its intersection with
Staples Mill Road (U.S. Route 33), on parcel 770-756-
2492. The zoning is M-1C, Light Industrial District
(Conditional). County water and sewer. **(Brookland)**

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93 Mr. Leabough - Is there anyone here in opposition to POD-46-02 (POD2014-
94 00010), Extra Space Storage (Formerly Old Staples Mill Road Mini Storage)? There is
95 no opposition.

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97 Mr. Witte - Mr. Chairman, I move approval of transfer of approval of
98 POD-46-02 (POD2014-00010), Extra Space Storage (Formerly Old Staples Mill Road
99 Mini Storage), subject to the previously approved conditions.

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101 Mr. Archer - Second.

102

103 Mr. Leabough - Motion by Mr. Witte, second by Mr. Archer. All in favor say
104 aye. All opposed say no. The ayes have it; the motion passes.

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106 The Planning Commission approved the transfer of approval request for POD-46-02
107 (POD2014-00010), Extra Space Storage (Formerly Old Staples Mill Road Mini Storage),
108 subject to the standard and added conditions previously approved.

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110 Ms. News - The next items is found on page four of your agenda and is
111 located in the Varina District. This is a transfer of approval for POD-46-04—this is part of
112 a POD—Extra Space Storage at Laburnum (Formerly Sifen Self Storage at Laburnum).
113 Staff recommends approval.

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126 **TRANSFER OF APPROVAL**

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POD-46-04 (Part)
POD2014-00011
Extra Space Storage at
Laburnum (Formerly Sifen
Self Storage at Laburnum)
- 1140 N. Laburnum
Avenue

Hirschler Fleischer for Extra Space Properties Two, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Creighton Laburnum Associates and Michael D. Sifen, Inc. to Extra Space Properties Two, LLC. The 6.58-acre site is located along the west line of N. Laburnum Avenue, approximately 850 feet south of Creighton Road, and along the east line of Dabbs House Road, on parcel 808-729-7538. The zoning is M-1C, Light Industrial District (Conditional), B-2C, Business District (Conditional), and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

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Mr. Leabough - Is there anyone here in opposition to POD-46-04 (Part) (POD2014-00011), Extra Space Storage at Laburnum (Formerly Sifen Self Storage at Laburnum)? There is no opposition. I move for approval of transfer of approval for POD-46-04 (Part) (POD2014-00011), Extra Space Storage at Laburnum (Formerly Sifen Self Storage at Laburnum).

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Mr. Witte - Second.

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Mr. Leabough - Motion by Mr. Leabough, second by Mr. Witte. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

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The Planning Commission approved the transfer of approval request for POD-46-04 (Part) (POD2014-00011), Extra Space Storage at Laburnum (Formerly Sifen Self Storage at Laburnum), subject to the standard and added conditions previously approved.

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Ms. News - Next on page five of your agenda and located in the Three Chopt District is a transfer of approval for POD-01-89, part of a POD, The Shops at Wellesley. Staff recommends approval.

149 **TRANSFER OF APPROVAL**

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POD-01-89 (Part)
POD2013-00420
The Shops at Wellesley -
3400 Lauderdale Drive

Hirschler Fleischer for Wellesley, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Park Terrace Limited Partnership to Wellesley, LLC. The 6.99-acre site is located at the southwest corner of the intersection of Lauderdale Drive and Park Terrace Drive, on parcel 735-759-2130. The zoning is B-1C, Business District (Conditional). County water and sewer. **(Three Chopt)**

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152 Mr. Leabough - Is there anyone here in opposition to the transfer of approval
153 request for POD-01-89 (Part), POD2013-00420, The Shops at Wellesley? There is no
154 opposition.

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156 Mr. Archer - Mr. Chairman, I move approve of this transfer of POD-01-89
157 (Part), POD2013-00420, The Shops at Wellesley.

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159 Mrs. Jones - Second.

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

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164 The Planning Commission approved the transfer of approval request for POD-01-89
165 (Part), POD2013-00420, The Shops at Wellesley, subject to the standard and added
166 conditions previously approved.

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168 Ms. News - The final item is found on page 10 of your agenda and is
169 located in the Fairfield District. This is SUB2014-00019, Concept Road 143 (March 2014
170 Plan). This is a road dedication, and staff recommends approval.

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172 **SUBDIVISION**

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SUB2014-00019 **Draper Aden Associates for Virginia Power and**
Concept Road 143 (March **Electric Company, a Virginia Corporation, d/b/a**
2014 Plan) – Road **Dominion Virginia Power:** The 6.0-acre site proposed
Dedication for a public road dedication is located at the terminus of
Magellan Parkway, and connecting to Scott Road,
approximately 1,600 feet north of E. Parham Road, on
part of parcel 790-762-3014. The zoning is O-3C, Office
District (Conditional). County water and sewer. **(Fairfield)**
0 Lots

174
175 Mr. Leabough - Is there any opposition to SUB2014-00019, Concept Road
176 143 (March 2014 Plan)? There is no opposition.

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178 Mr. Archer - Mr. Chairman, I move for approval of SUB2014-00019,
179 Concept Road 143 (March 2014 Plan), subject to the staff recommendation, annotations
180 on the plan, standard conditions for subdivisions served by public utilities for a road
181 dedication, and the additional conditions #11 through #13.

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183 Mrs. Jones - Second.

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

187

188 The Planning Commission granted conditional approval to SUB2014-00019, Concept
189 Road 143 (March 2014 Plan), subject to the standard conditions attached to these
190 minutes for subdivisions served by public utilities, the annotations on the plans, and the
191 following additional conditions:

- 192
- 193 11. The details for the landscaping to be provided within the right-of-way along
194 Concept Road 143 shall be submitted to the Department of Planning for review
195 and approval prior to recordation of the plat.
 - 196 12. The proffers approved as part of zoning case REZ2014-00008 shall be
197 incorporated in this approval.
 - 198 13. The developer shall request that the County of Henrico abandon their interest in
199 the portion(s) of the existing Scott Road that will no longer be publically used, as
200 determined by the Director of Public Works, prior to recordation of the road
201 dedication plat.

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203 Ms. News - That completes our expedited agenda.

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205 Mr. Emerson - Mr. Chairman, that now takes us to subdivision extensions of
206 conditional approval, and there are none of those this morning. So we now move to page
207 six of your regular agenda and page one of your amended agenda for POD2014-00055.

208

209 **PLAN OF DEVELOPMENT**

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POD2014-00055 Dominion Packaging – 5700 Audubon Drive	Hulcher & Associates, Inc. for Audubon Drive Properties, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to convert a one-story, 317,000 square-foot auto parts distribution facility into a packaging plant and warehouse, including the construction of a mechanical yard and storage area for inflammable chemicals. The 15.94-acre site is located at the northwest corner of the intersection of Audubon Drive and International Center Drive, on parcel 821-716-5995. The zoning is M-1, General Industrial District, and ASO, Airport Safety Overlay District. County water and sewer. (Varina)
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212 Mr. Leabough - Is there anyone here in opposition to POD2014-00055,
213 Dominion Packaging? No opposition. Mr. Garrison?

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215 Mr. Garrison - Good morning. The applicant is requesting approval to
216 convert an existing auto parts distribution facility into a packaging plant and warehouse,
217 including construction of a mechanical yard for chemical tanks containing inflammable
218 chemicals for processing purposes.

219

220 Staff has requested and received a revised plan showing an emergency access to
International Center Drive, details on the location of the mechanical yard, parking

222 requirements for the office, and a schematic landscape plan to provide screening for the
223 mechanical area.

224
225 I would like to note that staff has received concerns from adjacent property owners citing
226 drainage, parking, and visibility into the mechanical area. However, the plan meets all
227 requirements for staff to recommend approval subject to the annotations on the plan,
228 standard conditions for developments of this type, and added conditions #29 through #32
229 with Condition #32 being revised to include the words "above ground storage tanks."
230 This information was received on Monday, and I would like to note that the time limits will
231 need to be waived.

232
233 Staff and representatives of the applicant are available to answer any questions that you
234 may have. John Cogbill is here on behalf of the adjacent property owner.

235
236 Mr. Leabough - All right. Are there questions from the Commission? I have a
237 question, Mr. Garrison. The drainage, can you elaborate a little more on the drainage
238 concerns, please?

239
240 Mr. Garrison - I might get the civil engineer up here. He's probably more
241 equipped to answer those questions, but let me point out where—this is currently an
242 existing BMP. There is a concrete drainage ditch that flows into a pipe here, and then it's
243 piped into the RPA or the wetlands. That's an existing condition. There should not be any
244 more runoff than there is predevelopment. But I will let Bruce Hulcher address that
245 comment.

246
247 Mr. Leabough - Okay. Sir, as you approach the podium please remember that
248 these are recorded proceedings, so if could state your name for the record.

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250 Mr. Hulcher - Mr. Chairman, members of the commission, I'm Bruce
251 Hulcher of Hulcher and Associates. We did the site plan. With me today is—

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253 Mr. Leabough - Sir, I'm sorry. We're having a hard time hearing you. Could
254 you bring the microphone closer, please?

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256 Mr. Hulcher - I'm Bruce Hulcher, Hulcher and Associates. We did the site
257 plan. With me today are some people from Dominion Packaging and Mr. Jack Beaman
258 who's the structural engineer who's worked on a number of these projects. All are
259 available to answer other questions that I can't answer.

260
261 Mr. Leabough - Could you address the concerns raised related to drainage,
262 please?

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264 Mr. Hulcher - Yes, sir. We have designed this plan so that the rate of water
265 leaving this site is actually less than is leaving it now by retaining it in that basin that you
266 see and releasing it at a controlled rate, which is less than the predevelopment rate. It
267 discharges into a fairly major drainage way in this floodplain and wetlands. We don't

268 have any question that it's going to be non-erosive on discharge. This is fairly typical of
269 the way projects like this are handled to reduce the post-development runoff back to
270 something equal to or less than the predevelopment rate. And that's what we've done.
271
272 Mr. Leabough - Thank you. Are there are other questions from the
273 Commission?
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275 Mrs. Jones - Mr. Chairman, was there someone in opposition to this plan
276 here today? Was that the question from the adjacent owners, drainage?
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278 Mr. Leabough - I think that was mentioned by Mr. Garrison in his staff report.
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280 Mrs. Jones - Okay.
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282 Mr. Leabough - So I was just trying to get a better handle on—
283
284 Mrs. Jones - Were there other concerns, though, by adjacent owners?
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286 Mr. Leabough - I think parking and the screening of the storage tanks.
287 Correct, Mr. Garrison?
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289 Mr. Garrison - Yes.
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291 Mrs. Jones - Okay. I just want to make sure that those have been
292 addressed.
293
294 Mr. Leabough - Yes. Could you address those as well, sir?
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296 Mr. Hulcher - The parking and the screening—
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298 Mr. Leabough - The screening of the storage tanks.
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300 Mr. Hulcher - Yes. We are adding perimeter screening at a fairly dense
301 rate, as you see, on the west side, all the way down the west side of the property. As
302 well as some on the right side which will screen the rear area of where the parking, the
303 truck loading, goes on. And there is also some entrance screening so that it is not as
304 visible from the roadway. This is a schematic plan. The actual plan will come back to the
305 Commission.
306
307 Mr. Leabough - So the question related to parking was screening of the
308 parking or was it whether there's adequate parking?
309
310 Mr. Hulcher - Well, there is adequate parking as shown now on the plan.
311 What we've got is a building that was built for one use and is now another use. The
312 parking required in an M-1 is one space per two employees, but that's the total number
313 of employees, but some of those are in the office. So we kind of worked something out

314 so that—in an office it's one space per 250 square-feet. So we meet both of those
315 requirements on this parking plan.

316
317 Mr. Leabough - Any other questions from the Commission? Thank you, sir.

318
319 Mr. Garrison - To elaborate a little bit on the parking as well, the concern
320 also was it wasn't clear if the Richmond plant was closing, but it is not. The applicant has
321 stated that the Richmond office is staying open, and this is just an expansion. So the
322 parking is adequate for this expansion.

323
324 Mr. Leabough - Thank you.

325
326 Mr. Emerson - Greg, have we resolved the storage tank issue?

327
328 Mr. Garrison - The screening?

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330 Mr. Emerson - No, the additional storage that wasn't allowed.

331
332 Mr. Garrison - Oh yes. I annotated the plan. Let's see. The applicant agrees
333 with this annotation that these cannot exceed 30,000 gallons.

334
335 Mr. Leabough - The applicant understands that they will have to come back
336 for the landscape plan. I guess what they provided is just conceptual at this point.

337
338 Mr. Garrison - Yes, sir. The adjacent property owner has expressed maybe
339 a tweak to some of the species. It shouldn't be any more cost difference. So we can
340 address that at the landscape plan.

341
342 Mr. Leabough - I think that we would want to make sure that the screening is
343 adequate from the roadway, that folks driving down Audubon are not looking at storage
344 tanks or metal storage.

345
346 Mr. Garrison - Yes, sir. That was a concern that staff brought up.

347
348 Mr. Leabough - Okay. Are there any other questions? Great. With that, if
349 there are no other questions, I move—oh, I'm sorry.

350
351 Mr. Cogbill - Good morning, Mr. Chairman. My name is John Cogbill. I'm
352 here on behalf of the adjacent property owners located to the west. I just wanted to make
353 a few comments about that, and I think I can address some of the questions that you all
354 have raised.

355
356 First, we want to thank the staff for all that they've done and being so helpful in helping
357 us understand the process, and listening to the concerns, and helping to address those.
358 We also want to thank Dominion Packaging for some of the changes that they've made.
359 We also, I think, on behalf of our clients want to welcome them to the county. I think this

360 is a great example of how Henrico is “open for business.” So we’re very pleased about
361 this.

362
363 As you can imagine, though, with the adjacent property owners, they have vacant
364 property. They hope to build a facility there and have even thought about possibly a
365 hotel. So the screening was very, very important to them.

366
367 There are really three issues that were of concern. Again, these have been addressed by
368 the staff and by the applicant. The first of those was the evergreens along the west side
369 of the property. Originally they were Leyland Cypress. At our suggestion, or at the staff’s
370 suggestion, they converted that to the Green Giant Arborvitae, which is a great choice.
371 We’re very pleased with that. They’ve increased the height, from five to six feet, to six to
372 eight feet. We would suggest perhaps a little taller when they’re installed would be more
373 helpful and I think would provide a better screen earlier.

374
375 In addition, they’re proposing nandina in that low landscaped area that they mentioned
376 earlier. We would suggest perhaps the dwarf burford holly would be a better plant. It’s an
377 evergreen. I understand from talking to Greg that perhaps they were trying to provide a
378 little color. But again, I think the evergreen on the dwarf burford holly would be better. I
379 have nandina in my yard. And I can tell you in the winter it gets pretty spindly and isn’t all
380 that attractive. So perhaps that would be a change that you or the applicant would
381 consider.

382
383 The second was really the concept—and we appreciate the fact that this is coming back
384 to you for final approval. We think this is a very, very good arrangement. We would
385 suggest, too, that if there is future work that is to be done there, it currently comes back
386 to the Director of Planning, according to the staff’s recommendation. We would suggest
387 that this might be something that might come back to you as something for you to look
388 at. But if you’d prefer to have it with the Director of Planning, we would simply ask that
389 the adjacent property owners be provided notice of any proposed changes, additions,
390 improvement. And that’s specifically—it’s very important with respect to the location of
391 the tanks. We would have hoped that they could have been located somewhere else on
392 the property, but we understand again that as part of the process of industrial operations
393 that they have to—in order to make the facility work properly they have to be in a certain
394 location. We understand that. And we’re also very appreciative that this will be limited to
395 30,000 gallons as opposed to what had originally been proposed. We’re concerned
396 about that, but we think your staff has certainly addressed that.

397
398 So with those in mind, we do support this request. Again, we think it’s a good addition to
399 Henrico, a good opportunity for new development out here. And we would just hope that
400 you would consider our suggested changes with respect to the landscaping plan and
401 future improvements on the site. Thank you very much. I’d be happy to answer any
402 questions.

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404 Mr. Leabough - Are there any questions? Thank you sir.

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406 Mr. Cogbill - Thank you.

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408 Mr. Leabough - I will just encourage the applicant to take into consideration
409 what was just expressed in terms of some of the landscaping items. I'm sure staff will
410 work with the applicant to make sure that there's adequate screening for the storage and
411 parking.

412
413 With that, if there are no other questions, I move that we waive the time limits for the
414 receipt of the revised plan and the revised condition.

415
416 Mr. Archer - Second.

417
418 Mr. Leabough - Motion by Mr. Leabough, second by Mr. Archer. All in favor
419 say aye. All opposed say no. The ayes have it; the motion passes.

420
421 Next I move that POD2014-00055, Dominion Packaging, be approved subject to
422 standard conditions for developments of this type, the annotations on the plan, Condition
423 #9 amended as noted on the agenda, as well as added conditions #29 through #32, and
424 Condition #32 as revised in the addendum.

425
426 Mr. Archer - Second.

427
428 Mr. Leabough - Motion by Mr. Leabough, second by Mr. Archer. All in favor
429 say aye. All opposed say no. The ayes have it; the motion passes.

430
431 The Planning Commission approved POD2014-00055, Dominion Packaging, subject to
432 the annotations on the plans, the standard conditions attached to these minutes for
433 developments of this type, and the following additional conditions:

- 434
435 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
436 Planning for review and Planning Commission approval prior to the issuance of any
437 occupancy permits.
- 438 29. There shall be no outdoor storage in moveable storage containers including, but
439 not limited to, cargo containers and portable on demand storage containers.
- 440 30. The location of all existing and proposed utility and mechanical equipment
441 (including HVAC units, electric meters, junction and accessory boxes,
442 transformers, and generators) shall be identified on the landscape plans. All
443 equipment shall be screened by such measures as determined appropriate by the
444 Director of Planning or the Planning Commission at the time of plan approval.
- 445 31. Details for the gate and locking device at the entrance road and emergency
446 access road shall be submitted for review by the Traffic Engineer, Police and
447 approved by the County Fire Marshall. The owner or owner's contractor shall
448 contact the County Fire Marshall prior to completion of the fence installation to
449 test and inspect the operations of the gates. Evidence of the Fire Marshall's
450 approval shall be provided to the Department of Planning by the owner prior to
451 issuance of occupancy permits.

2 32. **REVISED** - Details for any future outside mechanical equipment, **above ground**
453 **storage tanks**, and distribution ductwork shall be submitted to the Director of
454 Planning for review and approval prior to construction.
455

456 **SUBDIVISION**
457

SUB2014-00018 **Youngblood, Tyler & Associates, P.C. for Gilbert C. &**
Holloway at Wyndham **Susan M. Vanderbush, Nuckols Road, LLC, Robert C.**
Forest (March 2014 Plan) **Johnson, Blanche N. Alvis, Jacqueline F. Holloway,**
– 10989 Opaca Lane **and HHHunt Corporation:** The 55.9-acre site proposed
for a subdivision of 95 single-family dwellings is located at
the southeast terminus of Holman Ridge Road, between
the northeast terminus of Opaca Lane and the
Chickahominy River, on parcel 750-773-3322, and part of
parcels 749-771-6494 and 751-773-2046. The zoning is R-
3C, One-Family Residential District (Conditional). County
water and sewer. **(Three Chopt) 95 Lots**

458
459 Mr. Leabough - Is there anyone here in opposition to SUB2014-00018,
460 Holloway at Wyndham Forest (March 2014 Plan)? Looks like we have one person in
461 opposition. Ms. Goggin?
462

463 Ms. Goggin - Good morning. The subject property was recently granted
464 approval at rezoning by the Board of Supervisors at their February 11, 2014 meeting to
465 allow up to 100 single-family dwellings subject to the proffers of case REZ2013-00014.
466 The applicant proposes 95 lots. The layout plan is in conformance with the proffered
467 layout and conditions.
468

469 Features proposed with this development include a play area with benches, as proffered,
470 located behind Block F, Lots 3 and 4, which is right here. There will also be sidewalk as
471 proffered along both sides of Holman Ridge Road, the entire length of the road,
472 connecting to the sidewalk from adjacent Martin Ridge subdivision just to the north of this
473 development. And that's this road that goes down here. The plan also provides area
474 behind and beside lots throughout the subdivision to construction pedestrian paths within
475 the neighborhood.
476

477 Staff recommends approval subject to the annotations on the plans, the standard
478 conditions for subdivisions served by public utilities, and conditions #13 through #21 in
479 the agenda. The representative from Youngblood, Tyler & Associates is here, Andrew
480 Browning, to answer any questions you may have of him. And I would be happy to
481 answer any questions you may have of me.
482

483 Mr. Leabough - Are there questions for Ms. Goggin?
484

485 Mr. Archer - Ms. Goggin—and maybe the applicant can answer this.
36 There is a provision for a play area with benches that has been proffered.

487
488 Ms. Goggin - Yes, sir.
489
490 Mr. Archer - And I don't remember the proffer. Do you know what
491 materials the benches would be made out of?
492
493 Ms. Goggin - I would like to leave that to them, but we will definitely make
494 sure that they are the kind of benches that are meant for public use over a long period of
495 time and in weather.
496
497 Mr. Archer - I just ask that because I've had it come up previously.
498 Sometimes if they're made out of a "not-too-expensive" grade of wood they'll last about a
499 year or so, and then they curl up—but anyway.
500
501 Ms. Goggin - We're going to make sure that they get all-weather long-term
502 furniture.
503
504 Mr. Archer - That takes care of it. Thank you so much.
505
506 Ms. Goggin - You're welcome
507
508 Mr. Leabough - Are there other questions for Ms. Goggin? Mr. Archer, would
509 you all like to hear from the opposition?
510
511 Mr. Archer - I think I'd like to hear from the opposition first so the applicant
512 will have a chance to respond. Thank you.
513
514 Mr. Leabough - Mr. Secretary, while Ms. Hamilton is approaching the podium,
515 do you mind reading the rules for public speaking, sir?
516
517 Mr. Emerson - Absolutely. Mr. Chairman, as I believe everyone is aware, the
518 Commission does have rules and regulations regarding public comment at their
519 meetings, and they are as follows: The applicant is allowed 10 minutes to present the
520 request, and time may be reserved for responses to testimony. Opposition is allowed 10
521 minutes to present its concerns. Commission questions do not count into the time limits.
522 The Commission may waive the limits for either party at its discretion. Comments must
523 be directly related to the case under consideration. Mr. Chairman, I would add that this
524 property is entitled. The rezoning has been approved. This is a subdivision layout
525 consideration, and comments should be directed to design of the subdivision.
526
527 Mr. Leabough - Thank you, sir. Ms. Hamilton.
528
529 Ms. Hamilton - For the record, my name is Karen Hamilton. And I object to
530 the lighting. Before I even know what you're going to do I'm sure there is going to be way
531 too much lighting. And there's a program called Dark Sky, which advocates that we have
532 dark nights. There has been a definite decrease in fireflies, and I see very few of them

533 anymore where I am. I object to this because it's not in keeping with the—I'm not talking
534 about density now; I'm talking about the architectural style is not in keeping with my
535 neighborhood, which is rural, which is what it was originally out there before you ruined
536 it.

537
538 I object to the paving over of everything out there. Even though you may put up little
539 trees, with all the asphalt and the paving there will be no way for the birds to get to the
540 ground to get to the earthworms to eat them. And many birds do not eat seed; they eat
541 insects.

542
543 I object to the noise level that this going to bring to our area. I object to the traffic that it
544 will bring, and that's not just a matter of POD—the other meetings that you had. And I
545 want to emphasize that it is nesting season already. Even though they've already torn
546 down the trees here, from what I can see, when you disturb a bird's nest in the vicinity
547 and you scare away those adult birds so that they abandon the eggs or chicks, you have
548 still violated the federal Migratory Bird Treaty Act. Or if it was an endangered species,
549 you have violated the Endangered Species Act.

550
551 Mr. Leabough - Thank you, Ms. Hamilton. Would the applicant please come
552 forward?

553
554 Mr. Browning - Good morning. Andrew Browning with Youngblood, Tyler &
555 Associates.

556
557 Mr. Leabough - I believe there was a question raised by Mr. Archer related to
558 the materials for the bench.

559
560 Mr. Browning - Yes sir. We hadn't gotten that far with the actual bench
561 design, but I'm sure my client will definitely take it into consideration and install some
562 bench that will look good as well as hold up to the weather.

563
564 Mr. Archer - Okay. And Ms. Goggin says they'll hold you to it, so.

565
566 Mr. Browning - Yes, sir. I will. We'll make sure that HHHunt is aware of that.

567
568 Mr. Archer - All right.

569
570 Mr. Leabough - Are there any other questions for Mr. Browning? Okay.

571
572 Mr. Archer - I don't have any other questions, Mr. Chairman.

573
574 Mr. Leabough - Thank you, sir.

575
576 Mr. Browning - Thank you, sir.

577

578 Mr. Archer - Mr. Chairman, with that I will move for approval of SUB2014-
579 00018, Holloway at Wyndham Forest (March 2014 Plan), subject to the annotations on
580 the plan, standard conditions for subdivisions served by public utilities, and the additional
581 conditions #13 through #20. (See page 17 for correction to add Condition #21).

582
583 Mrs. Jones - Second.

584
585 Mr. Leabough - Motion by Mr. Archer, second by Mrs. Jones. All in favor say
586 aye. All opposed say no. The ayes have it; the motion passes.

587
588 The Planning Commission granted conditional approval to SUB2014-00018, Holloway at
589 Wyndham Forest (March 2014 Plan), subject to the standard conditions attached to
590 these minutes for subdivisions served by public utilities, the annotations on the plans,
591 and the following additional conditions:

- 592
593 13. The limits and elevation of the **Special Flood Hazard Area** shall be conspicuously
594 noted on the plat and construction plans and labeled "**Limits of Special Flood**
595 **Hazard Area.**" Dedicate the **Special Flood Hazard Area** as a "Variable Width
596 Drainage & Utilities Easement."
597 14. Prior to requesting the final approval, a draft of the covenants and deed restrictions
598 for the maintenance of the common area by a homeowners association shall be
599 submitted to the Department of Planning for review. Such covenants and
600 restrictions shall be in a form and substance satisfactory to the County Attorney and
601 shall be recorded prior to recordation of the subdivision plat.
602 15. Prior to requesting construction plan approval, the developer must furnish a letter
603 from Dominion Virginia Power and Plantation Pipeline, stating that this proposed
604 development does not conflict with its facilities.
605 16. A County standard sidewalk shall be constructed along both sides of Holman Ridge
606 Road.
607 17. Any necessary offsite drainage easements must be obtained prior to final approval
608 of the construction plan by the Department of Public Works.
609 18. The proffers approved as part of zoning case REZ2013-00014 shall be
610 incorporated in this approval.
611 19. The final plat for recordation shall contain information showing The Chesapeake
612 Bay Preservation areas, if any, in accordance with Chapter 19, Section 19-72 (18),
613 of the Henrico County Code, as determined by the Director of Public Works.
614 20. The developer shall provide signage, the wording and location as deemed
615 appropriate by the Director of Public Works, which addresses the possible future
616 extension of the stub street.
617 21. Any future building lot containing a BMP, sediment basin or trap and located
618 within the buildable area for a principal structure or accessory structure, may be
619 developed with engineered fill. All material shall be deposited and compacted in
620 accordance with the Virginia Uniform Statewide Building Code and geotechnical
621 guidelines established by a professional engineer. A detailed engineering report
622 shall be submitted for the review and approval by the Building Official prior to the
623 issuance of a building permit on the affected lot. A copy of the report and

624 recommendations shall be furnished to the Directors of Planning and Public
625 Works.

626

627 **PLAN OF DEVELOPMENT**

628

POD2014-00057 **Timmons Group for Groome Properties III, LLC:**
Groome Transportation Request for approval of a plan of development, as required
Headquarters – Dabney by Chapter 24, Section 24-106 of the Henrico County
Road Code, to construct a one-story, 5,949 square-foot office
and a one-story, 9,165 square-foot vehicle maintenance
shop with a 1,105 square-foot office mezzanine and six
service bays for fleet vehicles. The 8.04-acre site is
located on the east line of Dabney Road, approximately
500 feet south of Racrete Road, on parcel 777-739-4437.
The zoning is M-2, General Industrial District. County
water and sewer. **(Brookland)**

629

630 Mr. Leabough - Good morning, Ms. Crady.

631

632 Mr. Archer - Mr. Chairman, may I interject just a second?

633

634 Mr. Leabough - Sure.

635

636 Mr. Archer - I left out a condition on the last motion. Let the record show
637 that there are 21 conditions, not 20.

638

639 Mr. Leabough - Thank you, sir.

640

641 Mr. Archer - Thank you.

642

643 Mr. Leabough - Is there anyone here in opposition to POD2014-00057,
644 Groome Transportation Headquarters? There is no opposition. Ms. Crady.

645

646 Ms. Crady - Good morning. The proposed plan includes an office and
647 maintenance shop to serve the Groome Transportation automotive fleet, as well as a
648 secure rear storage lot to accommodate buses, vans, and cars. The front parking lot is
649 designed as a public parking lot with standard spaces, landscape islands, and perimeter
650 landscaped strips. The building will be constructed of a combination on integral color,
651 split-face CMU, and metal siding.

652

653 Staff recommends approval subject to the annotations on the plans, the standard
654 conditions for developments of this type, and the additional conditions listed in the
655 agenda. I'm happy to answer any questions the Commission may have of me. Steve
656 Worthington with Timmons Group is here to represent the applicant, as well as Jared
657 Churchill and Chris Groome with Groome Transportation.

658

659 Mr. Leabough - Are there questions for Ms. Crady? Would you like to hear
660 from the applicant, sir?
661
662 Mr. Witte - I'd like to hear from the applicant, please.
663
664 Mr. Leabough - Would the applicant please come forward?
665
666 Mr. Worthington - Good morning, Mr. Chairman, members of the Commission.
667 My name is Steve Worthington with Timmons Group. And like Aimee said, Groome
668 Transportation is also represented by Mr. Churchill and Mr. Groome.
669
670 Mr. Witte - Thank you, sir. Approximately how many vehicles do they
671 plan to service? It appears to be they're going to service buses and large vehicles at any
672 given time. Is there going to be a lot of storage in the yard? Is this general maintenance?
673 What's the situation?
674
675 Mr. Worthington - They're relocating their operation from their current location,
676 so they're going to be servicing their current fleet, which I might have to defer to Jared on
677 the actual number there. The parking is there in the back just specifically to serve that
678 fleet. They're not going to be doing anything other than maintaining their current fleet.
679
680 Mr. Witte - Okay. So there are going to be no—how do I say this?—not-
681 to-be-repaired vehicles stored on the property.
682
683 Mr. Worthington - No, sir. That's certainly not in the plans and not anyone's
684 intent to do that.
685
686 Mr. Witte - So we're not going to strip parts off of one and just leave it
687 there like part of a junkyard.
688
689 Mr. Worthington - No, sir. Again, it's for maintaining the current fleet, keeping
690 everything in operation.
691
692 Mr. Witte - Okay. Well, I have no further questions.
693
694 Mrs. Jones - May I ask a question?
695
696 Mr. Witte - Please do.
697
698 Mrs. Jones - In a number of cases in these kinds of operation, obviously
699 landscaping, screening is an important issue. I notice this is coming back for a landscape
700 review, but it's not coming back to the Commission. Correct?
701
702 Mr. Witte - Correct.
703
704 Mrs. Jones - Okay. All right.

705
706 Mr. Witte - We have discussed that. It's a unique location down there,
707 and there are some privacy issues on one side. I think Ms. Crady can answer that a little
708 better for us.
709
710 Ms. Crady - First let me address the automobile storage. Condition #36
711 addresses that no wrecked automobiles or other vehicles incapable of being operated
712 shall be kept on the premises. That should cover any inoperable vehicle concerns.
713
714 As far as the buffer and screening, the storage lot is about 175 feet back from the road.
715 It's mostly going to be screened by an existing building to the south and then a
716 substantial RPA buffer to the north. So there are provisions for tree protection and tree
717 save along that border, as well as adequate landscape strips between that storage area
718 and the parking lot, and—between the storage area and the right-of-way. As far as
719 screening goes, they're meeting the provisions. And the landscape plan will ensure that.
720
721 Mrs. Jones - All right, sounds good.
722
723 Mr. Witte - Thank you, Ms. Crady.
724
725 Mr. Leabough - Ms. Crady, I have a question that you may or may not be able
726 to answer. Is Groome relocating from Varina to move to Brookland?
727
728 Ms. Crady - That is my understanding.
729
730 Mr. Leabough - We're not happy about that.
731
732 Ms. Crady - I wasn't going to bring it up in the staff report, but.
733
734 Mr. Witte - We are ecstatic about that.
735
736 [Overlapping conversation.]
737
738 Mr. Leabough - Thank you, ma'am. Mr. Witte?
739
740 Mr. Witte - All right. Mr. Chairman. I move approval of POD2014-00057,
741 Groome Transportation Headquarters, as presented, subject to the annotations on the
742 plans, the standard conditions for developments of this type, and additional conditions
743 #29 through #36 as shown on the agenda.
744
745 Mrs. Jones - Second.
746
747 Mr. Leabough - Motion by Mr. Witte, second by Mrs. Jones. All in favor say
748 aye. All opposed say no. The ayes have it; the motion passes.
749

750 The Planning Commission approved POD2014-00057, Groome Transportation
751 Headquarters, subject to the annotations on the plans, the standard conditions attached
752 to these minutes for developments of this type, and the following additional conditions:
753

- 754 29. Details for the gate and locking device at the rear parking lot access point shall be
755 submitted for review by the Traffic Engineer, Police and approved by the County
756 Fire Marshall. The owner or owner's contractor shall contact the County Fire
757 Marshall prior to completion of the fence installation to test and inspect the
758 operations of the gates. Evidence of the Fire Marshall's approval shall be provided
759 to the Department of Planning by the owner prior to issuance of occupancy
760 permits.
- 761 30. All repair work shall be conducted entirely within the enclosed building.
- 762 31. Outside storage shall not be permitted.
- 763 32. Approval of the construction plans by the Department of Public Works does not
764 establish the curb and gutter elevations along the Henrico County maintained
765 right-of-way. The elevations will be set by Henrico County.
- 766 33. The owners shall not begin clearing of the site until the following conditions have
767 been met:
- 768 (a) The site engineer shall conspicuously illustrate on the plan of development
769 or subdivision construction plan and the Erosion and Sediment Control
770 Plan, the limits of the areas to be cleared and the methods of protecting the
771 required buffer areas. The location of utility lines, drainage structures and
772 easements shall be shown.
 - 773 (b) After the Erosion and Sediment Control Plan has been approved but prior
774 to any clearing or grading operations of the site, the owner shall have the
775 limits of clearing delineated with approved methods such as flagging, silt
776 fencing or temporary fencing.
 - 777 (c) The site engineer shall certify in writing to the owner that the limits of
778 clearing have been staked in accordance with the approved plans. A copy
779 of this letter shall be sent to the Department of Planning and the
780 Department of Public Works.
 - 781 (d) The owner shall be responsible for the protection of the buffer areas and
782 for replanting and/or supplemental planting and other necessary
783 improvements to the buffer as may be appropriate or required to correct
784 problems. The details shall be included on the landscape plans for
785 approval.
- 786 34. The location of all existing and proposed utility and mechanical equipment
787 (including HVAC units, electric meters, junctions and accessory boxes,
788 transformers, and generators) shall be identified on the landscape plan. All
789 building mounted equipment shall be painted to match the building, and all
790 equipment shall be screened by such measures as determined appropriate by the
791 Director of Planning or the Planning Commission at the time of plan approval.
- 792 35. The limits and elevations of the **Special Flood Hazard Area** shall be
793 conspicuously noted on the plan and labeled "**Limits of Special Flood Hazard**
794 **Area.**" In addition, the delineated **Special Flood Hazard Area** must be labeled

795 "Variable Width Drainage and Utility Easement." The easement shall be granted
796 to the County prior to the issuance of any occupancy permits.

797 36. No wrecked automobiles, nor automobiles incapable of being operated, shall be
798 kept on the premises.

799
800 **PLAN OF DEVELOPMENT**

801
802
803 **POD2012-00425 Youngblood, Tyler & Associates for Bacova, LLC and**
804 **Smith Grove at Bacova Bacova Texas, LLC:** Request for approval of a plan of
805 **Section 1 – N. Gayton development, as required by Chapter 24, Section 24-106**
806 **Road of the Henrico County Code, to construct 18 detached**
807 **dwelling for sale with zero lot lines. The 8.32-acre site is**
808 **located on the east line of N. Gayton Road, approximately**
809 **500 feet south of Kain Road, on part of parcels 735-767-**
810 **9459 and 736-768-5323. The zoning is R-5AC, General**
811 **Residential District (Conditional). County water and sewer.**
812 **(Three Chopt)**

813
814
815 Mr. Leabough - Looks like—I'll ask the question. Do we have anyone in
816 opposition to POD2014-00425, Smith Grove at Bacova Section 1? Looks like we do.
817 Ms. Crady.

818
819 Ms. Crady - Good morning.

820
821 Mr. Leabough - Good morning again.

822
823 Ms. Crady - The applicant proposes to move forward with the first section
824 of the Smith Grove at Bacova subdivision, which will contain 18 lots. The Planning
825 Commission granted conditional subdivision approval to the overall site layout for a total
826 of 45 zero-lot-line units in July of 2012. It continues to be in compliance with the proffers
827 of zoning case C-9C-11. Future sections will require additional plan of development
828 approval with the Commission.

829
830 The plan of development also includes consideration of the architectural design for the
831 proposed units. I'll scroll through some of these. The color renderings are here. The
832 typical elevations have been provided by the applicant and demonstrate compliance with
833 the proffered home sizes, which range between 2,200 and 3,100 square-feet for base
834 units, and exceed the minimum requirement of 1,750 square-feet. The finished materials
835 and decorative features portrayed on these elevations also meet and exceed the
836 proffered minimum requirements. They are similar to the elevations you saw at Bowles
837 Crossing, which is now Short Pump Manor at Bacova.

838
839 In addition, there is a provision that no two homes will be located side by side having the
840 same exterior design, features, and colors. The landscape plans for this plan of
841 development will return to the Planning Commission for review and approval at a later

830 date and will include details of the enhanced buffers along both North Gayton Road and
831 Liesfeld Farm Drive.

832
833 Staff recommends approval subject to the annotations on the plans, standard conditions
834 for zero-lot line developments, Condition #9 amended for landscaping, and the additional
835 conditions listed in the agenda, as well as the added Condition #42 in the addendum,
836 which addresses the location of mechanical equipment such as air conditioning units.

837
838 I'm happy to answer any questions the Commission may have of staff. The project
839 engineer, Andrew Browning with Youngblood, Tyler & Associates is here, as well as the
840 applicant, Mr. Robert Babcock. And they may address any questions the Commission
841 may have of them.

842
843 Mr. Leabough - Any questions for Ms. Crady?

844
845 Mr. Emerson - Ms. Crady, didn't you have some concerns about the visibility
846 of some of the rears to North Gayton?

847
848 Ms. Crady - Yes. Staff was concerned that some of these units along
849 North Gayton Road, their actual rear of the building will face North Gayton Road. The
850 way it was addressed with the proffers is that a 25-foot landscape buffer along North
851 Gayton Road will be provided to include berms and fencing, but it will be planted to a
852 transitional buffer 35-foot standard. So that's an enhanced buffer. The applicant has
853 assured staff that the grading plan will accommodate berms along this area, and we will
854 be working with them to bring that back to the Commission for review and approval.

855
856 Mr. Leabough - Thank you. Are there any other questions?

857
858 Mr. Archer - No. Ms. Crady, I noticed also that the buffers will be irrigated.

859
860 Ms. Crady - Yes. There is a lot of irrigation on the Bacova project.

861
862 Mr. Archer - I'll keep that in mind for—

863
864 Ms. Crady - Including landscape medians.

865
866 Mr. Archer - Oh, great.

867
868 Mr. Kaechele - Excuse me. Is staff still concerned about the rear elevations
869 extending above the buffers?

870
871 Ms. Crady - As far as above the berms?

872
873 Mr. Kaechele - The berms and buffers.

874

875 Ms. Crady - Well, I believe that staff has coordinated with the applicant,
876 and the applicant has also coordinated with the commissioner—to my knowledge, and I
877 would let them come down and confirm that—that the landscape plan is to serve—
878 including evergreen plantings—to mitigate some of those views, as well as there were
879 some discussions about the materials and treatments on the back of those units. There
880 is no proffer addressing the rear materials on those units, but it's up to the applicant to
881 provide that.
882

883 Mr. Emerson - So what type of materials could be used on the rear
884 elevations that may be visible from North Gayton?
885

886 Ms. Crady - The proffers allow brick, stone, similar masonry, or
887 cementitious siding. Or otherwise approved. We have some shake siding in these
888 elevations that has been used in the Craftsman-style homes. So it could be cementitious
889 siding, 100 percent, that would be permitted by proffer.
890

891 Mr. Leabough - Okay. Are there other questions for Ms. Crady? Okay. Would
892 the applicant please come forward?
893

894 Mr. Babcock - Good morning, Mr. Commissioner. My name is Robert
895 Babcock, and I'm the applicant.
896

897 Mr. Archer - Mr. Babcock, could you elaborate a little bit on the answer to
898 Mr. Kaechele's question concerning the rear berms.
899

900 Mr. Babcock - Yes. Good morning, Mr. Kaechele. In meeting with Tommy
901 Branin, or Commissioner Branin, we agreed—we discussed the level of the required
902 buffer and berm treatment along North Gayton Road. As Ms. Crady indicated, the
903 common area buffer is a 25-foot buffer, berms and planted to a 35-foot transitional
904 buffer. In addition, also what's required is ornamental fencing that was required in the
905 original zoning case in 2011. Furthermore, we discussed avoiding flat rear planes of the
906 elevations of the homes that will back into North Gayton Road. The existing topography
907 dictates—it kind of comes down from the bottom as you're working north up a hill. And
908 there will be natural berms there anyway.
909

910 With all the requirements that were required in the zoning case, the attention to detail on
911 the rear elevations of the plans, I think we'll avoid the flat rear plain look that we've seen
912 over the years for homes backing into major thoroughfares.
913

914 Mr. Archer - And in addition to that, there will be evergreens above the
915 berm or planted on the berm?
916

917 Mr. Babcock - Yes, sir.
918

919 Mr. Archer - That will come up to perhaps near the roof of the backs?
920

921 Mr. Babcock - I can't really say the exact height.
922
923 Mr. Archer - Right, and I can understand that. Yes.
924
925 Mr. Babcock - Right. But there will be substantial berming and planting on
926 top, in and around the berm.
927
928 Mr. Archer - There will be evergreens.
929
930 Mr. Babcock - Yes, there is evergreen included.
931
932 Mr. Archer - Okay. I have nothing else.
933
934 Mr. Leabough - Are there other questions for Mr. Babcock?
935
936 Mr. Kaechele - Unfortunately, Mr. Branin was not able to be here today. He
937 hadn't conveyed the information to the staff or to me about these rear elevations. I
938 wonder if you would be amenable to bringing that back to the staff for administrative
939 review, that portion of it, just the rear elevations.
940
941 Mr. Babcock - Yes, of course.
942
943 Mr. Kaechele - Okay. So we'll plan to do that.
944
945 Mr. Archer - Okay. And we do have Condition #9 amended in the
946 conditions.
947
948 Mr. Emerson - Yes.
949
950 Mr. Archer - Okay, great. All right.
951
952 Mr. Leabough - If there are no other questions for Mr. Babcock, thank you,
953 sir.
954
955 Mr. Babcock - Thank you very much.
956
957 Mr. Archer - We did have opposition, Mr. Chairman.
958
959 Mr. Leabough - Yes.
960
961 Mr. Archer - Mr. Babcock, you may want to linger kind of nearby. We have
962 opposition; you may have to answer a question.
963
964 Mr. Babcock - Okay.
965
966 Mr. Leabough - Would the opposition please come forward.

967
968 Ms. Hamilton - For the record, my name is Karen Hamilton. I object to this
969 because it's not affordable housing. I object to this because of the asphalt that will
970 prohibit the birds that are in the neighborhood from getting to the insects, especially
971 earthworms. Because again, birds don't all eat seeds. Some birds don't. I object to the
972 pesticides that will be used. I object to the phosphorous that will eventually—that for
973 the—because you want these green lawns, little tiny lawns that they're going to have.
974 And that's going to leak into my well water. You take away the trees that filter the water,
975 that protected my well water. I object to this because you're grading the land and making
976 it flat. And they discovered a long time ago that the earth is not flat. I object to the lighting
977 that this is going to bring to our neighborhood and that fireflies are already in trouble, in
978 peril. I object to the noise level that this will bring I object to the extra joggers that this will
979 bring to Kain Road.

980
981 And I don't know what you guys read, but in the news—on the television news and in the
982 newspaper in recent months there was a city that prohibited people from jogging on city
983 streets because it endangered not just themselves, the joggers and the walkers, but the
984 traffic. And I object to the fact that this will bring more people jogging. And I want it
985 prohibited. I want joggers not to be allowed to come on Kain Road at all, or walkers,
986 because they are endangering our lives. I do not want Kain Road widened because it will
987 affect, again, my well water and my septic system. And I cannot afford to hook up to
988 municipal water, and I wouldn't want to drink it anyway. You cannot assure these people
989 or me or anybody on municipal water that it will be pure. I want to remind you of the
990 incident in Winchester Green subdivision, I believe it was, that 1,100 fish died in a pond
991 there because of chlorine. And it took the county a long time to figure out what even
992 happened to those fish. And by the way, you reacted to that situation with wildlife, but
993 you don't ever react when I tell you about wildlife in danger.

994
995 I want to remind you that the Supreme Court ruled that, "citizens are not to be at the
996 mercy of government." And yet, we are at the mercy of whatever you decide because
997 you're only interested in keeping your jobs. This development is not necessary.

998
999 I want to remind you that the federal agencies, two federal agencies in ruling for this
1000 entire Bacova development, said that nesting season should be adhered to strictly. I
1001 actually have the letters here from Fish and Wildlife and from the U. S. Army Corps of
1002 Engineers that said that the entire Bacova development must adhere to the federal
1003 Migratory Bird Treaty Act. It is nesting season, which began March 15. I know you've
1004 already been clear-cutting trees. But what I'm saying is that when you make so much
1005 noise that you—in this building process that you—you've got trees standing already, but
1006 the adult birds are frightened so much that they abandon the nests with eggs or chicks.
1007 You are violating the federal Migratory Bird Treaty Act. Or if there are endangered
1008 species in those trees, you are in violation of the Endangered Species Act.

1009
1010 And I want to remind you—as you are probably all aware—that this is part of the lawsuit
1011 that I have currently filed against you.

12

1013 Mr. Archer - Thank you, Ms. Hamilton.
1014
1015 Mr. Leabough - Thank you. Are there other questions for the applicant or
1016 Ms. Crady? If not, Mr. Archer?
1017
1018 Mr. Archer - I have one question. Mr. Babcock, can you answer this for
1019 me? I know there are rules and regulations that you have to follow. Ms. Hamilton
1020 indicated that there's a possibility of phosphorous leaking into well water. Have you
1021 observed all the standards that are necessary to try to prevent that from happening?
1022
1023 Mr. Babcock - Yes, sir. We currently have in place a very thorough and strict
1024 water-quality monitoring program, which has been now in place since we started
1025 construction on several of the offsite and onsite improvements, including the sewer line.
1026
1027 Mr. Archer - Okay. That's all I have, Mr. Chairman.
1028
1029 Mr. Leabough - Thank you.
1030
1031 Mr. Archer - Mr. Kaechele, was there anything else you needed to refer
1032 to? Okay. All right. I didn't have anything for you, Ms. Crady. Does somebody else?
1033
1034 Mr. Leabough - No.
1035
1036 Mr. Archer - All right. Mr. Chairman, with that I will move for approval of
1037 POD2014-00425, Smith Grove at Bacova Section 1, subject to staff's recommended
1038 approval, the annotations on the plan, the standard conditions for developments of this
1039 type, and the additional conditions #9 amended, and added conditions #29 through #41.
1040 And there's an additional Condition #42 on the addendum this morning.
1041
1042 Mr. Leabough - Second.
1043
1044 Mr. Leabough - Motion by Mr. Archer, second by Mr. Leabough. All in favor
1045 say aye. All opposed say no. The ayes have it; the motion passes.
1046
1047 Mr. Emerson - And that did include the elevations coming back to staff,
1048 correct?
1049
1050 Mr. Archer - Yes.
1051
1052 The Planning Commission approved POD2014-00425, Smith Grove at Bacova Section
1053 1, subject to the annotations on the plans, the standard conditions attached to these
1054 minutes for developments of this type, and the following additional conditions:
1055
1056 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1057 Planning for review and Planning Commission approval prior to the issuance of any
1058 occupancy permits.

- 1059 29. Roof edge ornamental features that extend over the zero lot line, and which are
1060 permitted by Section 24-95(i)(1), must be authorized in the covenants.
- 1061 30. Eight-foot easements for construction, drainage, and maintenance access for
1062 abutting lots shall be provided and shown on the POD plans.
- 1063 31. Building permit request for individual dwellings shall each include two (2) copies of
1064 a layout plan sheet as approved with the plan of development. The developer may
1065 utilize alternate building types providing that each may be located within the
1066 building footprint shown on the approved plan. Any deviation in building footprint or
1067 infrastructure shall require submission and approval of an administrative site plan.
- 1068 32. Windows on the zero lot line side of the dwelling can only be approved with an
1069 exception granted by the Building Official and the Director of Planning during the
1070 building permit application process.
- 1071 33. The subdivision plat for Liesfield Farm Drive, Section 1 shall be recorded before
1072 any building permits are issued.
- 1073 34. Prior to issuance of a certificate of occupancy for any building in this development,
1074 the engineer of record shall certify that the site has been graded in accordance
1075 with the approved grading plans.
- 1076 35. A concrete sidewalk meeting County standards shall be provided along the north
1077 side of Liesfield Farm Drive and the east side of N. Gayton Road.
- 1078 36. The proffers approved as a part of zoning case C-9C-11 shall be incorporated in
1079 this approval.
- 1080 37. A note in bold lettering shall be provided on the erosion control plan indicating that
1081 sediment basins or traps located within buildable areas or building pads shall be
1082 reclaimed with engineered fill. All materials shall be deposited and compacted in
1083 accordance with the applicable sections of the state building code and
1084 geotechnical guidelines established by the engineer. An engineer's report
1085 certifying the suitability of the fill materials and its compaction shall be submitted
1086 for review and approval by the Director of Planning and Director of Public Works
1087 and the Building Official prior to the issuance of any building permit(s) on the
1088 affected sites.
- 1089 38. Approval of the construction plans by the Department of Public Works does not
1090 establish the curb and gutter elevations along the Henrico County maintained
1091 right-of-way. The elevations will be set by Henrico County.
- 1092 39. The owners shall not begin clearing of the site until the following conditions have
1093 been met:
- 1094 (a) The site engineer shall conspicuously illustrate on the plan of development
1095 or subdivision construction plan and the Erosion and Sediment Control
1096 Plan, the limits of the areas to be cleared and the methods of protecting the
1097 required buffer areas. The location of utility lines, drainage structures and
1098 easements shall be shown.
- 1099 (b) After the Erosion and Sediment Control Plan has been approved but prior
1100 to any clearing or grading operations of the site, the owner shall have the
1101 limits of clearing delineated with approved methods such as flagging, silt
1102 fencing or temporary fencing.
- 1103 (c) The site engineer shall certify in writing to the owner that the limits of
1104 clearing have been staked in accordance with the approved plans. A copy

- 1105 of this letter shall be sent to the Department of Planning and the
1106 Department of Public Works.
- 1107 (d) The owner shall be responsible for the protection of the buffer areas and
1108 for replanting and/or supplemental planting and other necessary
1109 improvements to the buffer as may be appropriate or required to correct
1110 problems. The details shall be included on the landscape plans for
1111 approval.
- 1112 40. The developer shall provide signage, the wording and location as deemed
1113 appropriate by the Director of Public works, which addresses the possible future
1114 extension of any stub street.
- 1115 41. The limits and elevations of the **Special Flood Hazard Area** shall be
1116 conspicuously noted on the plan and labeled "**Limits of Special Flood Hazard**
1117 **Area.**" In addition, the delineated **Special Flood Hazard Area** must be labeled
1118 "Variable Width Drainage and Utility Easement." The easement shall be granted
1119 to the County prior to the issuance of any occupancy permits.
- 1120 42. **ADDED** – The mechanical equipment for each building shall be located on its
1121 respective lot. Except for wall-mounted electric meters, in no case shall the eight-
1122 foot easement for construction, drainage, and maintenance access on the
1123 abutting lot be used to locate other mechanical equipment (such as HVAC
1124 equipment, generators, and the like) for the subject lot.

1125
1126 Mr. Emerson - Mr. Chairman, that now takes us to the next item on your
1127 agenda, which is the approval of your minutes from your February 26, 2014 meeting. I
1128 don't have an errata sheet in front of me, but I believe there was one. Those changes will
1129 be incorporated. If there are any other changes, certainly we're prepared to take those
1130 now.

1131
1132 APPROVAL OF MINUTES: February 26, 2014

1133
1134 Mrs. Jones - I move approval of the minutes as corrected.

1135
1136 Mr. Archer - Second.

1137
1138 Mr. Leabough - Motion by Mrs. Jones, second by Mr. Archer. All in favor say
1139 aye. All opposed say no. The ayes have it; the motion passes.

1140
1141 The Planning Commission approved the February 26, 2014 minutes as corrected.

1142
1143 Mr. Emerson - Mr. Chairman, the next item on your agenda is consideration
1144 of Resolution PCR-2-14. And that is to fix the day to which any meeting shall be
1145 continued in the event of hazardous conditions. Ms. Leslie News is going to present that
1146 item to you this morning.

1147
1148 RESOLUTION PCR-2-14: To Fix the Day to Which Any Meeting Shall be Continued in
1149 the Event of Hazardous Conditions.

1150

1151 Ms. News - Yes, sir. This resolution is proposed in order to allow the
1152 Planning Commission to reschedule a meeting automatically if the Chairman finds that
1153 it's hazardous for Commission members and the public to attend a meeting due to
1154 weather or other hazardous conditions. The meeting would be rescheduled to the
1155 following week on the same day at the same time. There are exceptions to
1156 accommodate holidays. I will go ahead and read that resolution to you.

1157
1158 WHEREAS, Section 15.2-2214 of the Code of Virginia permits planning commissions to
1159 adopt a resolution to fix the day or days to which any meeting shall be continued if the
1160 chairman, or vice chairman if the chairman is unable to act, finds and declares that
1161 weather or other conditions are such that it is hazardous for members to attend the
1162 meeting; and

1163
1164 WHEREAS, the Planning Commission wishes to adopt such a resolution;

1165
1166 NOW THEREFORE BE IT RESOLVED, that if the Chairman, or Vice Chairman if the
1167 Chairman is unable to act, finds and declares that the weather or other conditions are
1168 such that it is hazardous for Commission members and the public to attend a regular
1169 meeting, the meeting shall be postponed for a period of one week to the same time the
1170 following week; however, if the postponement would be to a County holiday or the day
1171 before a County holiday, the meeting shall be postponed to two days before the County
1172 holiday. Commission members and the press will be notified as promptly as possible,
1173 and notice will be posted on the front doors of the Commission's meeting room and the
4 courthouse. All hearings and other matters previously advertised will be conducted at the
1175 continued meeting and no further advertisement or notice is required.

1176
1177 The details of this resolution were discussed with you in your work session on March 13,
1178 2014, and the wording of the resolution has not changed.

1179
1180 I will be happy to review that information again with you or answer any questions you
1181 may have.

1182
1183 Mr. Leabough - Are there questions for Ms. News? There do not appear to be
1184 any questions, so I'll entertain a motion.

1185
1186 Mrs. Jones - I move the resolution.

1187
1188 Mr. Witte - Second.

1189
1190 Mr. Leabough - Motion by Mrs. Jones, second by Mr. Witte. All in favor say
1191 aye. All opposed say no. The ayes have it; the motion passes.

1192
1193 Mr. Emerson - Mr. Chairman, the next item on your agenda is consideration
1194 of amendments to the Planning Commission Rules and Regulations. These were also
1195 discussed with you at a recent work session. Ms. News is prepared to quickly review
6 those with you as well.

1197
1198 Ms. News - The Rules and Regulations in your packet contain redlined
1199 revisions to address many housekeeping items either—mainly housekeeping items
1200 either to clarify a procedure or update to reflect changes in state law. As the secretary
1201 has mentioned, these changes were reviewed with you in your work session on March
1202 13th. There have been no changes to the document except to correct a typographical
1203 error. They generally include the following items:
1204

- 1205 • adding a procedure for rescheduling a public hearing in the case of inclement
1206 weather or hazardous conditions in accordance with the resolution you just
1207 approved;
- 1208 • clarification regarding procedures for time limits regarding the comments being
1209 directly related to the case under consideration;
- 1210 • changes to the dates of newspaper advertisements for zoning cases as a cost-
1211 savings measure;
- 1212 • amending the periods of validity of both plans of development and subdivisions to
1213 address changes in state legislation;
- 1214 • clarification for the procedure for action on special exceptions; and
- 1215 • clarification for the procedure for acting on a withdrawal.

1216
1217 Because these items were reviewed with you in detail, I was not planning on going over
1218 all of the information; however, I would be happy to review any of the items you'd like to
1219 discuss or hear any other items that have come up since our last discussion.
1220

1221 Mr. Leabough - Are there questions for Ms. News?
1222

1223 Mr. Archer - Ms. News, I think you said that all of the recommendations
1224 and changes that we discussed at the work session remain the same with the exception
1225 of one typo.
1226

1227 Ms. News - Correct.
1228

1229 Mr. Archer - Okay.
1230

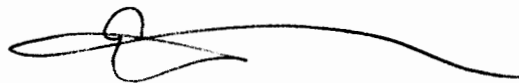
1231 Mr. Leabough - I'll entertain a motion.
1232

1233 Mrs. Jones - I move that we approve the Rules and Regulations for the
1234 Planning Commission as presented by staff today.
1235

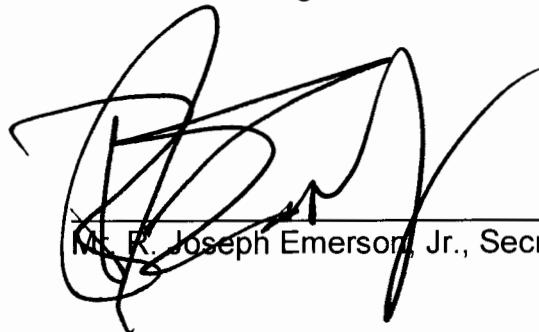
1236 Mr. Archer - I second.
1237

1238 Mr. Leabough - Motion by Mrs. Jones, second by Mr. Archer. All in favor say
1239 aye. All opposed say no. The ayes have it; the motion passes.
1240

1241 Mr. Emerson - Mr. Chairman, that completes your agenda for this morning,
1242 and I have no further items for the Commission.
1243
1244 Mr. Leabough - Okay. I would just like to point out that Mr. Strong from the
1245 *Times-Dispatch* walked in under the radar today. Welcome, Mr. Strong.
1246
1247 Mrs. Jones - He can't see you down there.
1248
1249 Mr. Leabough - Yes, I can't see you over there.
1250
1251 Mr. Strong - [Off microphone.] I know. I thought of carrying a little sign.
1252
1253 Mr. Leabough - Is there any other business for the Commission?
1254
1255 Mr. Archer - Just one question. Mr. Secretary, when do the new rules take
1256 effect, immediately?
1257
1258 Mr. Emerson - Immediately.
1259
1260 Mr. Archer - Okay.
1261
1262 Mr. Leabough - If there's nothing else, I'll entertain a motion for adjournment.
1263
1264 Mr. Archer - So moved.
1265
1266 Mrs. Jones - Second.
1267
1268 Mr. Leabough - Meeting adjourned.
1269
1270
1271
1272
1273
1274



Mr. Eric Leabough, Chairman.



Mr. R. Joseph Emerson, Jr., Secretary

PLANS OF DEVELOPMENT

A. Standard Conditions for all POD's:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer. **(when the property is served by public utilities)**
- 1A. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The well location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public water system when available within 300 feet of the site/building. **(when not served by public water)**
- 1B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public sewer. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site/building. **(when not served by public sewer)**
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least **48** hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **March 26, 2014**, 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 **March 26, 2014**, which shall be as much a part of this approval as if all details were fully described herein. **Five (5)** sets of **prints** of the revised plan shall be submitted to the Department of Planning for approval stamps and distribution.
2. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
3. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
4. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season. **(DELETE IF NO LANDSCAPING)**
5. All exterior lighting shall be shielded to direct lights away from adjacent residential property and streets. **(DELETE IF NO LIGHTING)**
6. All fences, walls, and screens, including gates and doors, shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence or wall. **(DELETE IF NO FENCE, WALL, OR DUMPSTER SCREEN)**

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

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

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

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

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

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

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

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

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

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

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

B-2 ZONE

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

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

B-3 ZONE

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water. **(Substitute condition 5A if well)**
- 5A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer. **(Substitute condition 6A if on site sewage disposal/septic)**
- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **March 26, 2014**, which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on **March 25, 2015**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements as applicable, and design considerations.
12. Prior to a request for final approval, the developer shall provide a buildable area plan showing information for all lots within the subdivision. Such plan shall be a part of the construction plans submitted for review and for signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and shall show the buildable area for the principal structure, all setback dimensions, the minimum lot width (perpendicular to the center line of the lot at the front building line), and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each lot exclusive of floodplain, wetlands, easements, buffers, Chesapeake Bay Act Areas, wells and primary/reserved drainfields.

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage and erosion control plans have been approved by the Department of Planning, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, fifteen (15) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
6. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
7. The plat shall be revised as shown in red on Staff plan dated **March 26, 2014**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **March 25, 2015**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the fee and must be filed a minimum of two weeks prior to the expiration date.
9. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
10. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting a number of requirements including but not limited to minimum zoning requirements, Health Department requirements and design considerations.

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

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **March 26, 2014**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **March 25, 2015**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

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

Standard Conditions for Zero Lot Line Subdivisions
(January 2008)

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Plan of Development and Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Plan of Development and Final Subdivision applications. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works, and a preconstruction meeting has been conducted with the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **March 26, 2014**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **March 25, 2015**, unless an extension is requested in writing stating the reason such extension is necessary. The request shall include the required fee and must be filed a minimum of two weeks prior to the expiration date.
10. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change may be implemented.
11. The conditional approval of this plat by the Planning Commission does not imply that all lots shown thereon will be granted final approval. Such approval is contingent on each lot meeting all requirements, including but not limited to, minimum zoning requirements, and design considerations.

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

SUBDIVISION - CONDITIONAL APPROVAL

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

1. All requirements of Chapter 18, 19 and 24 of the Henrico County Code shall be met.
2. Construction plans, including proposed erosion and sediment controls, shall be submitted to the Department of Planning at least 30 days prior to final approval.
3. Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning, the Department of Public Utilities, and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
4. Clearing and grubbing shall not commence until a clearing and grubbing plan has been approved by the Department of Planning and the Department of Public Works. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, eight (8) sets of clearing and grubbing plans shall be submitted to the Department of Planning for approval signatures. All appropriate bonds and agreements, authorizations from state and/or regulatory agencies for impacts to the Waters of the United States, and offsite easement plats must be submitted to the Department of Public Works and approved prior to approval of the clearing and grubbing plans. Approvals must be updated prior to recordation of the plat.
5. The owner shall enter into the necessary contracts with the Department of Public Utilities for water.
6. The owner shall enter into the necessary contracts with the Department of Public Utilities for sewer.
7. A copy of the letter from the Richmond Regional Planning District Commission giving approval to the street names in this subdivision shall be submitted to the Department of Planning before the recordation plat is submitted for review.
8. The plat shall be revised as shown in red on Staff plan dated **March 26, 2014**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **March 25, 2015**, 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.