

1 Minutes of the work session of the Planning Commission of the County of
2 Henrico held in the County Manager's Conference Room beginning at 5:30 p.m.,
3 August 14, 2014, regarding a review and discussion on Zoning Ordinance
4 Amendments on the Optional Submission of Preliminary Subdivision Plats
5 Involving 50 or Fewer Lots, Clarifying the Definition of Group Homes, and
6 Certification of Septic System Functioning by a Licensed or Certified Operator or
7 Soil Evaluator.

8

Members Present: Mr. Eric S. Leabough, C.P.C., Chairman (Varina)
Mr. Robert H. Witte, Jr., Vice-Chairman (Brookland)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Tommy Branin (Three Chopt)
Mrs. Bonnie-Leigh Jones, C.P.C., (Tuckahoe)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mr. David A. Kaechele,
Board of Supervisors' Representative

Also Present: Ms. Jean M. Moore, Assistant Director of Planning
Mr. David O'Kelly, Assistant Director of Planning
Mr. Jason Hart, Assistant County Attorney
Mr. James P. Strauss, PLA, Principal Planner
Ms. Leslie A. News, PLA, Principal Planner
Mr. Benjamin Blankinship, AICP, Principal Planner
Mr. Kevin Wilhite, County Planner
Ms. Sylvia Ray, Recording Secretary

9

10 **Mr. David Kaechele, the Board of Supervisors' representative, abstains on**
11 **all cases unless otherwise noted.**

12

13 Mr. Emerson - Thank you, Mr. Chairman. This is a work session. The
14 first item on your agenda this evening is a presentation from our Assistant
15 County Attorney, Jason Hart, regarding State legislation changes that came to us
16 from the General Assembly this past legislative session and actually went into
17 effect July 1. So with that, I'll turn it over to Mr. Hart who has a presentation for
18 you.

19

20 Mr. Hart - Thank you, ladies and gentlemen. Thanks for giving
21 me the chance to be here tonight to kind of briefly go through these for you.
22 Tonight, the plan is just to sort of give you an overview of what these are going to
23 be. At the end I think you'll be presented with a resolution to instruct the Planning
24 Commission to consider the changes that need to be made and bring forth
25 ordinances that you can then review and recommend to pass along to the Board.

26
27 To start off, the first general topic relates to House Bill 1217, which relates to
28 sewage pump-out in Chesapeake Bay preservation areas. As Mr. Emerson said,
29 this became effective July 1, 2014. This requires that documentation be
30 submitted in lieu of septic tank pump-out and it must be certified by an operator
31 or on-site soil evaluator, licensed or certified under State law as qualified to
32 operate, maintain, or design on-site sewage systems. Previously, and under the
33 law prior to July 1st, the certification was required to be from a sewage handler
34 permitted by the Virginia Department of Health to certify the necessary
35 documentations. This changes the requirements for certification.

36
37 So at this point it's looking like we'll need to amend County Code Sections 1990,
38 1998, and 24-106(g)(9) to address this to reflect both the change in who may
39 certify the documentation, as well as, to clarify the procedure for submitting
40 documentation and circumstances when the submission is necessary.

41
42 Moving on, the definition of *group home* has been amended by House Bill 527,
43 which removes the requirement that a counselor or other staff person reside in
44 the group home. At this point, a group home will be treated as a single-family
45 residence regardless of whether a counselor or another staff person resides in
46 the home. This doesn't so much affect a change in law as clarify what the
47 existing intent was to be. This is how we were treating it anyway, but this just
48 clarifies the way that the State Code reads. And we want to amend our ordinance
49 to reflect that. So we want to amend County Code Section 24-3, both, to track
50 this new definition, as well as to replace an outdated term, *mental retardation* and
51 replace that with *intellectual disability*, which is reflected by Virginia Code Section
52 15.2-2291. That change had previously been made in the Virginia Code, and our
53 Code just had not been yet updated to reflect that. So we want to go ahead and
54 make that change as well.

55
56 Moving on to the third change required by the code provisions; this is due to
57 House Bill 209. This is a little bigger one and actually will have an effect on the
58 way that we approve subdivision plats. Under House Bill 209, localities may no
59 longer require submission of preliminary subdivision plats for fifty or fewer lots for
60 tentative or conditional approval. The owner will still have the option to submit
61 those plats for conditional or preliminary approval, but they are no longer
62 required to. And we can no longer require them to do so under the State law. All
63 subdivision plats still remain subject to final approval by the Director of Planning.
64 Plats with more than fifty lots still remain subject to both conditional and final
65 approval.

66
67 Since this is a fairly big change, thus far, we think it's going to require an
68 amendment of various sections of the subdivision ordinance. So far we've
69 identified 1960, 1989, 1990, 1995, 1997, 19-137, and 19-165. A couple of them
70 are more significantly changed; a couple of them are just to replace the word *the*,
71 with *and* to reflect that not all preliminary subdivision plats will be going to the

72 Planning Commission, that sometimes there will be no preliminary subdivision
73 plat and it will go directly to final approval.
74

75 The next steps at this point, I think, we have a resolution for you to initiate
76 consideration of these amendments, directing the Planning Commission to
77 initiate this consideration. The next step after that is a Public Hearing on
78 September 11, 2014. I'm free to take any questions if you have any.
79

80 Mr. Emerson - I will have a resolution for you this evening on the
81 regular agenda to start this process.
82

83 Mrs. Jones - I just want to ask about the motive behind some of
84 these changes. Just out of curiosity. For instance, the subdivision plats. Are we
85 trying to change the incentive for folks with under fifty or what is the reasoning
86 behind that?
87

88 Mr. Hart - I can't speak to what is their reasoning. I'm not sure if
89 Mr. Emerson could.
90

91 Mr. Emerson - Our understanding, Mrs. Jones, is that the
92 homebuilders felt that there were certain localities that were making the process
93 too onerous and too expensive. Many localities do this administratively anyway.
94 There's just a handful left that still bring the conditionals to the Planning
95 Commission. The homebuilders don't like to spend that money and, again, felt
96 like they were being slowed down. So they took this legislation to the General
97 Assembly. The Generally Assembly agreed with them.
98

99 Mrs. Jones - So really we should see very few folks coming
100 forward for conditional approval, right?
101

102 Mr. Emerson - Fifty or less you're going to not see unless they need
103 some sort of exception. Then you'll see the exception and not necessarily the
104 subdivision. A good example would be a recent one Mr. Witte had where they did
105 not want the road connected. You would not have seen that one.
106

107 Mrs. Jones - Okay. Well, just out of curiosity. And the other
108 question I had—thank you—is about the septic system maintenance. The County
109 opposed it.
110

111 Mr. Hart - Yes ma'am.
112

113 Mrs. Jones - Did every single County; do you know, oppose it?
114

115 Mr. Hart - I'm not aware of that, but I can try to find that out for
116 you.
117

118 Mrs. Jones - No. I just thought, you know. It seems to me I can't
 119 imagine who's going to vote in favor of this. But we do what we're told to do.
 120
 121 Mr. Leabough - What's the cost for that, the pump-out? Well the
 122 certification, I guess.
 123
 124 Mr. Emerson - Usually the person that does the pump-out certifies. I
 125 haven't had a septic tank pumped out in a long time. But the last time I had one
 126 pumped out, which was probably about fifteen years ago, I thought it cost me
 127 about \$150.
 128
 129 Mr. Leabough - To pump it?
 130
 131 Mr. Emerson - To pump it and—.
 132
 133 Mr. Leabough - This looks like a separate individual certifying.
 134
 135 Mr. Emerson - I think it allows a different entity to certify it, doesn't it,
 136 besides the Health Department?
 137
 138 Mrs. Jones - It sounds like it's a more professional.
 139
 140 Mr. Emerson - I think it's relaxing.
 141
 142 Mrs. Jones - Oh, it's relaxing, not getting more professional? Okay.
 143
 144 Mr. Archer - Isn't it possible that the person who does the pumping
 145 is certified?
 146
 147 Mr. Emerson - Yes.
 148
 149 Mr. Hart - The person doing the certification, it basically
 150 switches it under a different Code provision. It'll be under Chapter 23 of Title
 151 54.1, which specifies the operator on-site soil evaluator.
 152
 153 Mr. Emerson - It's probably not any different.
 154
 155 Mrs. Jones - Yes. Quite the title. Okay.
 156
 157 Mr. Kaechele - You have to do it in a five-year interval unless you get
 158 permission.
 159
 160 Mr. Leabough - If it's in an RPA.
 161
 162 Mr. Hart - Yes.
 163

164 Male - Do we have a system in place where we are notified if
 165 they need to be pumped out? [inaudible] [0:08:38.9]*?
 166

167 Mr. Emerson - We do. We set it up. Public Works actually does it
 168 now. Planning actually set up the system and turned it over to Public Works a
 169 number of years ago. But the septic systems are tracked as they come in, and
 170 then they go into a database, then they're notified. Of course they have to notify
 171 us back along with the Health Department that they have been pumped every
 172 five years. It's always been five. Since the implementation of the Act it's been
 173 five.
 174

175 Mr. Leabough - What's the proximity to the RPA where it has to be?
 176

177 Mr. Emerson - I think Henrico it's countywide the way we have it set
 178 up, isn't it Dave?
 179

180 Mr. O'Kelly - Yes.
 181

182 Mr. Leabough - Some localities don't have that.
 183

184 Mr. Emerson - Some localities only do it in the RPA. That's an extra
 185 effort. In Henrico's case, the majority of people are served by sewer. Odds are if
 186 you're not served by sewer there's a good possibility you're in RPA-type soil.
 187

188 Mr. Leabough - Thank you.
 189

190 Mr. Emerson - It's just good practice. You always hear about the
 191 people who have septic systems for fifty years and never had to pump them.
 192 Well, it's questionable how efficiently those systems are working. You do need to
 193 get the solids out of those systems.
 194

195 Mrs. Jones - This is great dinner conversation.
 196

197 Mr. Branin - I'm glad I waited.
 198

199 Mr. Emerson - We actually think on the subdivision change that
 200 many people may not choose to go that route because we sort of quality check
 201 everybody's plans. That's kind of a valuable service to the engineering firms,
 202 quite honestly.
 203

204 Mrs. Jones - Does it save them money?
 205

206 Mr. Emerson - It saves them a review fee and some time, but our
 207 fees aren't that onerous.
 208

209 Mrs. Jones - No, they're not.

210
 211 Mr. Emerson - Some of the other localities fees were quite high, as I
 212 understand. Wasn't that what you found in the research, Dave?
 213
 214 Mr. O'Kelly - Yes.
 215
 216 Mr. Emerson - Dave did some research on it. We suspect we know
 217 which County it was that caused it, but I guess we'll leave them unnamed. It
 218 wasn't us, it wasn't us.
 219
 220 Mrs. Jones - Gotcha. Okay.
 221
 222 Mr. Emerson - I think that's it, unless you have any questions. We'll
 223 have the resolution on your regular agenda this evening to initiate the process.
 224 And on September 11th, we'll have those ordinances ready for that meeting, and
 225 you can hold your public hearing. We really don't have any choice in the matter.
 226
 227 Mrs. Jones - I know.
 228
 229 Mr. Emerson - If somebody walked in today, even if our ordinances
 230 were not amended we would have to honor what the State Code says because it
 231 supersedes us.
 232
 233 Mrs. Jones - All righty.
 234
 235 Mr. Emerson - Thank you, Jason.
 236
 237 Mr. Hart - Thank you very much.
 238
 239 Mr. Emerson - The other item that I placed on your agenda this
 240 evening—and I wasn't at your last meeting. But I understand, and I've looked at
 241 the minutes and understand that there was some conversation regarding the
 242 meeting schedule, so I placed on the work session for you to continue your
 243 discussion and see if we can make a decision. One of the things we need to do is
 244 we need to get the rooms reserved and things like that, so we do need to move
 245 some action forward on the agenda.
 246
 247 Mrs. Jones - May I say something, please?
 248
 249 Mr. Leabough - Of course.
 250
 251 Mrs. Jones - To my fellow Commissions, Mr. Branin very
 252 graciously asked that we consider this later because one of the Commissioners
 253 was not here. And I'm sure it was as a courtesy to me as opposed to needing
 254 your vote. However, in all seriousness, I did ask staff to make quite a
 255 presentation last year, and it was the same group of folks, and the answer was

256 no. This is not the hill I'm going to die on. I wish to bring this up no longer. I was
 257 explaining why I was going to vote no. I really didn't expect this to be taken any
 258 further. However, since we're here tonight, let's please vote on it, and get over it,
 259 and move on, and let the rooms be reserved, and everybody move on. I do think
 260 I was simply making a comment because I wanted to explain why my vote was
 261 going to be no. But, you know, I'm one of five, and that's how this all works.
 262

263 Mr. Witte - We understand that you want to take four meetings
 264 off a year instead of two and that's why you're voting no.
 265

266 Mrs. Jones - I think we should just vote on the calendar, and I'll be
 267 happy to vote the way I need to vote, but somebody make a motion and we'll get
 268 this behind us. Tommy doesn't even know we're talking about him.
 269

270 Mr. Archer - Well Mrs. Jones let me just say that you are a woman
 271 of principle.
 272

273 Mr. Branin - I'm voting however you guys vote.
 274

275 Mrs. Jones - Yes, you probably shall.
 276

277 Mr. Leabough - These are recorded work sessions.
 278

279 Mr. Branin - I voiced my opinion that it makes no difference to me
 280 either way.
 281

282 Mr. Leabough - So are you making a motion, Mr. Branin?
 283

284 Mr. Branin - I move that we not have any meetings whatsoever in
 285 August. I think the County should shutdown [inaudible] [0:14:25.2]* in August and
 286 give everybody a much needed break.
 287

288 Mr. Leabough - I'm not voting on that motion. Mrs. Jones, you brought
 289 up the potential to not have a meeting in August. And I don't think we want to go
 290 there. I think that we should move to approve the schedule as presented in our
 291 packet tonight.
 292

293 Mrs. Jones - Is that a motion?
 294

295 Mr. Leabough - That is a motion.
 296

297 Mrs. Jones - Okay.
 298

299 Mr. Archer - I'll second the motion.
 300

301 Mr. Leabough - All in favor say aye. All opposed say no.

302
 303 Mrs. Jones - Nay.
 304
 305 Mr. Leabough - The motion passes. One *nay* by Mrs. Jones.
 306
 307 Mr. Emerson - That's all I have tonight for you on your work session.
 308 I will bring you up to speed on a couple of items that will be coming forward. On
 309 September 11th, Weldon Cooper through UVA will be bringing a group of
 310 dignitaries to observe your meeting from an African country Burkina Faso.
 311 Mr. Chairman, you will be asked to recognize them. I'll send you the information.
 312
 313 We have these occasionally; I can't recall when the last time was. They just bring
 314 groups through to observe governmental activities. This group will coming
 315 through, and they want to bring them by to observe your Planning Commission
 316 meeting.
 317
 318 Mrs. Jones - What kind of—is this a student group?
 319
 320 Mr. Emerson - No, no. They are actual officials from this country.
 321
 322 Mrs. Jones - Oh.
 323
 324 Mr. Witte - And what's the country?
 325
 326 Mr. Emerson - It's Burkina Faso. I don't have the spelling in front of
 327 me, but I believe that's the way it's pronounced.
 328
 329 Mr. Branin - It's spelled B-u-r-k-i-n-a.
 330
 331 Mr. Leabough - Mr. Strauss brought a map.
 332
 333 Mr. Strauss - It's in the western part of the continent of Africa, east
 334 of Guinea and west of—
 335
 336 Mrs. Jones - I am [inaudible] on my geography in Africa.
 337
 338 Mr. Emerson - So that's coming up. And also on your agenda this
 339 evening I'm going to ask you to schedule a work session for next month on the
 340 eleventh for the long-awaited discussion on building materials. We have a
 341 presentation that staff has put together. We have a panel of architects that we
 342 will be prepared to field any questions you may have about the different types of
 343 materials, both commercial and residential, that you have questions about. I
 344 know as we consider these projects we always go through different proffers, and
 345 there are always different proffers for different types of materials. And of course
 346 we get very different responses from the development community. So in an effort
 347 to educate the Commission further on some of these materials, we have put

348 together this presentation, arranged this panel of architects. I've also asked that
349 representatives of Fire and the Building Inspection Office be present to clarify
350 what the Code may or may not require if you have any questions in that regard.
351 We'll be sending you an e-mail in the next week of two prompting you to send us
352 any questions ahead of time if you know of any that specifically you'd like to have
353 answered about any type of building material. We can get it to our panel and they
354 can be prepared to respond to you.

355
356 Mrs. Jones - Will this include things like sound suppression with
357 windows and that kind of thing or just the exterior building?
358

359 Mr. Emerson - That's a question you can ask. The sound
360 suppression issue I don't believe we have in the presentation right now, but that's
361 an item, if you're interested, we can add. And I would think we can discuss that
362 briefly as well, such as window treatment and insulation.
363

364 Mr. Leabough - Are you asking in related to townhomes or just
365 basically noise suppression across the board?
366

367 Mrs. Jones - I thought this was general. I wasn't going specifically
368 to townhomes, but we find a lot of projects that are up close to interstates, and
369 then we talk about fifty or fifty-two or whatever.
370

371 Mr. Emerson - Right.
372

373 Mrs. Jones - And I feel a little lost in the definitions.
374

375 Mr. Leabough - I'm a little curious—not that some of the proffers we
376 see are not accurate—about how we came up with some of the—like the
377 transmission coefficient for townhomes and the thickness of vinyl. Where did that
378 come from and how did we get to the numbers that we have?
379

380 Mr. Emerson - The thickness of vinyl I don't believe I can answer.
381 The sound suppression there was quite a bit of research done on a few years
382 ago that we can pull. The thickness of vinyl was being proffered when I came
383 here over twelve years ago. I'm not sure where that nominal thickness came
384 from. Dave, do you have any idea where that came from?
385

386 Mr. O'Kelly - I'm sorry, Joe—
387

388 Mr. Emerson - The vinyl thickness that you see many times in
389 proffers.
390

391 Mr. Leabough - Or the clear area for garages and some of that.
392

393 Mr. Emerson - I know where the clear area for garages came from.
394 The clear area for garages became a real issue during the building boom. It
395 became a major issue in Northern Virginia where they would build a garage and
396 then they'd put the water meter and stairs and things. Then all of a sudden you
397 couldn't pull your car in the garage and get out of it. And then specifically, one of
398 our Board members experienced a problem with his garage, and he decided that
399 he needed to bring that to the forefront. No, it wasn't Mr. Kaechele. We had
400 people coming to us and expressing concern. But we did have a Board member
401 that had to let his wife out of the car before he could pull into his garage with two
402 cars in it. I think that's a reasonable concern when they squeeze them that tight.
403 If you're buying a house with a two-car garage, it should fit two cars. That's not
404 unreasonable.

405
406 Mr. Leabough - And two cars meaning you can actually open the door
407 without almost crawling through the window to get out.

408
409 Mr. Emerson - Exactly.

410
411 Mr. Leabough - Otherwise they just become storage areas and they
412 never really actually function as a garage.

413
414 Mr. Emerson - That's right.

415
416 Mr. Leabough - I was just wondering where some of that came from.

417
418 Mr. Emerson - We're more than ready to have that. I don't know how
419 long to allocate for that discussion. I was thinking about asking you to come in
420 around five, but that may be too early. The presentation isn't that long at this
421 point, but the discussion could get quite long, I think.

422
423 Mr. Witte - I have a question. Is there a way that we can restrict
424 exterior stairs in apartments and condos to non-combustible materials?

425
426 Mr. Emerson - Well that's something we could ask the building
427 official; I don't know the answer to that. But we could ask that question. Did you
428 get that, Jim?

429
430 Mr. Witte - Exterior stairs. I mean some of these apartments are
431 four floors high and they're all wooden stairs. If a fire starts at the bottom, nobody
432 gets out from the top.

433
434 Mr. Emerson - One of the other items we'll be bringing forward to
435 you—we're going to have a series of work sessions. Staff has worked on and
436 analyzed proffers from the last ten years. We categorized them into the different
437 areas that they cover. We're going to bring that forth to you maybe in October to
438 talk a little bit about that. Very much like your question, Mr. Chairman where did

439 that originate from, where did this clear space originate from, is it still useful
440 today? Some of the proffers may not be useful. They get carried over from staff
441 report to staff report. And they build this benchmark threshold that when
442 applicants come in and they ask well what should I consider to proffer, and staff
443 says well here are the typical proffers that we see. And they get proffers from
444 cases from two or three years ago or something. But even though they contain
445 proffers from further back. So what is the relevance, what is important and
446 relevant today in terms of what we should be telling developers when they come
447 in. We're trying to represent your interests. Of what's been asked in the past and
448 what we're currently asking for, what are you truly focused on and what should
449 we be pushing? That's what we're trying to get at with that.

450
451 Mr. Archer - Mr. Secretary, can I ask a question?

452
453 Mr. Emerson - Sure.

454
455 Mr. Archer - We were talking about sound suppression a while
456 ago. I think we try to subscribe to a co-efficiency of, what is it, .55 decibels?

457
458 Mr. Emerson - Fifty-four.

459
460 Mr. Archer - Fifty-four? How do we measure that? Does the
461 material contain some specifications on it so that an inspector can look at it and
462 determine that this is what it is?

463
464 Mr. Emerson - That's a question for the building inspector. It
465 depends on the construction. They will look at the design as it's going through
466 their plan review. Then I guess it's a combination of materials, possibly
467 specifications, like if it's a window, on the type of glass.

468
469 Mr. Archer - Right. But is there something written on it that will tell
470 the inspector that this is .54?

471
472 Mr. Emerson - I can't swear to that.

473
474 Mr. Leabough - Might be on the box.

475
476 Mr. Archer - Which they throw away.

477
478 Ms. Moore - When this came up, we had sort of a mini
479 informational issue, and that's why the proffers started coming in that they had to
480 submit a certified cross-section.

481
482 Mr. Archer - Okay.

484 Female - Because there was that same question. So they
 485 should be able to look at a section and see what this covered.
 486
 487 Mr. Emerson - Well, it has a seal on it so we don't know. I don't know
 488 what they're reviewing. Are they accepting that certification or are they looking
 489 further? I don't know.
 490
 491 Mr. Archer - Right.
 492
 493 Mr. Emerson - That's something we need to ask the building official.
 494
 495 Mr. Leabough - And then once they submit in their plans, if that's
 496 actually what they build.
 497
 498 Mrs. Jones - Right.
 499
 500 Mr. Emerson - Right.
 501
 502 Mr. Archer - They could just fake one section and then put all the
 503 others up with substandard. If it were exhibited on the material, then it would
 504 have to be on all of them. Instead of just—
 505
 506 Mr. Leabough - It would be a difference in the type of—well, exterior
 507 walls it could be a combination of materials in just design. It's not necessarily just
 508 the materials. So you'd have to actually physically inspect it to verify that.
 509
 510 Mr. Branin - The insulation with the windows would be [inaudible]
 511 [0:25:34.5]*. All of those things that have ratings, if it is a S12, and that was what
 512 was specified to meet that code, it's on it.
 513
 514 Mr. Archer - Oh, okay.
 515
 516 Mr. Branin - Now does that mean they couldn't go to a S1 and slip
 517 that in? That's where—
 518
 519 Mr. Archer - Yes. And once it's built you'd never know.
 520
 521 Mr. Branin - That's what my complaint with the vinyl siding has
 522 always been. We specify vinyl siding and it will be of optimum thickness, and we
 523 give a specification. Well, that's the developer we're doing this with. Well then he
 524 sells the lot to Bob's Home Building. Bob subs it to Dave's Vinyl Siding. Dave's
 525 Vinyl Siding goes to Ted Lansing and says yeah give me whatever the cheapest
 526 is in this color. Henrico inspectors aren't going out and measuring the thickness
 527 mills of that vinyl. That's what I've been saying for nine years.
 528
 529 Mr. Emerson - That's a problem.

530
 531 Mr. Branin - What we're saying isn't getting there, so just get rid of
 532 it.
 533
 534 Mrs. Jones - Do we know if there have been significant issues with
 535 materials being used that were not of the quality that was proffered?
 536
 537 Mr. Archer - I suspect that nobody bothers to ask or they even
 538 check and see.
 539
 540 Mr. Branin - Mrs. Jones, I can take you around Henrico County
 541 and show you where vinyl siding is warping, melting, and sloughing off of walls. It
 542 if was actually true thickness that was specified at the time, it wouldn't have
 543 happened.
 544
 545 Mrs. Jones - Well, going with the reality that there is a problem,
 546 what in the world can we do about it?
 547
 548 Mr. Emerson - That's an inspection issue. That's a question for the
 549 building official because he's supposed to be inspecting for that. He gets these
 550 proffers, he reviews the proffers. He's on the e-mail list when they're distributed,
 551 when they come in. He comments on them. It's up to him to make sure that his
 552 staff is enforcing that. So that's a discussion that you need to have with him.
 553
 554 Mr. Archer - All we can do at our level is just approve it at the
 555 proper thickness.
 556
 557 Mr. Emerson - That's right.
 558
 559 Mr. Archer - And then we can't oversee how it gets done.
 560
 561 Mr. Emerson - Right.
 562
 563 Mr. Leabough - But we put a lot of time, energy, and effort into making
 564 sure, for a good reason, that the quality is there. So somebody should be
 565 checking.
 566
 567 Mr. Emerson - Right.
 568
 569 Mr. Leabough - Otherwise, like you said, it means nothing. It's a moot
 570 point to even put it in.
 571
 572 Mr. Branin - Last summer I had a developer's attorney call and say
 573 this is a product that we'd like to be using and it's a great product. You're
 574 unreasonable by saying no. Will you come out and look at this project, and I said
 575 sure. So I met the attorney out there. I got in his car and we started riding down

576 the street. I said these were just built this year. And he said yes, they finished
577 them in the fall. I said okay. Well, you see the way you have splits in your seams.
578 You see the way it's drooping on that one side? Do you see the melting mark—
579 because we got out of the car? And I said so what is it you want to prove to me
580 is a great product. And he said yes, I think that's [unintelligible] [0:29:13.6]*. So.

581
582 Mrs. Jones - What complicates it further is how it's installed.

583
584 Mr. Branin - It's the developer that we deal with, it's Bob's Vinyl
585 Siding.

586
587 Mr. Emerson - But the inspector in the field can correct that. We're
588 trying to review all our processes, see what's valid, what isn't, what's working,
589 what's not. From there we'll take corrective action to try to see if we can't make
590 things a little better.

591
592 Mrs. Jones - Are the proffer lists, categories, or whatever it is that
593 you said you were drawing together, is the intent to kind of update the language
594 and to make it more succinct as opposed to just kind of grab sample proffers
595 from different kinds of cases to help applicants as they are getting their thoughts
596 together? What is the motive?

597
598 Mr. Emerson - That and maybe make it more uniform. And then find
599 out from the Commission what you feel is important now.

600
601 Mrs. Jones - Okay.

602
603 Mr. Emerson - Understanding that may vary from project to project
604 and district to district. One of the things we have to be careful of is they are
605 voluntary.

606
607 Mrs. Jones - They are. That's why I was wondering.

608
609 Mr. Emerson - So I don't want to hand somebody a document and
610 say here are sample proffers if you choose to provide them to us.

611
612 Mrs. Jones - We can't do that.

613
614 Mr. Emerson - Well we sort of do it anyway.

615
616 Mrs. Jones - I know.

617
618 Mr. Emerson - Because what we're handing them had been drafted
619 in the past.

620
621 Mrs. Jones - Because sometimes they don't know where to start.

622
623 Mr. Emerson - Right, they don't. And a lot of times they ask us to
624 write them for them and we say no we can't do that. You'd be surprised how
625 many times we get requests, "Well, just write that up for me. Write it the way you
626 want it to be said." And it's like we can't do that.
627
628 Mr. Archer - As long as you don't suggest it.
629
630 Mr. Kaechele - There's no requirement in any code that if you're
631 building a new home that the crawlspace has to be treated for termites or a vapor
632 barrier. Those are very important aspects of a new home.
633
634 Mr. Emerson - I think those are requirements of the Building Code.
635
636 Mr. Kaechele - They are?
637
638 Mr. Emerson - Yes sir, I'm pretty sure. A vapor barrier. And I believe
639 the termite inspection—a termite treatment's required too.
640
641 Mr. Kaechele - Okay.
642
643 Mr. Leabough - That wasn't always the case, though, was it?
644
645 Mr. Emerson - I don't think it was. I think that might be in the last
646 twenty years maybe. One thing I think you're seeing a lot of in the more custom
647 homes is that people are insulating their crawlspaces. Evidently it makes the
648 home much more energy efficient.
649
650 Mr. Leabough - The jury's still out on it, from what I understand, in
651 terms of—I mean that could present problems with moisture issues.
652
653 Mr. Emerson - I don't think I would do that.
654
655 Mr. Leabough - Because you're sealing the space.
656
657 Mr. Emerson - If you seal it up it could be a problem. But any other
658 topics that you can think of you'd like for us to look at, let me know. But those are
659 some things that are going to be coming forward.
660
661 Mrs. Jones - When is this little get-together?
662
663 Mr. Emerson - We'll shoot for October on that one. It depends. Your
664 September discussion you may find you want to carry over. And if we carry that
665 over into the next month, then it would bump something else further out. But I
666 think right now we'll probably be prepared, depending upon how things go in

667 September, to review the proffers in October. Don't you think, Jim? October,
668 November.

669

670 Mrs. Jones - I have one more thing before we conclude. Just for
671 my other commissioners to know. I was concerned about a quorum. I have tried
672 everything I can to work this out and it just won't be worked out. I will have to be
673 gone—I feel like it's a dereliction of duty. But I will have to be gone for the POD
674 meeting in September as well as October.

675

676 Mr. Branin - Do you want me to do your cases?

677

678 Mrs. Jones - I'll be in touch. Thank you.

679

680 Mr. Emerson - I don't have anything else this evening.

681

682 Mr. Archer - All right. Just make sure everybody's here in
683 September and October.

684

685 Mr. Leabough - Do we need a motion to recess?

686

687 Mr. Emerson - Motion to recess.

688

689 Mr. Leabough - I'll entertain a motion.

690

691 Mr. Archer - Motion to recess, Mr. Chair.

692

693 Mrs. Jones - Second.

694

695 Mr. Leabough - Motion by Mr. Archer, second by Mrs. Jones. All in
696 favor say aye. All opposed say no. The ayes have it; the motion passes. We are
697 now in recess.

698

699 [Commission meeting is reconvened.]

700

701 Minutes of the regular monthly meeting of the Planning Commission of the
702 County of Henrico held in the County Administration Building in the Government
703 Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. August 14,
704 2014. Display Notice having been published in the Richmond Times-Dispatch on
705 July 28, 2014 and August 2, 2014.

706

Members Present: Mr. Eric S. Leabough, C.P.C., Chairman (Varina)
Mr. Robert H. Witte, Jr., Vice-Chairman (Brookland)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Tommy Branin (Three Chopt)
Mrs. Bonnie-Leigh Jones, C.P.C., (Tuckahoe)
Mr. R. Joseph Emerson, Jr., AICP,

Director of Planning, Secretary
Mr. David Kaechele,
Board of Supervisors' Representative

Also Present:

Ms. Jean M. Moore, Assistant Director of Planning
Mr. James P. Strauss, PLA, Principal Planner
Ms. Leslie A. News, PLA, Principal Planner
Ms. Rosemary D. Deemer, AICP, County Planner
Mr. Benjamin Sehl, County Planner
Mr. Livingston Lewis, County Planner
Mr. Kevin Wilhite, County Planner
Mr. Lee Pambid, County Planner
Mr. Edwin (Neil) C. Luther, IV, Director, Recreation & Parks

Mr. Al Azzarone, Capital Projects Manager, Recreation & Parks

Mr. John Cejka, County Traffic Engineer, Public Works
Ms. Sylvia Ray, Recording Secretary

Mr. David Kaechele, the Board of Supervisors' representative, abstains on all cases unless otherwise noted.

Mr. Leabough - I'll reconvene the Henrico County Planning Commission. We had a work session earlier tonight. This is our August 14, 2014 meeting. I welcome you and thank you for being with us tonight. Before we stand for the Pledge of Allegiance, I would like to ask that you mute or silence your cell phones. After you do that, please rise and stand with us for the Pledge of Allegiance.

I don't believe we have anyone in the audience from the news media, do we? I don't see anyone. All right. We have a quorum. I'd like to thank Mr. Kaechele from the Board of Supervisors for being with us on the Commission this year.

Mr. Kaechele - Thank you. Glad to be here.

Mr. Leabough - Thank you for being here, sir. At this time I would like to turn the meeting over to our secretary, Mr. Emerson.

Mr. Emerson - Thank you, Mr. Chairman. As you noted, the Commission did hold a work session this evening at 5:30 in the County Manager's conference room to discuss potential zoning ordinance amendments to bring us into conformance with recent legislation that became effective on July 1 from the General Assembly. With that said, first on your agenda are the requests for withdrawals and deferrals. Those will be presented by Mr. Jim Strauss.

735
736 Mr. Strauss - Thank you, Mr. Secretary. We do have one request
737 for deferral this evening. It's in the Brookland District, page 5 of the agenda. It's
738 REZ2014-00005, Nobility Investments, LLC. The applicant is requesting deferral
739 to the October 9, 2014 meeting.

740
741 **(Deferred from the July 10, 2014 Meeting)**

742 **REZ2014-00005 Andrew M. Condlin for Nobility Investments, LLC:**
743 Request to amend proffered conditions accepted with Rezoning Case C-46C-83
744 on Parcel 768-747-0824 located on the north line of Glenside Drive
745 approximately 385' west of its intersection with Bethlehem Road. The applicant
746 proposes to replace all proffers in order to allow hotels as a permitted use. The
747 existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive
748 Plan recommends Commercial Arterial.

749
750 Mr. Leabough - Is there anyone in the audience in opposition to the
751 deferral of REZ2014-00005, Andrew M. Condlin for Nobility Investments, LLC?
752 There is no one in opposition to the deferral.

753
754 Mr. Witte - Mr. Chairman, I move for deferral of REZ2014-00005,
755 Andrew M. Condlin for Nobility Investments, LLC, by request of the applicant, to
756 the October 9, 2014 meeting.

757
758 Mrs. Jones - Second.

759
760 Mr. Leabough - We have a motion by Mr. Witte, a second by Mrs.
761 Jones. All in favor say aye. All opposed say no. The ayes have it; the motion
762 passes.

763
764 At the request of the applicant, the Planning Commission deferred REZ2014-
765 00005, Andrew M. Condlin for Nobility Investments, LLC, to its meeting on
766 October 9, 2014.

767
768 Mr. Emerson - Mr. Chairman, that completes the withdrawal and
769 deferral list unless the Commission has anything that staff is not aware of.

770
771 Mr. Leabough - Other items for deferral? No.

772
773 Mr. Emerson - Thank you, Mr. Chairman. Next on the agenda are
774 requests for expedited items. Those will also be presented by Mr. Jim Strauss.

775
776 Mr. Strauss - Thank you, Mr. Secretary. We do have two requests
777 for approval on the expedited agenda this evening. They are both in the Fairfield
778 District. The first one is on page 5 of the agenda, REZ2014-00029, B & T Rental,
779 LLC. This is a request to conditionally rezone from the O-2 Office District to the
780 O-3C Office District (Conditional) to allow office and classroom uses. The

applicant submitted proffers related to uses, hours of operation, and building materials. They are stated on page 5 of the staff report. Staff is recommending approval and we are not aware of any opposition.

REZ2014-00029 B & T Rental, LLC: Request to conditionally rezone from O-2 Office District to O-3C Office District (Conditional) part of Parcel 778-757-8541 containing 2.6 acres located on the south line of E. Parham Road at its intersection with Lydell Drive. The applicant proposes office and classroom uses. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office, and Environmental Protection Area.

Mr. Leabough - Is there anyone in the audience in opposition to REZ2014-00029, B & T Rental, LLC? There is no opposition.

Mr. Archer - Mr. Chairman, I move that REZ2014-00029, B & T Rental, LLC, be sent to the Board with a recommendation for approval.

Mrs. Jones - Second.

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

REASON - Acting on a motion by Mr. Archer, seconded by Mrs. Jones, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because the proffered conditions will provide appropriate quality assurances not otherwise available and it would not adversely affect the adjoining area if properly developed as proposed.

Mr. Strauss - The second case requesting approval on the expedited agenda this evening is also on page 5 of the agenda. It is REZ2014-00030, Virginia Electric and Power Company. This is a request to rezone from the O-3C Office District to the C-1 Conservation District. This is approximately 1.6 acres of floodplain. This is a request to comply with Proffer 12 of the original rezoning case. Again, staff is recommending approval. We are not aware of any opposition.

REZ2014-00030 Jennifer D. Mullen for Virginia Electric and Power Company: Request to rezone from O-3C Office District (Conditional) to C-1 Conservation District part of Parcel 790-762-3014 containing 1.59 acres located on the south line of Interstate 295 approximately 1650' north of Scott Road. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Environmental Protection Area.

827 Mr. Leabough - Is there anyone in the audience in opposition to
828 REZ2014-00030, Jennifer D. Mullen for Virginia Electric and Power Company?
829 No opposition.

830

831 Mr. Archer - All right, Mr. Chairman. There being no opposition, I
832 move that REZ2014-00030, Jennifer D. Mullen for Virginia Electric and Power
833 Company, be forwarded to the Board with a recommendation for approval.

834

835 Mr. Branin - Second.

836

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

840

841 **REASON -** Acting on a motion by Mr. Archer, seconded by Mr.
842 Branin, the Planning Commission voted 5-0 (one abstention) to recommend the
843 Board of Supervisors grant the request because it conforms with the objectives
844 and intent of the County's Comprehensive Plan.

845

846 Mr. Emerson - Mr. Chairman, that completes the expedited items for
847 this evening. Now we move into your regular agenda to the first item, which
848 appears on page 1.

849

850 *(Deferred from the July 23, 2014 Meeting)*

851

852 **SUBDIVISION**

853

SUB2014-00026
GreenGate
(April 2014 Plan) - 12121
W. Broad Street (U.S.
Route 250)

**Kimley-Horn and Associates, Inc. for ME
Nuckols, LLC:** The 55.68-acre site proposed for 42
49 single-family dwellings and 234 residential
townhouses for sale is located on the north line of
Graham Meadows Drive, approximately 575 feet
west of its intersection with N. Gayton Road, on part
of parcels 731-764-5533 and 731-764-4292. The
zoning is UMUC, Urban Mixed Use District
(Conditional), and WBSO, West Broad Street
Overlay District. County water and sewer. **(Three
Chopt) 276 Lots 283 Lots**

854

855 Mr. Leabough - Is there anyone in the audience in opposition to
856 SUB2014-00026, GreenGate (April 2014 Plan)? There is no opposition. Mr.
857 Wilhite, good evening.

858

859 Mr. Wilhite - Good evening. Thank you, Mr. Chairman.

860

861 This conditional subdivision constitutes the entire residential portion of the
862 GreenGate Urban Mixed Use project. It has gone through a number of revisions
863 since it was originally submitted. The latest revised plan was received last week.
864 It was sent to you yesterday and it's in your packet as well, with staff annotations.
865

866 The current layout is for 276 lots total. The proffers for GreenGate cap the
867 number of lots in this development at 300. Forty-two single-family units are being
868 proposed along with 234 townhouse units. A lot of issues with the subdivision
869 dealt with the fact that these are public streets within an Urban Mixed-Use
870 development which is the first time that we've had this. Because of the design
871 standards of Henrico County, being suburban in nature, this type of development
872 did not fit the design standards. So there were a lot of conversations with staff
873 and the developer. In the end we've adopted, for this project, VDOT standards
874 for developments of this type, I think which were developed with Tyson's Corner
875 redevelopment. And the standards we're using are primarily based on those
876 VDOT standards.
877

878 As a result, there have been a number of changes made to the layout that we're
879 asking the Planning Commission to specifically approve tonight. The first has to
880 do with Road A in this area here. The type of thoroughfare cross-section has
881 been changed on this. It originally was approved as parking on two sides of the
882 street. It's being changed to parking on one side, which is actually consistent with
883 the portion of Road A further to the southwest. This was done primarily because
884 of sight distance issues and the fact that the single-family homes in this area
885 would be served by driveways, and there would be conflicts between parking
886 along the street and access to the driveways. So the width of that street has
887 been changed from 57 down to 50 feet, consistent with the rest of Road A.
888

889 Also, two private lanes have been eliminated. One is this location right here in
890 front of this block of townhouses. It was done because of street spacing and also
891 sight distance. Another private lane here connecting the alley to the Main Street
892 in the development has been eliminated also because of sight distance and
893 street spacing.
894

895 These changes also impacted the alley design. The alley design was changed in
896 this block of lots here. It does retain two points of access into the alley. The alley
897 design here only has one access point, and this alley connection at this location
898 was also eliminated because of sight distance around this radius of the road
899 here. Staff had concerns about only one point of access into this block of units.
900 Fire has looked into this area for making sure that they can get fire apparatus in
901 the back. They find it acceptable based on providing the minimum radius of 48
902 feet. All of this will be confirmed with the plan of development for this
903 development.
904

905 In addition, the lot design went through a number of revisions. The lots have
906 been changed so that they now reflect the approved lot designs in the master

907 plan book, which involved changing lot depth and lot width, especially the lots
908 around Road A around the perimeter of the site. Four lots were eliminated in this
909 location here. They are now being shown as reserved. This was an area between
910 the public right-of-way and the RPA where a standard lot approved under the
911 master plan would not fit. The applicant is currently looking at some alternatives
912 for this location and may come back before you in the future with another
913 proposal. The rest of the lots along this perimeter were revised to fit the plan in
914 the master plan book. Three lots are impacted where there is a little bit less than
915 90 feet of depth, which was required in the master plan book, but it only affects a
916 portion of the lots. The Director of Planning has granted an exception for those
917 changes in those areas.

918
919 There were issues with dwelling placement, the build-to lines, which will be
920 addressed with each individual POD that comes in on the site. This entire
921 development will require plan of development approval, so all of the sections will
922 be coming back to you for approval in the future.

923
924 There is a phasing plan included with this. It shows that the residential
925 component of GreenGate will be developed in five sections. The next case on
926 your docket includes the section of six townhouses at this location here.

927
928 Staff is recommending approval of the revised plan for 276 lots with the plan
929 submitted to you with the annotations on it, standard conditions, and conditions
930 #16 through #18, while pointing out to you the need for approving these changes
931 to the streets as they appeared in the original master plan. We do have
932 representatives from the developer, ME Nuckols, LLC, as well as engineers from
933 Kimley-Horn. I'll be happy to answer any questions that you have.

934
935 Mr. Leabough - Are there questions for Mr. Wilhite?

936
937 Mr. Branin - According to the master plan book, what was the total
938 lots?

939
940 Mr. Wilhite - Three hundred was the proffer limitation. The master
941 plan book did not show the number of lots. They had originally submitted 259 lots
942 on the original submittal. That was revised to 283 and, then revised back down to
943 276 with this. But 300 was the proffered limit.

944
945 Mr. Branin - Proffered limit. Okay. So we're nowhere near that.

946
947 Mr. Wilhite - No, we're under that.

948
949 Mr. Branin - And Public Works is happy now with the road
950 dimensions and the sight lines.

952 Mr. Wilhite - All departments are recommending approval. We
953 actually received more information with the conditional subdivision than we
954 typically get. That's what drove a lot of these discussions we've had over the
955 number of months. They were showing street sections and parking location and
956 everything else, and that's not typically what we see at the conditional time. As I
957 mentioned, a lot of these items I think we've agreed on the basis for moving
958 forward and the design that we will apply to them. There are still items to be
959 worked out on traffic calming measures, stop sign locations, speed bumps,
960 speed tables, that sort of thing. That will be addressed with each individual POD.

961
962 Mr. Branin - Okay.

963
964 Mr. Leabough - Other questions for Mr. Wilhite? Thank you, sir.
965 Mr. Branin, would you like to hear from the applicant?

966
967 Mr. Branin - I don't. Would anyone else?

968
969 Mr. Leabough - No, sir.

970
971 Mr. Branin - No? Okay. Mr. Chairman, I would like to move that
972 SUB2014-00026, GreenGate (April 2014 Plan), be approved with standard
973 conditions for subdivisions served by public utilities, residential townhomes for
974 sale, and the following additional conditions #16, #17, and #18, and the revised
975 plan.

976
977 Mr. Witte - Second.

978
979 Mr. Leabough - We have a motion by Mr. Branin, and a second by
980 Mr. Witte. All in favor say aye. All opposed say no. The ayes have it; the motion
981 passes.

982
983 The Planning Commission granted conditional approval to SUB2014-00026,
984 GreenGate (April 2014 Plan), subject to the standard conditions attached to
985 these minutes for subdivisions served by public utilities, and residential
986 townhouses for sale, the annotations on the plans, and the following additional
987 conditions:

- 988
989 16. The limits and elevation of the **Special Flood Hazard Area** shall be
990 conspicuously noted on the plat and construction plans and labeled
991 **"Limits of Special Flood Hazard Area."** Dedicate the **Special Flood**
992 **Hazard Area** as a "Variable Width Drainage & Utilities Easement."
993 17. The proffers approved as part of zoning cases REZ2014-00009 and
994 PUP2014-00006 shall be incorporated in this approval.
995 18. The final plat for recordation shall contain information showing The
996 Chesapeake Bay Preservation areas, if any, in accordance with Chapter

997 19, Section 19-72 (18), of the Henrico County Code, as determined by the
998 Director of Public Works.

999
1000 *(Deferred from the July 23, 2014 Meeting)*

1001
1002 **PLAN OF DEVELOPMENT**
1003

1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030	<p>POD2014-00177 GreenGate Section 1 - 12121 W. Broad Street (U.S. Route 250)</p> <p>Kimley-Horn and Associates, Inc. for ME Nuckols, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 6 three-story residential townhouses for sale. The 9.48-acre site is located on the north line of Graham Meadows Drive, approximately 1,300 feet west of its intersection with N. Gayton Road, on part of parcel 731-764-5533. The zoning is UMUC, Urban Mixed Use District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)</p>
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Mr. Leabough - Is there anyone in the audience in opposition to
POD2014-00177, GreenGate Section 1? There is no opposition. Mr. Wilhite.

Mr. Wilhite - Thank you, sir.

This constitutes the first block of residential development in GreenGate. Plan of
development approval is for a block of six townhouse units located along the
west side of Main Street, which connects from Graham Meadows Drive here to
the portion of Main Street that was approved with the GreenGate Infrastructure
Phase 1 plan that was approved in July by the Planning Commission. This is a
public road that cuts through the development.

There is a private road in front of the units. The designs have been looked at by
Fire. This will function as a fire lane for fire access, and it's been designed to
meet Fire's requirements. The revision addresses the discrepancies between the
site plan and the architectural plans that were originally submitted; they did not
match. There were also some changes due to staff's request about the treatment
of the porches and the wells for the English basements in the front, which have
been addressed. And also additional height information for the units.

These are the elevations for the six units as part of this development. They are
Victorian in style. They're well detailed and they're in keeping with the
architectural standards of the master plan book. The end units here are not
meeting the build-to lines along the side streets. This has been reviewed by the
Director of Planning, and he has granted waivers from the requirements on the
build-to lines. These are going to be model units for the developer, and he had a

1031 particular mix of units that he wanted to construct here. We have allowed him to
 1032 deviate slightly from the build-to lines along the side streets.
 1033
 1034 Staff recommends approval of the revised plan with the annotations, standard
 1035 conditions, and conditions #29 through #36. I can answer any questions that you
 1036 have.
 1037
 1038 Mr. Leabough - Are there questions for Mr. Wilhite? Would you like to
 1039 hear from the applicant, Mr. Branin?
 1040
 1041 Mr. Branin - I think I would.
 1042
 1043 Mr. Leabough - Would the applicant please come forward? Sir, could
 1044 you state your name for the record?
 1045
 1046 Mr. Kukoski - Good evening members of the Planning Commission.
 1047 My name is Mark Kukoski. I'm with Eagle Construction, and I'm representing ME
 1048 Nuckols tonight.
 1049
 1050 Mr. Branin - Mr. Kukoski, the common area out front, what is that
 1051 going to be?
 1052
 1053 Mr. Kukoski - It's going to be a pocket park. We're going to have a
 1054 landscape design. There are going to be features in there with a gazebo type of
 1055 structure, maybe a fountain. We're working through the details.
 1056
 1057 Mr. Branin - Okay. When is this all going to kick off?
 1058
 1059 Mr. Kukoski - We're optimistic, and we hope to have it the end of
 1060 this year.
 1061
 1062 Mr. Branin - By December?
 1063
 1064 Mr. Kukoski - By December.
 1065
 1066 Mr. Branin - Okay. That's all of the questions I have. Anybody else
 1067 have any?
 1068
 1069 Mr. Leabough - Thank you, sir.
 1070
 1071 Mr. Branin - Mr. Chairman, I would like to move that POD2014-
 1072 00177, GreenGate Section 1, be approved with standard conditions for
 1073 developments of this type, and the following additional conditions #29 through
 1074 #36.
 1075
 1076 Mr. Witte - Second.

1077
1078 Mr. Leabough - We have a motion by Mr. Branin, a second by
1079 Mr. Witte. All in favor say aye. All opposed say no. The ayes have it; the motion
1080 passes.

1081
1082 The Planning Commission approved the plan of development for POD2014-
1083 00177, GreenGate Section 1, subject to the annotations on the plans, the
1084 standard conditions attached to these minutes for developments of this type, and
1085 the following additional conditions:

- 1086
1087 29. The unit house numbers shall be visible from the parking areas and drives.
1088 30. The names of streets, drives, courts and parking areas shall be approved
1089 by the Richmond Regional Planning District Commission and such names
1090 shall be included on the construction plans prior to their approval. The
1091 standard street name signs shall be installed prior to any occupancy permit
1092 approval.
1093 31. The subdivision plat for GreenGate, Section 1 shall be recorded before
1094 any building permits are issued.
1095 32. The proffers approved as a part of zoning case REZ2014-00009 shall be
1096 incorporated in this approval.
1097 33. A note in bold lettering shall be provided on the erosion control plan
1098 indicating that sediment basins or traps located within buildable areas or
1099 building pads shall be reclaimed with engineered fill. All materials shall be
1100 deposited and compacted in accordance with the applicable sections of
1101 the state building code and geotechnical guidelines established by the
1102 engineer. An engineer's report certifying the suitability of the fill materials
1103 and its compaction shall be submitted for review and approval by the
1104 Director of Planning and Director of Public Works and the Building Official
1105 prior to the issuance of any building permit(s) on the affected sites.
1106 34. Approval of the construction plans by the Department of Public Works
1107 does not establish the curb and gutter elevations along the Henrico
1108 County maintained right-of-way. The elevations will be set by Henrico
1109 County.
1110 35. The location of all existing and proposed utility and mechanical equipment
1111 (including HVAC units, electric meters, junction and accessory boxes,
1112 transformers, and generators) shall be identified on the landscape plans.
1113 All equipment shall be screened by such measures as determined
1114 appropriate by the Director of Planning or the Planning Commission at the
1115 time of plan approval.
1116 36. Except for junction boxes, meters, and existing overhead utility lines, and
1117 for technical or environmental reasons, all utility lines shall be
1118 underground.

1119
1120 **PLAN OF DEVELOPMENT**

1121
1122 **POD2014-00256 Vanasse Hangen Brustlin for Ellis Henley**

West Broad Marketplace
Phase 1 – Infrastructure,
Utility, and Mass Grading
Plan – 12300 W. Broad
Street (U.S. Route 250)

Company, LC, Susan E. Dickerson, Gladys H. King, Consolidated Industries Inc. et al., Jeffrey C. & S. Ellis, Co-Trustees, and NV Retail:
Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct road, water, sewer, and drainage infrastructure, and grade for a future regional shopping center. The 62.3-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 2,000 feet west of its intersection with N. Gayton Road, on parcels 733-766-6208, 733-766-1630, 732-766-7723, 732-766-4043, 732-766-9300, 732-765-3978, 732-765-6671, and 731-765-8473. The zoning is B-3C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer.
(Three Chopt)

1122

1123 Mr. Leabough - Is there anyone in the audience in opposition to
1124 POD2014-00256, West Broad Marketplace Phase 1 – Infrastructure, Utility, and
1125 Mass Grading Plan? There is no opposition. Good evening, Mr. Pambid.

1126

1127 Mr. Pambid - Good evening, Mr. Chairman, members of the
1128 Planning Commission.

1129

1130 This Plan of Development proposes clearing and grading activities along with
1131 road, water, sewer, and drainage infrastructure improvements intended to
1132 prepare 62.3 acres for a future regional shopping center.

1133

1134 No buildings are proposed with this plan; however, staff has received four plans
1135 of development for all buildings depicted on the conceptual master plan from the
1136 rezoning case. These plans are scheduled to be brought before the Planning
1137 Commission at the September 24th POD and Subdivision meeting.

1138

1139 Pursuant to the Board of Supervisors' action on Tuesday, August 12th, the
1140 proffers of zoning case REZ2014-00028 shall apply. On July 29th, staff received
1141 revised plans addressing Public Works, Traffic Division's requirement for
1142 additional right of way. And Traffic can now recommend approval of the plan of
1143 development.

1144

1145 The roadway improvements consist of entrance improvements from West Broad
1146 Street, a four-lane entrance road, and a four-lane east/west spine road with a
1147 median strip. Sidewalks, points for future street intersections, and retail pad
1148 accesses are also included in this plan. The east/west spine road and planned
1149 pedestrian connections will connect with Bon Secours Parkway that runs through

1150 the adjacent Broad Hill Centre development. A signal at the entrance on West
1151 Broad Street is included in the proffers and will be installed when warranted.

1152
1153 Drainage improvements proposed with this phase of the development include a
1154 pond in the northeast corner of the property. Retaining walls are proposed along
1155 the east of the developed site and along West Broad Street. Both sides of the
1156 entrance have retaining walls, and staff has requested two shorter retaining walls
1157 with terraces along both sides of the entrance to reduce the visual impact of one
1158 large wall, which the developer intends to provide.

1159
1160 Staff has completed its review of all revised plans and recommends approval
1161 subject to the annotations on the plans, standard conditions for developments of
1162 this type, and additional conditions #29 through #45 in the agenda. This
1163 concludes my presentation. I can now field any questions you have regarding
1164 this. Engineer Tracy Lower with VHB and Bruno Colavecchia of Corvus
1165 Consulting are also here to take your questions.

1166
1167 Mr. Leabough - Are there questions for Mr. Pambid?
1168
1169 Mr. Kaechele - I have one question. The spine road, is that all public
1170 road or is that private?

1171
1172 Mr. Pambid - It is currently determined to be private. That's what's
1173 shown on the plan.

1174
1175 Mr. Emerson - Mr. Kaechele, we're still discussing how to handle
1176 that. We plan to have a meeting towards the end of this month to discuss that
1177 further.

1178
1179 Mr. Kaechele - All right. It's a 90-foot right-of-way, right?

1180
1181 Mr. Emerson - Yes, sir, I believe it is.

1182
1183 Mr. Kaechele - That's a pretty big private road. Thank you.

1184
1185 Mr. Leabough - Other questions for Mr. Pambid?

1186
1187 Mr. Branin - For the benefit of the other commissioners, there is
1188 one more piece of land—combined piece of—group of land owned by different
1189 owners that is to the east of this. You see where this spine road stubs out. Public
1190 Works, Planning, and this developer have all been talking about lining up to
1191 make sure that we get the secondary parallel road, that basically you'll be able to
1192 pick up from Tom Leonard Parkway and run it all the way to the end of the
1193 County. It will match up to the road on the other side that goes through the Attack
1194 development. It will give a parallel traffic pattern. And then eventually when the

1195 other side is developed, it will have a like road. That's what Mr. Kaechele was
1196 just asking about, private or public, because of the width of it.
1197

1198 Mr. Leabough - Thanks for that information, Mr. Branin. Other
1199 questions for Mr. Pambid? If not, Mr. Branin, would you like to hear from the
1200 applicant?
1201

1202 Mr. Branin - I don't find it necessary. Would anyone else like to
1203 hear from the applicant?
1204

1205 Mr. Leabough - If not, I'll entertain a motion.
1206

1207 Mr. Branin - Okay. Mr. Chairman, I'd like to move that POD2014-
1208 00256, West Broad Marketplace Phase 1 – Infrastructure, Utility, and Mass
1209 Grading Plan, be approved with standard conditions for developments of this
1210 type, annotations on the plans, and the following conditions #29 through #45.
1211

1212 Mrs. Jones - Second.
1213

1214 Mr. Leabough - We have a motion by Mr. Branin, a second by
1215 Mrs. Jones. All in favor say aye. All opposed say no. The ayes have it; the motion
1216 passes.
1217

1218 The Planning Commission approved the plan of development for POD2014-
1219 00256, West Broad Marketplace Phase 1 – Infrastructure, Utility, and Mass
1220 Grading Plan, subject to the annotations on the plans, the standard conditions
1221 attached to these minutes for developments of this type, and the following
1222 additional conditions:
1223

- 1224 29. Only retail business establishments permitted in B-3 may be located in this
1225 center.
1226 30. The ground area covered by all the buildings shall not exceed in the
1227 aggregate 25 percent of the total site area.
1228 31. No merchandise shall be displayed or stored outside of the building(s) or on
1229 sidewalk(s).
1230 32. The right-of-way for widening of W. Broad Street (U.S. Route 250) as
1231 shown on approved plans shall be dedicated to the County prior to any
1232 occupancy permits being issued. The right-of-way dedication plat and any
1233 other required information shall be submitted to the County Real Property
1234 Agent at least sixty (60) days prior to requesting occupancy permits.
1235 33. The entrances and drainage facilities on W. Broad Street (U.S. Route 250)
1236 shall be approved by the Virginia Department of Transportation and the
1237 County.
1238 34. A notice of completion form, certifying that the requirements of the Virginia
1239 Department of Transportation entrances permit have been completed, shall

- 1240 be submitted to the Department of Planning prior to any occupancy permits
1241 being issued.
- 1242 35. All repair work shall be conducted entirely within the enclosed building.
- 1243 36. Outside storage shall not be permitted except as shown on the approved
1244 plan.
- 1245 37. In order to maintain the effectiveness of the County's public safety radio
1246 communications system within buildings, the owner will install radio
1247 equipment that will allow for adequate radio coverage within the building,
1248 unless waived by the Director of Planning. Compliance with the County's
1249 emergency communication system shall be certified to the County by a
1250 communications consultant within ninety (90) days of obtaining a
1251 certificate of occupancy. The County will be permitted to perform
1252 communications testing in the building at anytime.
- 1253 38. The proffers approved as a part of zoning case REZ2014-00028 shall be
1254 incorporated in this approval.
- 1255 39. Approval of the construction plans by the Department of Public Works does
1256 not establish the curb and gutter elevations along the Virginia Department
1257 of Transportation maintained right-of-way. The elevations will be set by the
1258 contractor and approved by the Virginia Department of Transportation.
- 1259 40. Evidence of a joint ingress/egress and maintenance agreement must be
1260 submitted to the Department of Planning and approved prior to issuance
1261 of a certificate of occupancy for this development.
- 1262 41. All subsequent detailed plans of development needed to implement this
1263 conceptual plan shall be submitted for staff review and Planning
1264 Commission approval, and shall be subject to all regulations in effect at
1265 the time such subsequent plans are submitted for review/ approval.
- 1266 42. The limits and elevations of the **Special Flood Hazard Area** shall be
1267 conspicuously noted on the plan and labeled "**Limits of Special Flood**
1268 **Hazard Area.**" In addition, the delineated **Special Flood Hazard Area**
1269 must be labeled "Variable Width Drainage and Utility Easement." The
1270 easement shall be granted to the County prior to the issuance of any
1271 occupancy permits.
- 1272 43. The loading areas shall be subject to the requirements of Chapter 24,
1273 Section 24-97(b) of the Henrico County Code.
- 1274 44. The location of all existing and proposed utility and mechanical equipment
1275 (including HVAC units, electric meters, junction and accessory boxes,
1276 transformers, and generators) shall be identified on the landscape plans.
1277 All equipment shall be screened by such measures as determined
1278 appropriate by the Director of Planning or the Planning Commission at the
1279 time of plan approval.
- 1280 45. The applicant shall provide evidence of successful suit to quiet title of the
1281 right-of-way for Old Three Chopt Road prior to construction plan approval.

1282
1283 Mr. Emerson -
1284 agenda for
1285

Mr. Chairman, we now move to page 5 of your

RESOLUTION: SIA2014-00002 Tuckahoe Creek Park Master Plan:
Substantially in Accord (Tuckahoe District). The report will be presented by Ms. Rosemary Deemer.

Mr. Leabough - Is there anyone in the audience in opposition to SIA2014-00002, Tuckahoe Creek Park Master Plan? There is no one in opposition. Ms. Deemer, how are you?

Ms. Deemer - Fine. Good evening.

At the request of the Henrico County Division of Recreation and Parks, the Planning Department conducted a Substantially In Accord Study to determine if a proposed park, to be located along Tuckahoe Creek, is substantially in conformance with the county's adopted Comprehensive Plan. The proposed site consists of seven non-contiguous parcels comprised of 240.531 acres located in the Three Chopt and Tuckahoe magisterial districts. All properties are bounded to the west by Goochland County. The northernmost parcel is located just south of West Broad Street in the Gayton Station subdivision. The southernmost parcel is located just south of Patterson Avenue, just west of its intersection with Westbriar Drive.

Development patterns in the area are mostly represented by a mix of low-density, suburban single-family residential developments interspersed with slightly more dense developments. All parcels are zoned C-1 Conservation District, with the exception of one, which is zoned R-3C One-Family Residence District. Property in and around the area is zoned a mixture of R-2A and R-3C One-Family Residence District (Conditional), R-5 General Residence District and RTH Residential Townhouse District.

The 2026 Comprehensive Plan designates the subject property for a combination of Environmental Protection Area and Open Space/Recreation. The immediate surrounding areas are recommended for a combination of Suburban Residential 1, Suburban Residential 2, and Urban Residential. The provision of public facility improvements is generally compatible and appropriate with these land use recommendations.

After reviewing the proposed site in the context of existing and recommended land uses, the transportation network, and other site characteristics and considerations, staff concludes the proposed use of the site for a park presents no apparent conflict with the intent of the adopted Plan and deems it to be "substantially in accord" with the goals, objectives, and policies of the Henrico County 2026 Comprehensive Plan.

This concludes my presentation and I'd be happy to answer any of your questions.

1332 Mr. Leabough - Are there questions for Ms. Deemer?
1333
1334 Mrs. Jones - Obviously it's our job to find if this is substantially in
1335 accord, but I am curious about some other things you might know, might not. As
1336 far as an intended ultimate build-out, do you know if there's going to be a
1337 continual push to try to either obtain or somehow make this a continuous park? Is
1338 that in the thinking or we just go with what we have and that's pretty much it?
1339
1340 Ms. Deemer - I think I'd probably defer to Mr. Neil Luther, the
1341 Director of Recreation and Parks for that question.
1342
1343 Mrs. Jones - Okay. I have another question, but it might also be for
1344 him. So if you have questions for Ms. Deemer before she leaves.
1345
1346 Mr. Branin - You snagged my question.
1347
1348 Mrs. Jones - I'm sorry.
1349
1350 Mr. Branin - That's fine.
1351
1352 Mr. Emerson - Ms. Deemer won't go far.
1353
1354 Mrs. Jones - Okay.
1355
1356 Mr. Emerson - She can come back.
1357
1358 Mr. Witte - I just wanted to know if all these parks have access
1359 points for the public.
1360
1361 Mr. Emerson - Again, that may be something Mr. Luther is better
1362 able to answer.
1363
1364 Mr. Kaechele - I have a question also. Is all of this parkland in
1365 wetlands?
1366
1367 Mr. Luther - Yes sir. It is predominantly all in the floodplain. There
1368 are some small pieces of the parcels that are out of the floodplain, but it is
1369 predominately in the floodplain, an RPA.
1370
1371 Mr. Kaechele - Is there a master plan? It just shows trails.
1372
1373 Mr. Luther - Mr. Kaechele, the short answer to a long question on
1374 this property is that all of the 245 acres that you see on the plat or the proposed
1375 land-use plan in front of you were donated to the County back in the early '80s.
1376 There was a lot of discussion about the desire to develop the property into a
1377 contiguous linear park. The project actually appeared on the 1989 bond

1378 referendum and then again on the 2000 bond referendum. The thinking at the
1379 time—to your question, Mrs. Jones—was to figure out a way to take it on as an
1380 entire length of park and trail. The approach that we've come back to is to take it
1381 on a neighborhood-by-neighborhood basis. The SIA is for the entire 240-acre
1382 assemblage of property. The intent with the actual master plan that is in plan of
1383 development submittal right now is to focus just on about sixteen acres right at
1384 the end of Ridgefield Parkway in the Old Coach neighborhood. It would be a
1385 neighborhood park. It would have walk-to access only, and it would have walk-to
1386 access for the neighbors. That is the segment of the project that is currently
1387 funded and is currently going through the parallel master plan conceptual
1388 development process concurrent with the SIA that's before you.

1389
1390 Mrs. Jones - When I went to a meeting with Mrs. O'Bannon—it had
1391 to be a year and a half or maybe two ago, I can't remember; you may have been
1392 there as well—the neighbors at that point—I know these were envisioned as they
1393 stand as neighborhood parks. There is very little area, maybe one, where parking
1394 could be accommodated a little bit more than others. But really, it's mostly
1395 walking to these parks for the neighbors. It's not a Henrico County-wide
1396 destination.

1397
1398 Mr. Luther - Yes ma'am. This segment is intended to be
1399 neighborhood only. That was the tripping point with the previous concept where
1400 we didn't have the ability to acquire any out-of-floodplain property to provide
1401 parking, and many of the pieces are non-contiguous, so it became very
1402 problematic to look at a comprehensive development. So we have gone back to
1403 focus on a neighborhood focus in the Old Coach community with the access
1404 point there off of Ridgefield. This is the focus of this first phase. We did have
1405 community meetings in the summer and fall of 2013. And we are going to have a
1406 follow-up this September.

1407
1408 Mrs. Jones - The meeting that I was at talked about just a network
1409 of almost like marsh walks, but walks back through the area. And that's what it
1410 continues to be envisioned as, right?

1411
1412 Mr. Luther - Yes ma'am. Predominantly boardwalk, yes ma'am.

1413
1414 Mrs. Jones - One other question and then I'll stop talking. I had a
1415 conversation with someone who may have been remembering something they
1416 saw in the paper or whatever a long time ago. Mr. Strong, this is nothing recent.
1417 But they said they were promised canoe launches with these private parks. And I
1418 don't think there's anything in mind for any kind of formal canoe launch, is there?

1419
1420 Mr. Luther - No ma'am. The plan that we had discussed with the
1421 neighborhood is pedestrian access, nature access. Again, walk to. There's no
1422 parking provided. There are no canoe access points. There has been some
1423 interest. It's been expressed in that. But it's not part of or intended to be part of

1424 the discussion for this particular concept that's coming forward for the Old Coach
1425 community.

1426

1427 Mr. Branin - Mr. Luther, is there enough mass of body of water to
1428 provide canoes? Most of that part of the swamp that I've been through really
1429 doesn't have a canoeing free zone because of the stumps, the vegetation, and
1430 the shallowness of the water.

1431

1432 Mr. Luther - As part of the plan of development, again for the
1433 segment that we focused on, we put a canoe in the water. You can paddle it. We
1434 paddled down probably a mile or thereabouts down and back. We don't know the
1435 flow and conditions the entire length of Tuckahoe Creek from this point all the
1436 way to its terminus with the James River. It is very nice property. There actually
1437 is more dry land than you would expect. This piece of the property that is the
1438 focus of the neighborhood park, the Columbia Gas Line easement actually goes
1439 across right at the end of Old Coach. So there is actually undeveloped right-of-
1440 way there, as there is at Ridgefield. But to answer your question directly about
1441 canoe launches being envisioned in the foreseeable future, they are not part of
1442 the concept. But I can say that we have put a canoe in the water there and have
1443 been able to paddle a segment of Tuckahoe Creek in and around the proximity to
1444 the area off of Ridgefield. Actually a very pretty piece of property, if you all are
1445 familiar. Of course it is the dividing line between Goochland. There is a channel
1446 and then there is an area of swamp that extends over into the Goochland side to
1447 the West Creek development on the Goochland side.

1448

1449 Mr. Branin - I'm sure Goochland would be happy to give us
1450 whatever we need for our park.

1451

1452 Mr. Leabough - Are there other questions for Mr. Luther? Thank you,
1453 sir.

1454

1455 Mr. Luther - Yes sir. Thank you.

1456

1457 Mr. Leabough - Other questions from the Commission? There doesn't
1458 appear to be. So I'll entertain a motion if there are no other questions. Other
1459 questions, Mrs. Jones?

1460

1461 Mrs. Jones - No. We have the resolution.

1462

1463 Mr. Emerson - Mr. Chairman, normally we read these into the record,
1464 but I honestly believe that a motion to approve Resolution SIA2014-00002 will
1465 suffice.

1466

1467 Mrs. Jones - I move the resolution.

1468

1469 Mr. Branin - Second.

1470
 1471 Mr. Leabough - We have a motion by Mrs. Jones, a second by
 1472 Mr. Branin. All in favor say aye. All opposed say no. The ayes have it; the motion
 1473 passes.
 1474
 1475 Mr. Emerson - Mr. Chairman, we now move onto the next discussion
 1476 item, which pertains to your work session you held earlier this evening. That is
 1477 your consideration of a resolution initiating consideration of amendments to the
 1478 Subdivision and Zoning Ordinances to confirm to 2014 legislation that was
 1479 attached to the letter of July 31st that you received from me. This resolution does
 1480 not have a resolution number on it. Mr. Strauss, do we know the resolution
 1481 number this would be this year? Well, as we don't have a resolution number, let
 1482 me read this one into the record.
 1483
 1484 It's a resolution to initiate consideration of amendments to the Subdivision and
 1485 Zoning Ordinances to confirm to 2014 state legislation.
 1486
 1487 **WHEREAS**, the 2014 General Assembly enacted legislation that necessitates
 1488 certain changes to the County's Subdivision and Zoning Ordinances relating to
 1489 group homes, the approval process for preliminary subdivision plats, and the
 1490 documentation concerning septic tank pump-out;
 1491
 1492 **NOW THEREFORE BE IT RESOLVED**, that the Planning Commission directs
 1493 the Planning staff to research and prepare for the Commission's review
 1494 appropriate amendments to, 1) the Zoning Ordinance to update the group home
 1495 definition, 2) the Subdivision Ordinance to provide for the optional submission of
 1496 preliminary subdivision plats involving fifty or fewer lots; and 3) the Subdivision
 1497 and Zoning Ordinances to provide for the submission of documentation relating
 1498 to septic tank pump-out.
 1499
 1500 Mrs. Jones - I move that resolution.
 1501
 1502 Mr. Archer - Second.
 1503
 1504 Mr. Leabough - We have a motion by Mrs. Jones, a second by
 1505 Mr. Archer. All in favor say aye. All opposed say no. The ayes have it; the motion
 1506 passes.
 1507
 1508 Mr. Emerson - Mr. Chairman, I would also ask at this time that you
 1509 schedule a public hearing on this item for your September 11th meeting.
 1510
 1511 Mr. Leabough - Okay. I'll entertain a motion to schedule a public
 1512 hearing for that item.
 1513
 1514 Mr. Witte - So moved
 1515

1516 Mrs. Jones - Second.
1517
1518 Mr. Leabough - We have a motion by Mr. Witte, a second by
1519 Mrs. Jones. All in favor say aye. All opposed say no. The ayes have it; the motion
1520 passes.
1521
1522 Mr. Emerson - Mr. Chairman, the next item is another discussion
1523 item which we discussed during our work session, as well, regarding the
1524 scheduling of a work session on September 11th to have a discussion with a
1525 panel of architects and staff regarding exterior building materials. I'm open for
1526 your input on when you would like to start this September 11th meeting. It may
1527 be a lengthy agenda. Could be a long evening. However, as you know, this topic
1528 could also take some time. I would suggest to you either 5 or 5:30. Certainly we'll
1529 have some food brought in for dinner. The earlier the start, the sooner you may
1530 get done. In talking with staff this evening, it was thought possibly 5:00 because
1531 you may have many questions in this regard.
1532
1533 Mr. Leabough - 5:15?
1534
1535 Mr. Emerson - I'm open to 5:30 if you want to go for 5:30. I know it's
1536 hard for you to get here. Four-thirty? Going once, going twice. I know it's hard for
1537 some of you with work to get here before 5:30. Certainly if you want to start at
1538 5:30 we can see what we can get done. And we can always continue it.
1539
1540 Mr. Leabough - I suggest we start at five, if others are in agreement.
1541 Those that can't get here on time—I know I can get here by 5:15 at the latest. If I
1542 miss fifteen minutes—
1543
1544 Mrs. Jones - Well good, 5:15 then.
1545
1546 Mr. Witte - Let's just shoot for 5:15.
1547
1548 Mr. Emerson - I'm fine with 5:15 or 5:30, whatever works for the
1549 Commission.
1550
1551 Mr. Branin - I prefer 5:27.
1552
1553 Mr. Witte - He's going to be fifteen minutes late; it doesn't matter
1554 what time you say.
1555
1556 Mr. Branin - Set it for 5; I'll be here at 5:15.
1557
1558 Mrs. Jones - 5:15. How's that?
1559
1560 Mr. Emerson - All right, we'll shoot for 5:15.
1561

1562 Mr. Archer - What was the date of that again?
1563
1564 Mr. Emerson - That will be September 11th. So we'll get that set up
1565 for 5:15. We should be able to get the Manager's Conference Room again for
1566 that. I will let you know.
1567
1568 Mr. Witte - The meeting is scheduled for 5:15 on the eleventh.
1569
1570 Mr. Emerson - On the eleventh, yes sir.
1571
1572 Mr. Witte - Five o'clock for Tommy.
1573
1574 Mr. Branin - I'll see you guys about 5:45.
1575
1576 Mr. Emerson - The next item on your agenda, Mr. Chairman, that will
1577 be the consideration of the approval of your minutes from your July 10, 2014
1578 meeting. There is also an errata sheet that should be at everyone's seat.
1579
1580 Mr. Leabough - Are there any other changes to the minutes? If not,
1581 motion to approve.
1582
1583 Mr. Archer - I move to approve the minutes with the stated
1584 corrections.
1585
1586 Mr. Witte - Second.
1587
1588 Mr. Leabough - We have a motion by Mr. Archer, a second by
1589 Mr. Witte. All in favor say aye. All opposed say no. The ayes have it; the motion
1590 passes.
1591
1592 Mr. Emerson - Mr. Chairman, I have nothing further for the
1593 Commission this evening.
1594
1595 Mr. Leabough - I would like to recognize Mr. Strong tonight.
1596
1597 Mr. Branin - On time like always.
1598
1599 Mr. Leabough - We started at 7:00, Mr. Strong. We missed you.
1600
1601 Mr. Branin - Mr. Strong, let me ask you a question. Do you think
1602 the School Board is more important than the Planning Commission? Well done,
1603 well done.
1604
1605 Mr. Leabough - Thank you for being here, Mr. Strong. We're just
1606 giving you a hard time, sir. Is there any other business for the Commission? If
1607 not—

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Mr. Archer -
dismissal.

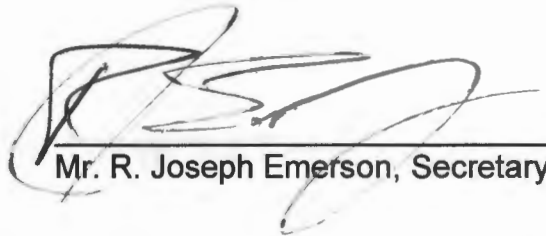
Being none, Mr. Chairman, I move for immediate

Mrs. Jones -

Second.

Mr. Leabough -

We are adjourned.



Mr. R. Joseph Emerson, Secretary



Mr. Eric S. Leabough, Chairman