

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, November 16, 2011.
4

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

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

5
6 **Mrs. Patricia O'Bannon, the Board of Supervisors' representative, abstains from**
7 **voting on all cases unless otherwise noted.**
8

9 Mr. Archer - The Planning Commission will come to order. Good morning,
10 everyone. Welcome to the November 16, 2011 meeting for subdivisions and Plans of
11 Development. We'd like to ask everybody, if you haven't already, to please mute or turn
12 off your cell phones. Now, let's all stand and pledge allegiance to the flag.
13

14 Is there anyone present from the news media? If you're here and don't care to be
15 recognized, welcome. Mr. Secretary, I'll turn it over to you.
16

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

21 Ms. News - Good morning, Mr. Chairman, members of the Commission.
22 Staff is not aware of any requests for deferrals or withdrawals at this point.
23

24 Mrs. Jones - Mr. Secretary, I do have a case that unless I have a call here
25 in the next minute or two, I would like to defer. Is it possible to wait on that determination
26 until the case comes up in our normal agenda?
27

28 Mr. Emerson - Certainly.

29
30 Mrs. Jones - I'd like to do that, please. Thank you.
31

32 Mr. Emerson - Next, on the agenda are the expedited items. Those will also
33 be presented by Ms. Leslie News.
34

35 Ms. News - Sir, we have 2 items on our expedited agenda this morning.
36 The first is found on page 3 of your agenda and is located in the Varina District. This is
37 transfer of approval for POD-71-00, Copart, (Formerly Motley's Auction Group). Staff
38 recommends approval.
39

40 **TRANSFER OF APPROVAL**
41

POD-71-00 POD2011-00301; POD2011-00303 Copart (Formerly Motley's Auction Group) – 5701 Whiteside Road and Dakar Drive	John W. Montgomery, Jr. for Copart of Connecticut, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Seven Pines Limited Partnership and MTM-Seven Pines, LLC to Copart of Connecticut, Inc. The 45.21 and 3.06-acre sites are located on the north line of Old Williamsburg Road at Whiteside Road, at 5701 Whiteside Road, on parcels 833-716-9203 and 833-717-8501. The zoning is M-1C, Light Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. (Varina)
---	--

42
43 Mr. Archer - Thank you, Ms. News. Is there anyone present who is
44 opposed to transfer of approval for POD-71-00, Copart (Formerly Motley's Auction
45 Group)?
46

47 Mr. Jernigan - With that, I would like to move for approval of POD-71-00,
48 Copart (Formerly Motley's Auction Group), on the expedited agenda.
49

50 Mr. Vanarsdall - Second.
51

52 Mr. Archer - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall. All in
53 favor say aye. All opposed say no. The ayes have it; the motion passes.
54

55 The Planning Commission approved the transfer of approval request for POD-71-00,
56 Copart (Formerly Motley's Auction Group), from Seven Pines Limited Partnership and
57 MTM-Seven Pines, LLC to Copart of Connecticut, Inc., subject to the standard and
58 added conditions previously approved and the following additional condition:

59
60 1. The site deficiencies, as identified in the inspection report, dated August 12, 2011,
61 shall be corrected by February 22, 2012.

62
63 Ms. News - The next item is found on page 4 of your agenda and is
64 located in the Varina District. This is a transfer of approval for POD-14-07 (Part),
65 CVS/Dollar General at Airport Drive and Nine Mile Road. It was formerly just CVS at
66 Airport Drive and Nine Mile Road. Staff recommends approval.

67
68 **TRANSFER OF APPROVAL**

69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93

POD-14-07 (Part) POD2011-00371 CVS/Dollar General at Airport Drive and Nine Mile Road (Formerly CVS at Airport Drive and Nine Mile Road) – 45 S. Airport Drive (State Route 156)	Montgomery G. Turner, Sr. for Turner and Associates Realty, Inc.: Request for transfer of approval of a portion of a Plan of Development as required by Chapter 24, Section 24-106 of the Henrico County Code from The Rebkee Company to Montgomery G. Turner, Sr., DBA Turner and Associates Realty, Inc. The 1.18-acre site is located on the south line of S. Airport Drive (State Route 156), approximately 332 feet west of E. Nine Mile Road (State Route 33), on parcel 824-720-8799. The zoning is B-2C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. (Varina)
---	--

71 Mr. Archer - Is there anyone present who is opposed to transfer of
72 approval for POD-14-07 (Part) CVS/Dollar General at Airport Drive and Nine Mile Road
73 (Formerly CVS at Airport Drive and Nine Mile Road)?

74
75 Mr. Jernigan - Mr. Chairman, with that I will move for approval of transfer of
76 approval of POD-14-07 (Part) CVS/Dollar General at Airport Drive and Nine Mile Road
77 (Formerly CVS at Airport Drive and Nine Mile Road).

78
79 Mr. Vanarsdall - Second.

80
81 Mr. Archer - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall. All in
82 favor say aye. All opposed say no. The ayes have it; the motion passes.

83
84 The Planning Commission approved the transfer of approval request for POD-14-07
85 (Part) CVS/Dollar General at Airport Drive and Nine Mile Road (Formerly CVS at Airport
86 Drive and Nine Mile Road), from The Rebkee Company to Montgomery G. Turner, Sr.,
87 DBA Turner and Associates Realty, Inc., subject to the standard and added conditions
88 previously approved.

89
90 Ms. News - That completes our expedited agenda.

91
92 Mr. Archer - Thank you.

132 also spoken to the owner of the adjacent parcel, which the Westridge East plan has
133 been approved on. That owner does not want to go forward with development of the
134 property at this time.

135
136 One option that does appear possible to pursue is the purchase of this lot just to the
137 south and abutting Westridge East. This is a lot that is unable to obtain a permit on it
138 because the soil does not percolate. The owner of this lot has had discussions with
139 HHHunt, and it may be possible for them to purchase this lot and build a stub street that
140 extends from Heather Grove Road and stubs to this property here. That gives us the
141 ability to possibly extend this cul-de-sac street in Westridge East and provide a second
142 point of access to serve both Westridge East and the Westin subdivisions. Hopefully,
143 the applicant can continue along those lines.

144
145 Staff does not recommend approval of the revised plans without a second point of
146 access to this subdivision. I'll be happy to answer any questions that you have.

147
148 Mr. Archer - Thank you, Mr. Wilhite. Are there questions from the
149 Commission?

150
151 Mr. Branin - Mr. Wilhite, run down the numbers one more time. They're
152 requesting 6 lots, correct?

153
154 Mr. Wilhite - That's right. Thirty-four are already approved, so this would
155 raise it to 40. You do have 7 lots already approved in Westridge East, and that also
156 gains access through Westin and all those 41 lots, or 47, if the revised layout is
157 approved. Those would all funnel through Axe Handle Lane and then down to Kain
158 Road.

159
160 Mr. Branin - And the existing that's developed is how many?

161
162 Mr. Wilhite - At least 50. There are some questions. It does have 50 and
163 might be over by a few. There is a subdivision that was approved down near the bottom
164 of the screen that is probably still valid for about another 6 lots.

165
166 Mr. Branin - So, we already far exceed our policy of 50?

167
168 Mr. Wilhite - We're already over 50, yes, even before development of
169 these 2 parcels to the north here.

170
171 Mr. Branin - Thank you. That's the only question I have for Mr. Wilhite.

172
173 Mr. Archer - Thank you, Mr. Branin. Anyone else? Mr. Branin, we have
174 opposition. Do you want to hear from the applicant?

175
176 Mr. Branin - I would prefer to hear from the opposition first and then from
177 the applicant.

178
179 Mr. Branin - Mr. Secretary, would you explain the rules, please?
180
181 Mr. Emerson - Yes, sir, Mr. Chairman. The Planning Commission does
182 have rules governing its public hearings and they are as follows: The applicant is
183 allowed 10 minutes to present the request, and time may be reserved for responses for
184 testimony. Opposition is allowed 10 minutes to present its concerns, and that's
185 cumulative. Commission questions do not count into the time limits, and the
186 Commission may waive the time limits for either party at its discretion.
187
188 Mr. Archer - Okay. If there is a person from the opposition who may be
189 the spokesperson from the group? The 10 minute time limit is inclusive.
190
191 Mr. Branin - How about you both speak?
192
193 Mr. Archer - Ma'am, please identify yourself for your record, if you would.
194
195 Ms. Woodward - Good morning. I appreciate your time today. My name is
196 Elizabeth Woodward. I am a resident of 5320 Axe Handle Lane. I've lived there for
197 about 4 years. I am a parent of 2 Henrico County students, and I appreciate the
198 amenities we get from developments such as what's been suggested by our partners at
199 HHHunt.
200
201 The first thing I want to do is just acknowledge the really nice work that George Moore,
202 in particular, has done to try to find a solution. I think what the reality is in this case is
203 that he's backed into a corner where there have been decisions made around his
204 property that he can't, in the means he has available to him, solve. So, my request of
205 you all today is to help find a solution to the second exit point from the neighborhood.
206
207 As I said, I appreciate living in Henrico. I appreciate all the great things that come from
208 the revenue from a development like this, but at a very basic level what I expect my
209 government officials to do is ensure the public safety. This is a question of public safety.
210 We have people who are disabled in the neighborhood. They need to be able to get out.
211 My children play in this neighborhood. The idea of having 100 houses all exiting beside
212 my home is very disturbing to me. So, I ask that you all give some assistance to
213 HHHunt and Mr. George Moore in resolving the problem that we have today that has
214 been sort of the cumulative effect of decisions made so far.
215
216 Mr. Archer - Any questions?
217
218 Mrs. Jones - Ms. Woodward, I do. Sometimes boots on the ground are
219 the best resources. Do you have a preferred solution to this?
220
221 Ms. Woodward - Stonehurst. Absolutely. It's not developed; there are no
222 houses in the way. I'm not a planner; I have no idea how the roads should go, but it
223 certainly seems that it could connect very nicely into the proposed roads that HHHunt

224 had drawn up. You wouldn't disturb anybody's home in any way, and, frankly, I don't
225 understand why that wasn't on the plan to start with. I'm told that there at one point was
226 a proposed extension of Axe Handle Lane that was before my time in this
227 neighborhood, but I don't know if there is a solution that could be found there. In either
228 case, it's going to require action on the part of this group, I believe. It's not something
229 that I think HHHunt can make happen.

230

231 Mrs. Jones - Thank you for your thoughts on that.

232

233 Ms. Woodward - Sure, no problem.

234

235 Mr. Branin - Ms. Woodard, I agree with you. Last night, I had a meeting
236 with HHHunt and discussed just this. When we brought up Stonehurst, one of the
237 comments, which I'm sure you'll hear from them, is the community's concern about cut-
238 through because of the potential for another high school right in your area and also the
239 elementary school. Are you saying that your neighborhood is not concerned about cut-
240 through?

241

242 Ms. Woodward - I can't speak for my entire neighborhood. I'm more
243 concerned about the public safety of not being able to exit my neighborhood than I am
244 cut-through traffic. Any way that you give us a second exit, there will be the potential for
245 that, but I think when you net it out and think about the need to have a second exit, it
246 outweighs. I don't think it's convenient, frankly, for—I believe it's—homes in Wyndham
247 that would potentially cut through. I actually don't think it's more convenient for them to
248 come through a neighborhood like ours, but I'm not a planner so I can't make a decision
249 like that. My neighbors could certainly comment on their perspective.

250

251 Mr. Branin - I can tell you I'm in 100 percent agreement with you. We
252 tried to figure out everything we could last night, and we're still trying to work on getting
253 that done. HHHunt said because there were some mistakes in the past with approvals
254 of other subdivisions that they shouldn't take on the burden, but the burden is actually
255 all of ours. It's on my part to make sure we resolve this problem, and it's on their part to
256 assist in getting it done for the good of the community they want to build. So, thank you.

257

258 Ms. Woodward - Thank you.

259

260 Mr. Archer - Any further questions for Ms. Woodward?

261

262 Mr. Vanarsdall - Mr. Wilhite, I'd like to ask you a question.

263

264 Mr. Archer - Thank you, Ms. Woodward.

265

266 Mr. Vanarsdall - The plans that you don't have now—what are they going to
267 give you on the revised plan?

268

269 Mr. Wilhite - In order to provide a second point of access in here, they're
270 going to need to extend the public street either with this parcel below here or through—
271
272 Mr. Vanarsdall - Where is that on here?
273
274 Mr. Wilhite - This parcel right here has an existing house on it. This is
275 where Sawdust Drive and Heather Grove Road stub into, extending across this parcel.
276 That was one option, or this other lot here at the end of Heather Grove Road, getting
277 control of that and building a public street to stub to the Sonenklar property. By virtue of
278 the fact that these are public roads, they do have to go through the subdivision process
279 in order to build it. It makes sense for it to be attached to this subdivision, or else they
280 would have to start the process again and come back before you anyway.
281
282 Mr. Vanarsdall - So 34 are already approved?
283
284 Mr. Wilhite - Well, 34 on Westin and 7 on Westridge East. They do have
285 conditional approval for those lots.
286
287 Mr. Vanarsdall - Thank you.
288
289 Mr. Jernigan - Mr. Vanarsdall, we had a problem one time in the Varina
290 District where they'd come in and do a 49-house subdivision, get it approved with a stub
291 street, and then a couple years later they'd add onto the stub street and want to do 49
292 more. We have 34 units on here already. They're going to have to put that access
293 through there.
294
295 Mr. Vanarsdall - We're getting into a safety issue.
296
297 Mr. Wilhite - This is the last big piece of the puzzle out here, so this is
298 really the last chance of getting a second point of access.
299
300 Mr. Vanarsdall - Thank you, Kevin.
301
302 Mr. Archer - Thank you, Mr. Wilhite. Any further questions from the
303 Commission for Mr. Wilhite? On the opposition side, Ms. Woodward was quite compact
304 in her remarks, so you have almost 8 minutes left.
305
306 Mr. Holmes - Good morning. My name is Bob Holmes. I live at 5225 East
307 Branch Drive in the Westridge subdivision. I agree with everything that Ms. Woodward
308 said.
309
310 Mr. Archer - Excuse me, sir, I apologize. We didn't hear your last name.
311
312 Mr. Holmes - Holmes—H-o-l-m-e-s.
313
314 Mr. Archer - Thank you.

315
316 Mr. Holmes - The only thing that I would add—well 2 things, I guess. One
317 is regarding the question of the cut-through. It seems to me that it would be a very
318 improbable thing for Stonehurst to come through our neighborhood then to go back out
319 Kain Road. With the new Shady Grove extension, that would probably take that over.

320
321 My other comment—and I agree with everything that all of you have said actually—is
322 that Kain Road is a very tight road. I don't know if you've driven down it, but it's very
323 narrow. It has no shoulder; it has immediate drop-offs. It's narrow, and it doesn't even
324 have lines on it. It will add at least 100 more cars. It's disappointing that we're in the box
325 we're in, but I do think that it needs resolving before you add even more to the problem.

326
327 That's all I have to say.

328
329 Mr. Archer - Thank you, sir. Are there questions before he takes a seat?
330 Is someone here from Traffic Division?

331
332 Mrs. Jones - Tommy.

333
334 Mr. Catlett - Good morning, members of the Commission. Tommy Catlett,
335 Public Works Traffic Engineering.

336
337 Mr. Branin - Good morning, Mr. Catlett. Have you had a chance to review
338 this case, Mr. Catlett?

339
340 Mr. Catlett - Yes, sir.

341
342 Mr. Branin - Are you very familiar with it?

343
344 Mr. Catlett - I reviewed the plan.

345
346 Mr. Branin - Okay. Which would you recommend would be the most
347 optimum option we have here for connectivity?

348
349 Mr. Catlett - Well, I haven't been in communications with HHHunt to see
350 what they have pursued. The ideal location would be—since Kevin said this lot wasn't
351 buildable, that would probably be the ideal. Since Stonehurst has already been
352 approved and has those lots, extending that street may cause some heartburn. I don't
353 know if that would be feasible with those lots. I don't know what is out there.

354
355 Mr. Branin - Okay. All right. Thank you, sir.

356
357 Mr. Emerson - Mr. Catlett, before you go, what about the connection to
358 Sawdust and Heather Grove? Is that not a feasible option as well?

359

360 Mr. Catlett - No, it would be, but it sounded from talks that HHHunt has
361 already tried to pursue that.
362

363 Mr. Emerson - The issue, I think, is the acquisition of the land. I believe it
364 may be for sale, just possibly not at a price that the developer wishes to pay for it.
365

366 Mr. Catlett - From our standpoint, as long as there is a second point of
367 access, we don't particularly have a preference as to where it's located.
368

369 Mr. Emerson - Of course, the other property, while there's a subdivision on
370 it, we don't have a time frame for the development of it either.
371

372 Mr. Archer - Anything further from the Commission? Thank you, sir. To
373 the opposition again, we have a little bit over 7 minutes left if there's someone left who
374 wishes to speak. Yes, come on up.
375

376 Mr. Perkins - Good morning.
377

378 Mr. Archer - Good morning, sir.
379

380 Mr. Perkins - Channing Perkins. I live at the corner of East Branch and
381 Sawdust, 5250 East Branch Drive.
382

383 Mr. Branin - Mr. Perkins, I didn't recognize you with the beard. Last time I
384 saw you, you didn't have a beard. That's why I was like, oh, this is somebody new.
385

386 Mr. Perkins - It's my winter coat. I don't know if this has any bearing. I do
387 agree with everything that's been said. Back when the house was approved on Heather
388 Grove, the lot that's in question is whether or not the developer can buy that chunk.
389 There was a future extension connecting those cul-de-sacs, and when that house was
390 built, there was a variance granted by the County to not connect them. I think that's part
391 of the problem that we're running into. I don't know if that variance still holds up or if the
392 County does have any sort of eminent domain still left to connect them. Thank you.
393

394 Mr. Archer - Thank you, sir. Any questions before he takes a seat? Thank
395 you, Mr. Perkins. Ma'am, I believe you were next. Did you want to speak too, ma'am?
396 Okay, we have some time.
397

398 Ms. Powell - My name is Sara Powell. I live at 5300 Axe Handle. Just to
399 refresh your memories, I've been out there about 33 years. At one time, Axe Handle did
400 extend on through that piece of property. It got cut off because another developer
401 wanted a gated community, so they gave it to him. He didn't want Axe Handle running
402 through his property, so Planning gave it to him—or somebody gave it to him. Sometime
403 after that, we had asked questions, and they said that it would get done, that we'd have
404 another way out, but we didn't. At that time, I think, that's the first fudge they made.
405 When they cut off Axe Handle to allow the gated community, they didn't act on it and

406 continue the process because Axe Handle would have gone all the way to Pouncey
407 Tract. I think that's part of the problem, too. I think it's just a lot of stuff that got let go
408 and didn't get followed through on. This was over quite a few years. I can't recall when
409 the gated community went up, how many years that has been. At one time—I agree
410 with Channing—Sawdust did go through as an option. It's not been too long that they
411 got permission to sell that whole parcel, which stops it.

412
413 So, I just wanted to fill you in on a little history. Thank you.

414
415 Mr. Archer - Thank you, ma'am. Any questions? All right, we have one
416 more. We have about 4 minutes left, ma'am, so come on up.

417
418 Ms. Sonenklar - Anne Woods Sonenklar. We have a Westridge East plan,
419 and we understand that it was approved before HHHunt. I don't know if that's correct.

420
421 Mr. Emerson - Yes, ma'am, I believe so. Is that correct, Mr. Wilhite?

422
423 Ms. Sonenklar - It was before?

424
425 Mr. Emerson - One month after.

426
427 Ms. Sonenklar - Okay. It's our preferable situation to have a cul-de-sac in the
428 plan because it would not have through-traffic going out of another subdivision and it
429 would make our property less valuable, we believe. We moved in thinking that they
430 would have a road from Sawdust to Heather Grove. It was a commonly used path in the
431 past for people to walk through. The people who bought it didn't want those people to
432 walk through, and they think having traffic will be worse. I'm not sure it will. I think it will
433 be a more open area where no crimes can be committed.

434
435 It is a possibility to move that road a little closer to our fence or even take part of the
436 corner of our property. They could actually give up only a small part at the base, which
437 is really fairly useless because it's wet. So, it could be a little changed in its route along
438 the edge of our fence.

439
440 I think that's maybe all I have to say, unless you have a question.

441
442 Mr. Archer - Any questions?

443
444 Mr. Branin - No.

445
446 Mr. Archer - Thank you, ma'am.

447
448 Mr. Emerson - Ms. Sonenklar, before you step away, just so I understand.
449 You would be opposed to amending your approved subdivision to extend from your cul-
450 de-sac down to Heather Grove.

451

452 Ms. Sonenklar - Correct.
453
454 Mr. Emerson - Thank you, that's all I wanted to know.
455
456 Mr. Archer - Thank you, ma'am. All right, Mr. Branin, do you want to hear
457 from the applicant?
458
459 Mr. Branin - Yes, I do.
460
461 Mr. Archer - Would the applicant's representative come forward, please.
462
463 Mr. Branin - Mr. Emerson, this piece of property here?
464
465 Mr. Emerson - That's Ms. Sonenklar.
466
467 Mr. Archer - Good morning, sir. State your name for the record, if you
468 would, please.
469
470 Mr. Branin - Can I call Ms. Sonenklar down?
471
472 Mr. Moore - Yes, sir.
473
474 Mr. Branin - Ms. Sonenklar, you have put in a plan for development of
475 your piece of property, correct?
476
477 Ms. Sonenklar - Yes.
478
479 Mr. Branin - What are your intentions with that?
480
481 Ms. Sonenklar - It's very long-range. We want to live there as it is until we
482 retire.
483
484 Mr. Branin - You know that this subdivision is up in another 2 years.
485
486 Ms. Sonenklar - Yes. We pay for the continuation each time it comes up.
487
488 Mr. Branin - Okay.
489
490 Ms. Sonenklar - We just wanted to have it available to somebody who bought
491 it from us to develop. At one point, they were going to make a rule that the County had
492 to have only 10-acre lots, and we just wanted to make sure it was in there that they
493 could be 1.5-acre.
494
495 Mr. Branin - But you are aware that it is up in—Mr. Wilhite, 2012, 2014?
496
497 Ms. Sonenklar - 2014.

498
499 Mr. Wilhite - 2014.
500
501 Mr. Branin - Right, and that's not an automatic renewal. That goes before
502 me.
503
504 Ms. Sonenklar - We'd have to come before you again?
505
506 Mr. Branin - Yes, ma'am.
507
508 Ms. Sonenklar - That's okay with us.
509
510 Mr. Branin - Okay. I find it ironic that you have laid out lots that will put
511 more lots onto the community you live within, but you don't want to give—how many
512 feet would that be, Mr. Wilhite, to get to that property line?
513
514 Mr. Wilhite - Thirty-four existing lots in Westin subdivision and 7 in
515 Westridge East.
516
517 Mr. Branin - Right. And how many feet from the end of that cul-de-sac to
518 the property line would you guestimate?
519
520 Mr. Wilhite - The layout that was approved for Westridge East, the cul-de-
521 sac comes within about 90 feet of the southern property line of that parcel.
522
523 Mr. Branin - So, approximately 90 feet?
524
525 Mr. Wilhite - Yes, and that street would be able to be extended without
526 losing any lots that were approved.
527
528 Mr. Branin - Mmm. Okay. I have no further questions for you, Ms.
529 Sonenklar.
530
531 Mr. Archer - Thank you, ma'am. Good morning, sir.
532
533 Mr. Moore - Good morning.
534
535 Mr. Archer - Sir, I guess you have your whole 10 minutes.
536
537 Mr. Moore - I'm not sure I'll need all that. Mr. Chairman, members of the
538 Planning Commission, my name is George Moore. I'm Vice President of Development
539 with HHHunt Communities.
540
541 We are seeking conditional approval of 6 additional lots, 1-acre lots from the current
542 approved plan of 34 lots, giving us a total of 40. We are proposing a single-family

543 neighborhood known as Westin at the terminus of Axe Handle Lane. The plan complies
544 with all requirements in an A-1 District.

545
546 The plan we are proposing is consistent with the surrounding neighborhoods, which are
547 all a minimum of 1-acre lots. We had been working with the County over the past few
548 years trying to determine the feasibility of serving Westin with both public water and
549 sewer. Public water will be provided through an extension from Stonehurst, and we will
550 be serving the community with septic systems due to the fact that there is no gravity
551 sewer in proximity that will allow us to connect to a gravity system.

552
553 I believe the County staff finds the conditional plan acceptable, except for the fact that
554 there are more than 50 lots off 1 access point. I would like to take a few moments to
555 address this issue by providing some history and context as to why this property only
556 has 1 point of access. Access to Westin and the adjacent Westridge community is
557 provided by way of Kain Road. The intersection of Kain Road with Willane forms the
558 point where the single point of access begins. The existing Westridge neighborhood
559 itself has 55 homes or parcels off this single point of access. If you include the 34-lot
560 Westin tentative, the 7-lot tentative identified as Westridge East, and the existing
561 Westridge community, there would be a total of 96 lots that are already approved off 1
562 single point of access. Our revised plan will only add 6 additional lots, making the total
563 number of lots 102 off 1 point of access. Based on what's already been approved, it
564 does not seem unreasonable to add 6 additional lots to 1 point of access.

565
566 Furthermore, the County has had a number of opportunities to provide a solution for the
567 single point of access for Westin and the Westridge area through potential road
568 connections with adjacent development. The first opportunity was provided by way of a
569 collector road that was shown on the County's Thoroughfare Plan that would have
570 provided for a secondary means of access for this area. However, for whatever reason
571 in 2003, this road was removed from the Thoroughfare Plan.

572
573 The second opportunity was by extending the cul-de-sac in the adjacent Stonehurst
574 neighborhood, as some here this morning had suggested. The County Planning staff
575 even recommended in the Stonehurst rezoning case that a stub street be provided to
576 the Westin parcel in order to provide a secondary point of access for this area. This
577 would have represented good planning for the benefit of the entire community, but for
578 whatever reason the case was approved without the stub street requirement.

579
580 I would like to add that even though that took place, I have had discussions with the
581 developer of Stonehurst about their willingness to extend the road into Westin. They
582 were unwilling to even consider that.

583
584 The third opportunity was a potential connection through the community of Henley that
585 borders Westin to the north. There are 2 cul-de-sacs in Henley along our property line,
586 and 1 of them could have been extended to stub into the Westin property. Just as a side
587 note, the community was approved for 80 homes off 1 point of access.

588

589 The fourth opportunity would have been for the County to require a right-of-way
590 dedication across the Hall property, allowing for the connection of Sawdust and Heather
591 Grove Road. This dedication could have been a condition of their requested variance
592 that was needed to build a home on this property due to the lack of required street
593 frontage.

594
595 As you can see, there were numerous opportunities for the County to require a second
596 point of access that would have solved this issue. It is not fair that the County holds
597 developers to a policy of not more than 50 lots on 1 point of access when the County
598 itself is not promoting its own policy through good planning efforts.

599
600 Almost 2 months ago, HHHunt hosted a meeting with the adjacent Westridge neighbors
601 to present our revised conditional plan. I believe most of those attending found our plan
602 acceptable, except for the fact that there was no second point of access for Westin and
603 the Westridge community. Reviewing the options that I just presented to you, I
604 communicated that the County did not allow for access in their planning. However,
605 HHHunt did agree to work with the Westridge community to explore if there were any
606 remaining options for a second point of access. Two potential options were reviewed,
607 which include the extension of Sawdust Drive to connect with Heather Grove and a
608 potential extension of the road that is currently approved as a cul-de-sac on the
609 Westridge East conditional plan, which could tie into Heather Grove Road across the
610 vacant lot that was shown earlier. After many weeks of discussions with the affected
611 property owners, there does not appear to be a current solution with either of these 2
612 options.

613
614 Based on the above history and information, I respectfully ask that the Planning
615 Commission approve the 40-lot conditional plan for Westin that represents 6 additional
616 lots from the current approved plan.

617
618 I'd like to provide a little bit more history with respect to our efforts in trying to provide for
619 a second point of access. As far as connecting Heather Grove with Sawdust, I did have
620 numerous conversations with that property owner. They were unwilling to provide any
621 right-of-way on their property. The only option that they would consider would be selling
622 their entire property and the home for \$1.3 million. It's a fairly nice house on that
623 property, and I can understand their concern. As I had mentioned early on in my
624 presentation, the opportunity to extend that road could have been easily provided when
625 they came to the County for the variance that they needed in order to build that house—
626 at least to request that the right-of-way be dedicated for it.

627
628 That concludes my comments.

629
630 Mr. Vanarsdall - Are you surprised to have this problem this morning?

631
632 Mr. Moore - No, sir, I'm not. Like I said, we have been working with
633 Westridge, and if there is a solution, we're willing to do that.

634

635 Mr. Branin - Mr. Moore, I agree with you that it's not fair. It's not fair that
636 these people in this room have the potential of having a lot of traffic that comes down
637 one street and the potential for accidents on Kain Road. It's not fair that the BZA put
638 something through without Planning knowing it. It's not fair that 2 other subdivisions
639 went in prior, but the fact still remains that this exceeds our policy. It is a safety issue.
640 Thank God you haven't developed this yet, or these people would be in here—every
641 person in here that lives in this neighborhood would be in here—screaming that they
642 can't deal with the traffic as it is now. It is a burden that the community has, that we
643 have as a Commission, currently, and that you have as a developer.

644
645 Now, I know HHHunt has done a great job in Henrico County and in the West End for
646 many, many years. You all have created great communities that have great
647 connectivity, and I am excited you're going to continue to try to figure out how to solve
648 this issue. So, I'm going to defer this for 30 days. I hear that someone who is impacted
649 by your community isn't willing to look at 90 feet for the good of the community—that
650 hurts my soul—but you can take that off your list. I will try to get with the developer of
651 Stonehurst and see if there is anything we can do in regards to that. I'll also personally
652 go out and talk to the homeowner to see if we can get Sawdust and Heather Grove. I
653 will work with you to try to resolve this, but, in all good conscience, it wouldn't be fair for
654 me to impose this on the neighborhood. I told you I had a dinner meeting last night after
655 we left. I was with Mr. Kaechele, and he said this is an issue that you need to try to
656 resolve. As I said last night, Mr. Moore, 6 lots isn't going to make a difference, but it
657 gives us a great opportunity to right a wrong. Okay?

658
659 Mr. Moore - I agree. We enjoy working with the Westridge community.
660 We've worked together for a number of years now with some of the issues surrounding
661 the expansion of the landfill. To that extent, I want to do what's right for the community. I
662 think HHHunt has shown itself as wanting to do that. I only ask that as you're
663 volunteering, Mr. Branin, that the County assist, because I honestly believe we're in this
664 situation partly because of maybe some bad decisions in the past.

665
666 Mr. Vanarsdall - Do you want to defer it or—?

667
668 Mr. Branin - I'm going to take the deferral.

669
670 Mr. Emerson - Mr. Branin, the next Plan of Development meeting is
671 December 14; it has been moved up because of the Christmas holiday.

672
673 Mr. Branin - Mr. Moore, do you think December 14 is enough time, or
674 would you like to start off a fresh new year in January? Are you planning to start building
675 houses next month?

676
677 Mr. Moore - No, not next month. I think December 14, is fine. Let's work
678 towards arriving at a solution for that date.

679
680 Mr. Branin - Okay.

681
682 Mr. Archer - All right, Mr. Branin.
683
684 Mr. Branin - Mr. Chairman, I'd like to move that SUB-09-11, Westin
685 (October 2011 Plan), be deferred per Commission request to December 14, 2011.
686
687 Mr. Vanarsdall - Second.
688
689 Mr. Archer - Motion by Mr. Branin, seconded by Mr. Vanarsdall. All in
690 favor say aye. All opposed say no. The ayes have it; the motion passes.
691
692 At the request of the Commission, the Planning Commission deferred SUB-09-11,
693 Westin (October 2011 Plan), to its December 14, 2011 meeting.
694
695 Mr. Archer - Mr. Secretary, before we go on, I'd like to welcome Mrs.
696 O'Bannon; she wasn't present when we first started. She's our representative from the
697 Board of Supervisors.
698
699 Mrs. O'Bannon - I apologize for being tardy.
700
701 Mr. Archer - That's quite all right.
702
703 Mrs. O'Bannon - My daughter had a baby on Monday, and I have a few extra
704 duties and did not account for the time. I apologize.
705
706 Mr. Archer - Thank you, Mrs. O'Bannon. I also notice that we have been
707 joined by the Supervisor-Elect from the Varina District, Reverend Tyrone Nelson. Glad
708 to have you with us, sir.
709
710 Mr. Jernigan - Good morning.
711
712 Mrs. Jones - Good morning.
713
714 Mr. Archer - Okay, we can continue.
715
716 Mr. Emerson - Thank you, Mr. Chairman.
717
718

719 **PLAN OF DEVELOPMENT AND SPECIAL EXCEPTION**

720

POD-33-11
POD2011-00372
Collegiate Upper School –
Academic Commons – N.
Mooreland Road
(POD-09-92 and 02-06
Rev.)

Draper Aden Associates for Collegiate School:
Request for approval of a plan of development and special exception for height limitations, as required by Chapter 24, Sections 24-106, 24-2, and 24-95(a)(1)(a) of the Henrico County Code, to construct a one-story, 27,000 square-foot academic commons building with a cupola exceeding 50 feet in height and a two-story, 5,600 square-foot performing arts building addition along with related site improvements. The special exception would authorize a cupola to be placed on top of the academic commons building with a height of 53.25 feet. The 4.0-acre portion of the 52.9-acre site is located at the southeast intersection of N. Mooreland Road and Tarrytown Drive, on part of parcels 748-736-1139 and 748-737-1411. The zoning is R-2, One Family Residential District. County water and sewer. **(Tuckahoe)**

721

722 Mr. Archer - Is there any opposition to POD-33-11, Collegiate Upper
723 School – Academic Commons? Good morning again, Mr. Wilhite.

724

725 Mr. Wilhite - Good morning, sir. There is a revised plan in your packet this
726 morning to address staff's remaining concern about traffic circulation. It alters the new
727 parking lot that's proposed under this development. Originally, it was 2-way traffic going
728 through the parking lot. This has been revised, so it's 1-way traffic, and it angled the
729 parking to accommodate that as well. That satisfies staff's concern on traffic circulation
730 issues in this site. It also provides additional space to allow for a fire lane that runs
731 between the back of the Fine Arts Building addition and the Academic Commons
732 Building.

733

734 Staff can recommend approval of the revised staff plan.

735

736 This is a request for a special exception on height. Limiting height for architectural
737 elements such as cupolas on the roof is 50 feet in an R District. The proposal here is for
738 53.25 feet. Staff does not see any negative impacts from the additional height in this
739 instance.

740

741 I'll be happy to answer any questions that you have.

742

743 Mr. Archer - Thank you, Mr. Wilhite. Are there questions?

744

745 Mrs. Jones - Mr. Wilhite, just to confirm, the circulation on the circle will be
746 one way; the circulation through the parking lot obviously will peel off and back just one
747 way?

748

749 Mr. Wilhite - That is correct. The traffic engineer was concerned that if 2-
750 way traffic was trying to come in around the circle and also in and out of the parking lot,
751 there were a number of different points of conflicts, potentially, in this access drive to
752 the circle. So, by eliminating the 2-way traffic, there, through the parking lot, that
753 enhances the traffic circulation.

754
755 Mrs. Jones - And there will be no impacts for the existing buffers that
756 were so carefully crafted with the neighborhoods along—

757
758 Mr. Wilhite - No, ma'am. All the proposed improvements under this plan
759 are within the existing loop road that runs from North Mooreland back to the new
760 parking lot on the east side of the property. So, there will be no additional clearing and
761 no development coming in closer to Tarrytown Road.

762
763 Mrs. Jones - For the benefit of the Commission, I feel I need to mention
764 there has been a community open house, which Collegiate hosted for the neighbors.
765 The neighbors have been very closely aligned with this project every step of the way for
766 every change in the master plan, and the neighborhood was very pleased with the plans
767 for this new center. I do think that at this point there has been some trust built between
768 the neighborhood and Collegiate. Obviously, they are happy with the way in which the
769 campus has developed, and it's been due in some part to their input. So, my
770 assessment of the neighborhood meeting—you may wish to confirm this for me—was
771 that the reaction to these plans as presented was very positive.

772
773 Mr. Wilhite- I would say so, ma'am, yes.

774
775 Mrs. Jones - That's all the questions I have for Mr. Wilhite.

776
777 Mr. Archer - Thank you, Mrs. Jones. Anybody else?

778
779 Mrs. Jones - I would like Scott Carson to come forward just for a second,
780 if you don't mind, and for the record, identify yourself, please.

781
782 Mr. Carson - Good morning. My name is Scott Carson, and I'm the
783 director of Facilities and Construction at Collegiate.

784
785 Mrs. Jones - Hi. Nice to see you again, Scott.

786
787 Mr. Carson - Thank you.

788
789 Mrs. Jones - The concept of why you're pushing ahead with this new
790 building and the courtyard area, I thought, was an interesting approach—and how
791 you're kind of revamping the campus to reflect some of your new visions. So, if you
792 don't mind just giving a quick summary for the benefit of the Commission, so they'll
793 know when this comes back what we're talking about with your goals.

794

795 Mr. Carson - Happily, thank you.

796
797 Schools are changing. The way we learn is changing. Our classroom model is evolving
798 from 1961 when we built this campus originally. Our current library, which houses the
799 middle and upper school, is 7,000 square feet. That's a very small amount of space for
800 2 divisions of our school when you consider the size of our lower school library as well.
801 We no longer teach in rows with desks, students facing the front. Learning is much
802 more collaborative. It's more of a 21st century model that we're working towards. We
803 have a bit of a space crunch at the school, and the way in which we deliver our product,
804 which is education, is evolving. We really see this building as helping us to achieve a
805 21st century learning model, which is what we are pushing with our faculty, staff, and
806 families. So, the space really helps us solve a number of different needs.

807
808 For those of you who have been by Mooreland Road recently, you can see the 1961
809 roadhouse architecture that we're very familiar with on campus. We're looking to make
810 a bit more of an architectural impact with this building that will transcend future
811 development on campus when that comes before you folks in the future. The building
812 serves a lot of needs and helps us make a more definitive architectural statement for
813 the next 100 years.

814
815 Mrs. Jones - You also are creating an area to the back of the Hershey
816 Building that will accommodate expanded events and other campus-related events
817 there.

818
819 Mr. Carson - Correct. Again, the Hershey Center was built in the mid-
820 1980s, but the way in which we deliver art as a classroom function has evolved. Our
821 studio space is old and antiquated, and we're adding 3 studios within this addition to
822 help satisfy the needs of our program in the ways in which we deliver and practice art.
823 The space between these 2 buildings—there's roughly 40 feet of space between the
824 buildings—will become what we envision to be a very active pedestrian-scale plaza that
825 will serve as a sort of synergistic space between the Academic Commons and the
826 Hershey Center for a number of different student functions throughout the day. We're
827 very excited about the space between spaces. We think from an urban design or
828 planning standpoint, whatever you want to call it, we're very excited about this, and so
829 are our students and families. So, thank you.

830
831 Mrs. Jones - Thank you for that. I do think the traffic circle works well this
832 way. Do you not?

833
834 Mr. Carson - We had always envisioned that as 1-way, so we're happy for
835 the Planning Commission's comments and the work that Kevin and staff have done. I
836 think we've come up with a great solution.

837
838 Mrs. Jones - Scott, as we move through this, I also wanted to let you
839 know that 9 and 11 amended, which are the landscape and lighting plans to come back

840 to the Commission, which have been part of your cases all along, will be part of this as
841 well. Just in deference to the neighbors so that they have an opportunity to review them.

842
843 Mr. Carson - To further that point, we did take a look at our timing. That
844 comment that came out of the meeting. That's all been adjusted, so I hope our
845 neighbors are happy about it.

846
847 Mrs. Jones - I would hope. Thank you so much.

848
849 Mr. Carson - Thank you.

850
851 Mr. Archer - Thank you, Mr. Carson. All right, Mrs. Jones.

852
853 Mrs. Jones - I'm going to go ahead and make a joint motion, Mr.
854 Secretary, if I may?

855
856 Mr. Emerson - Yes, ma'am, that'll be fine.

857
858 Mrs. Jones - We have a special exception for the several feet for the
859 height limitation of the cupola. So, I will make a motion at the present time for approval
860 of POD-33-11, Collegiate Upper School – Academic Commons. This is the approval of
861 their Plan of Development as well as approval of the special exception for height
862 limitations. I'm moving for this approval in addition to the standard conditions for
863 developments of this type, the following additional Conditions on the agenda, #29
864 through #33 with the addition of #9 and #11 amended, the revised plan, and the revised
865 recommendation that is noted on the addendum.

866
867 Mr. Branin - Second.

868
869 Mr. Archer - Motion by Mrs. Jones, seconded by Mr. Branin. All in favor
870 say aye. All opposed say no. The ayes have it; the motion passes.

871
872 The Planning Commission approved POD-33-11, Collegiate Upper School – Academic
873 Commons, subject to the annotations on the plans, the standard conditions attached to
874 these minutes for developments of this type, and the following additional conditions:

875
876 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
877 Planning for review and Planning Commission approval prior to the issuance of
878 any occupancy permits.

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

884 29. Outside storage shall not be permitted.

- 885 30. Evidence that an engineer has certified the height of the building shall be
886 provided to the Director of Planning prior to the issuance of a Certificate of
887 Occupancy.
- 888 31. The existing utility easement in conflict with the performing arts addition building
889 footprint shall be vacated prior to approval of the building permit for the said
890 building.
- 891 32. Except for junction boxes, meters, and existing overhead utility lines, and for
892 technical or environmental reasons, all utility lines shall be underground.
- 893 33. The location of all existing and proposed utility and mechanical equipment
894 (including HVAC units, electric meters, junction and accessory boxes,
895 transformers, and generators) shall be identified on the landscape plans. All
896 equipment shall be screened by such measures as determined appropriate by
897 the Director of Planning or the Planning Commission at the time of plan approval.
898

899 **PLAN OF DEVELOPMENT** (*Deferred from the October 26, 2011 Meeting*)
900

POD-31-11 **Balzer and Associates, Inc. for Aram G. Topjian and**
POD2011-00340 **Nvard Topjian and TMX Finance:** Request for approval
Titlemax – 7807 W. Broad of a plan of development, as required by Chapter 24,
Street (U.S. Route 250) of a plan of development, as required by Chapter 24,
Section 24-106 of the Henrico County Code, to change the
use of an existing fuel station to a one-story, 2,309 square-
foot small loan financial institution and to construct parking
lot upgrades. The 1.0-acre site is located on the south line
of W. Broad Street (U.S. Route 250) at the south quadrant
of its intersection with Hungary Spring Road, on parcel
764-751-7937. The zoning is B-3, Business District.
County water and sewer. **(Tuckahoe)**

901
902 Mr. Archer - All right. Is there anyone here who is opposed POD-31-11,
903 Titlemax? I see no opposition. Good morning, Mr. Pambid.
904

905 Mr. Pambid - Good morning, members of the Planning Commission. Staff
906 received revised elevations and color renderings that depict a blue standing seam metal
907 hip roof. Furthermore, the applicant has agreed to change the color from their standard
908 stark Titlemax white to an off-white color. The remainder of the Plan of Development
909 remains the same as presented at last month's Planning Commission meeting. With
910 these revised elevations, staff can recommend approval.
911

912 That concludes my presentation. I can field any questions you have regarding this.
913

914 Mr. Archer - Any questions for Mr. Pambid from the Commission?
915

916 Mrs. Jones - I would like to make a comment, which is a somewhat veiled
917 question, I guess. Mr. Pambid has been very patient and has worked with me and
918 worked with the applicant to get our architectural a little more sophisticated, a little
919 softer, a little more what we'd like to see. They have been very willing to work with us,

920 and I certainly expressed that appreciation this morning to one of the folks in the
921 corporate office.

922
923 The new roof, which is different from what you all saw last time, is the hip-style roof. The
924 coloration will be a bit softer. I think, Mr. Pambid, with the addition of his review, has
925 kind of eked what he can from this site and has made it the best that he can. I certainly
926 appreciate his efforts on that part.

927
928 I had a concern. Those of you who saw me flying around this morning, I'd thought I'd let
929 you know how that panned out. My concern was the fact that other locations have used
930 electronic message signs, and I wanted to try to avoid having that happen on this site.
931 Unfortunately, the applicant has already applied for a permit, received an approved
932 permit, and purchased the sign for this site. That's finished. So, while I cannot exert my
933 preferences on this site, I'm pledging to you that I will try to be 2 steps ahead instead of
934 1 step behind on future sites. I feel that electronic message signs at busy intersections
935 such as this one are distracting to drivers, are visual clutter, and are unnecessary in a
936 busy corridor where signage is obvious. I am sorry to see it is going to happen, but it is
937 already approved and a done deal. So, that's where we are. They have complied with
938 our request for the change of the roof, and I appreciate that.

939
940 Mr. Jernigan - Can I ask a question? I just want to clear up something that's
941 happened out my way. I see on here they plan on painting the building white, an off-
942 white.

943
944 Mrs. Jones - Off-white.

945
946 Mr. Jernigan - What if 2 years down the road they wanted to paint it yellow?
947 I ask that because I have that problem in my end of town. Right on Laburnum Avenue
948 we have a title loan place that is about as bright a yellow as it can be.

949
950 Mrs. O'Bannon - It's not yellow, it's orange.

951
952 Mr. Emerson - It is bright. You are correct, Mr. Jernigan. That's a good
953 question.

954
955 Mr. Jernigan - What can you do in the future?

956
957 Mr. Emerson - The elevations are being provided. I guess we would argue
958 that if you went to a color like that you would need to come back to the Commission to
959 revise your elevations. You could add a condition regarding the color at this time, if you
960 wanted to.

961
962 Mrs. O'Bannon - You can dictate an aesthetic?

963
964 Mr. Branin - You can put in a condition that they have to come back to
965 the Commission to change color.

966
967 Mr. Emerson - I think that's what you would do, yes.
968
969 Mrs. O'Bannon - I think that's a good idea.
970
971 Mr. Jernigan - I would say administrative approval, not come through the
972 Commission. Let the Commissioner just make it an administrative approval, if they want
973 to change it to beige or another color.
974
975 Mr. Emerson - Right.
976
977 Mr. Jernigan - I think it should be up to the Commissioner.
978
979 Mr. Emerson - Probably the best way to handle it—
980
981 Mr. Vanarsdall - This is what happened with McDonald's when one night they
982 painted all their buildings overnight. So, after that we put a condition or proffer that it
983 couldn't be painted without coming back for approval.
984
985 Mr. Emerson - Approval of the Director of Planning.
986
987 Mrs. Jones - How do you suggest something like that be worded?
988
989 Mr. Emerson - I would suggest that any color change be submitted to the
990 Director of Planning for approval. Then, we'll get with you when it comes in.
991
992 Mrs. Jones - That is all right to do at this point, at this time?
993
994 Mr. Emerson - Sure, you can add that.
995
996 Mrs. Jones - Well, I can't say that wouldn't be a smart thing to do. I'm sure
997 they may have some discussion when they see that, but I do think that is valid. I'll be
998 happy to agree to have those phrases added. Mr. Pambid, I don't know if you want to
999 read something to me, or shall we make the wording now?
1000
1001 Mr. Branin - Is the applicant here?
1002
1003 Mrs. Jones - No, there's no one here from the applicant.
1004
1005 Mr. Pambid - I will add that in terms of Titlemax, they seem to be very—
1006
1007 Mrs. Jones - You know what?
1008
1009 Mr. Pambid - I'm trying to think of the word; it's escaping me.
1010
1011 Mrs. Jones - But they are cooperative.

1012
1013 Mr. Pambid - They're cooperative, but they've also been very consistent—
1014 that is what I've been trying to say—in their colors. When we asked them to change the
1015 color, Chris Wackerly—who again has been very cooperative in their Savannah
1016 corporate office—got back to me within about 5 or 10 minutes and said, “Yes, we can
1017 soften that color.” He was very specific on the color as well. He calls it a Sherwin-
1018 Williams #7005 Pure White, which isn't as it sounds. It's more of a beige than a pure
1019 white. It's not like a paper white or a stark white that was previously proposed.
1020
1021 Mr. Vanarsdall - What they chose, they like, right? They want it.
1022
1023 Mr. Pambid - Right. In terms of color ranges that might be one of the
1024 things we would be considering also when we're looking at a condition for color
1025 changes. How far of a range would they be allowed to operate in without actually
1026 triggering some type of review.
1027
1028 Mr. Emerson - I'm working on that.
1029
1030 Mr. Pambid - That's one of the things we'd been looking at.
1031
1032 Mr. Emerson - How about this, “Any change in the color scheme of the
1033 structures as presented with elevations approved by the Commission shall be submitted
1034 to the Director of Planning for review and approval”?
1035
1036 Mrs. Jones - Perfect.
1037
1038 Mr. Jernigan - Mr. Pambid, these people look like they're straight up and
1039 doing everything right, but they could sell this building 5 years down the road.
1040
1041 Mr. Pambid - Absolutely.
1042
1043 Mr. Jernigan - Then you don't know what happens after that.
1044
1045 Mrs. Jones - Mr. Jernigan, I appreciate that.
1046
1047 Mr. Archer - Great observation, Mr. Jernigan.
1048
1049 Mr. Branin - Mr. Jernigan, you're a wise man.
1050
1051 Mrs. Jones - Thank you.
1052
1053 Mr. Jernigan - I wonder about that sometimes.
1054
1055 Mr. Vanarsdall - They might sell it before they paint it; you never know.
1056
1057 Mr. Emerson - You don't.

1058
1059 Mr. Archer - All of us seem to have a yellow building somewhere in our
1060 district. I won't name this one, but [inaudible].
1061
1062 Mr. Emerson - I know which one you're talking about.
1063
1064 Mr. Archer - We didn't have any conditioning language in there; it was
1065 like 14 years ago I guess. Beware.
1066
1067 Mrs. Jones - All right. I appreciate the comment; thank you.
1068
1069 Mr. Jernigan - You're welcome.
1070
1071 Mrs. Jones - Anything further, or are we ready for a motion?
1072
1073 Mr. Archer - I think we're ready, Mrs. Jones.
1074
1075 Mrs. Jones - All right. With that I will move for approval of POD-31-11,
1076 Titlemax, at 7807 W. Broad Street. This is an approval in addition to the standard
1077 conditions for developments of this type with the following additional Conditions as listed
1078 in the agenda, #29, #30, #31; additional Condition #32, as referenced by Secretary
1079 Emerson concerning the colors of the building; and with the revised architectural as
1080 presented as part of this morning's meeting.
1081
1082 Mr. Jernigan - Second.
1083
1084 Mr. Archer - Motion by Mrs. Jones, seconded by Mr. Jernigan. All in favor
1085 say aye. All opposed say no. The ayes have it; the motion passes.
1086
1087 The Planning Commission approved POD-31-11, Titlemax, subject to the annotations
1088 on the plans, the standard conditions attached to these minutes for developments of this
1089 type, and the following additional conditions:
1090
1091 29. Outside storage shall not be permitted.
1092 30. Concrete sidewalks meeting County or VDOT standards shall be provided along
1093 the east side of Hungary Spring Road and the south side of West Broad Street
1094 (U.S. Route 250), respectively.
1095 31. The location of all existing and proposed utility and mechanical equipment
1096 (including HVAC units, electric meters, junction and accessory boxes,
1097 transformers, and generators) shall be identified on the landscape plans. All
1098 equipment shall be screened by such measures as determined appropriate by
1099 the Director of Planning or the Planning Commission at the time of plan approval.
1100 32. **ADDED** - Any changes in color scheme of the structures as presented with
1101 elevations approved by the Planning Commission shall be submitted to the
1102 Director of Planning for review and approval.
1103

1104 Mr. Emerson - Mr. Chairman, the next item on your agenda is the
1105 consideration of the approval of the minutes from the October 26, 2011 meeting.

1106
1107 APPROVAL OF MINUTES: October 26, 2011
1108

1109 Mr. Archer - Did anybody find any corrections that need to be made to
1110 the minutes? Any corrections?

1111
1112 Mrs. Jones - No, sir.

1113
1114 Mr. Archer - All right. Is there a motion?

1115
1116 Mr. Jernigan - So moved.

1117
1118 Mr. Archer - Second.

1119
1120 Mr. Archer - Motion by Mr. Jernigan, seconded by Mr. Archer that the
1121 minutes be approved as submitted. All in favor say aye. All opposed say no. The ayes
1122 have it; the motion passes.

1123
1124 The Planning Commission approved the October 26, 2011 minutes as submitted.

1125
1126 Mr. Emerson - Mr. Chairman, staff has nothing further for the Commission
1127 this morning.

1128
1129 Mr. Archer - All right. I have nothing further other than to wish everybody
1130 a happy and safe Thanksgiving holiday season.

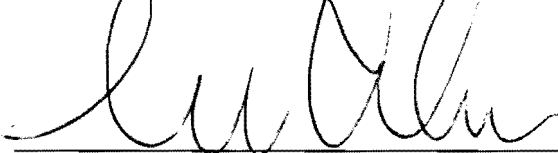
1131
1132 Mrs. Jones - Thank you.

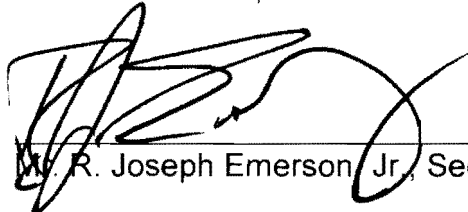
1133
1134 Mr. Archer - I move for adjournment.

1135
1136 Mr. Jernigan - Second.

1137
1138 Mr. Archer - With that we are adjourned.

1139
1140 The meeting adjourned at 10:12 a.m.

1141
1142
1143
1144
1145 
1146 _____
1147 Mr. C. W. Archer, Chairman

1148
1149
1150 
1151 _____
1152 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 **November 16, 2011**, 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 **November 16, 2011**, 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 **November 16, 2011**, which shall be as much a part of this approval as if all details were fully described herein.

9. This approval shall expire on **November 14, 2012**, 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 **November 16, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
8. This approval shall expire on **November 14, 2012**, 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 **November 16, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **November 14, 2012**, 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 **November 16, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **November 14, 2012**, 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 **November 16, 2011**, which shall be as much a part of this approval as if all details were fully described herein.
9. This approval shall expire on **November 14, 2012**, 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.