

1 Minutes of the work session of the Planning Commission of the County of Henrico
2 held in the Planning Department Large Conference Room, County Administration
3 Building in the Government Center at Parham and Hungary Spring Roads,
4 beginning at 5:30 p.m. August 10, 2017. This work session was held to discuss the
5 Glen Allen Small Area Study and the Planning Commission 2018 Meeting
6 Calendar.
7

Members Present: Mr. Eric S. Leabough, C.P.C., Chair (Varina)
Mr. Robert H. Witte, Jr., Vice Chair (Brookland)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Gregory R. Baka (Tuckahoe)
Mrs. Sandra M. Marshall (Three Chopt)
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning,
Secretary

Mr. Tyrone E. Nelson (Varina)
Board of Supervisors' Representative

Also Present: Ms. Jean M. Moore, Assistant Director of Planning
Mr. James P. Strauss, PLA, Senior Principal Planner
Ms. Leslie A. News, PLA, Senior Principal Planner
Mr. Seth Humphreys, County Planner
Ms. Mary Beth Danuser, IT Manager
Ms. Sylvia Ray, Recording Secretary

8
9 **The Commission convened a work session in the Planning Department**
10 **Large Conference Room at 5:40 p.m.**

11
12 Mr. Leabough - I'll call this meeting of the Henrico County Planning
13 Commission to order. This is our work session where we will be discussing the
14 Glen Allen study. With that, I'd like to turn the agenda over to Mr. Emerson.

15
16 Mr. Emerson - Thank you, Mr. Chairman. As you noted, this is our
17 previously scheduled work session to review the Glen Allen study. And the second
18 item after we finish that, I'd like to briefly review with you the 2018 Planning
19 Commission meeting dates and calendar. Mr. Humphreys has been the primary
20 architect of this Glen Allen Study and is prepared to present it to you. I will turn it
21 over to him to begin his presentation. Each you have a copy of the study in front
22 of your seat.

23
24 Mr. Humphreys - As Joe mentioned, the purpose of this work session
25 tonight is to provide you a brief update on the Glen Allen Small Area Study. The
26 Board of Supervisors initiated the consideration of amendments to the 2026
27 Comprehensive Plan and the Zoning Ordinance based on this study.

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A copy of the full study has been distributed to you this evening and a website, similar to the Route 5 website, has gone active today. It includes a survey. We'll go over that at the end of the presentation.

To give you a brief history of the study, it was begun in 2016 by the Planning Department and was prompted by a general concern by citizens for preserving the area's existing character. The objective of the study was to prepare recommendations for any amendments to the Comprehensive Plan or the Zoning Ordinance. Just to let you know, the delay in getting this out, even though we started in 2016, is we had this drafted and ready to send to Mr. Glover, and then Mr. Glover passed away. So that's why this has taken a little bit more time to come back to you.

Here we have the study area. The boundaries of the study area were based on several factors including a concentration of older structures, civic uses, and the historic character, plus natural and property boundaries. The existing land use and zoning patterns along with the future land use recommendations of the 2026 Comprehensive Plan.

The study area, shown with a yellow line on the map, comprises properties within and surrounding what is considered the core of the Glen Allen area, kind of the village area, if you will. The properties along Mountain Road generally between Warren Road and just east of the entrance to the Glen Allen Cultural Arts Center form the spine of the study area. Some of the quick stats that were up there say that it is in both the Brookland and Fairfield Districts. The dividing line is here in the red. Fairfield is down to the right.

The study includes a historic inventory, existing conditions, and potential recommendations. We're going to go over all of these items piece by piece this evening, briefly.

We first examined the history of the Glen Allen area. The document goes into more depth of the rich history of the area, but a few of the notable highlights are listed here. After a long history of pre-colonist use as an Indian trail, rail service was delivered in the early 1800s, and then Walkerton Tavern and Forest Lodge were built. Later, the County established the Meadow Farm museum and the Cultural Arts Center.

We also looked at the demographics of the area. You go further out with the block groups because they didn't quite fit in study area because it's so small. So looking at that—and for all these stats, those are all the block groups that we used.

There was about 3 percent of the County population, but there was actually less than 3 percent of the households. What that tells us is that there are more families with larger households within that area.

74

75 The overall population density is somewhat higher than the County as a whole.
76 We had 2.88 people per acre versus 2.1. That's mainly because this is an area of
77 the County that's been settled for a long time. It's not necessarily built out, but a
78 significant portion of the properties have been built for a considerable amount of
79 time. So it is a little bit of an older area. The majority of the housing in the area was
80 built in '80s and '90s, which is newer than the rest of the County as an average.
81 And at \$242,000 compared to a countywide median of \$217,000 home values for
82 that area are higher as well.

83

84 We also looked at the existing zoning. Much of the zoning you see that does not
85 have conditions was done with the 1960 Comprehensive Rezoning for the area.
86 So all the residential, industrial, and the A-1 were done with that. And
87 subsequently, there were some additional rezonings done over the years. A lot of
88 the commercial that was there was existing prior to that but has been changed to
89 other zoning districts. We also have the Conservation District, which is mostly on
90 to the northern boundary, west of the railroad tracks in this area. And then we have
91 some more C-1 that's bordering the study area but not within it to the south and
92 the east. Residential properties are mostly on the fringe of it. You can kind of see
93 the core village area, the center of activity that we've got going on there.

94

95 Looking at the existing land uses, generally out here we have general commercial,
96 residential uses, industrial uses, and civic uses. So this closely follows the zoning,
97 which was developed over time. But you start to see some of the civic uses such
98 as the church, the Cultural Arts Center, the post office, and the American Legion.
99 So a lot of those are mixed in and intermingled with the rest of the commercial and
100 residential properties.

101

102 These are the current recommendations of the Comprehensive Plan. We have
103 some office currently right in the center, some commercial concentration, and
104 semi-public. We have civic uses throughout, the Cultural Arts Center and up there
105 with the church and the American Legion. There is a considerable amount of
106 Environmental Protection Area. Not all of that is reflected in the C-1 previously, but
107 what has been rezoned over time, it is reflected in that. Then on the Major
108 Thoroughfare Plan, we do have a major collector, which is Mountain Road, and
109 both Old Washington Highway and Purcell Road are minor collectors. All the other
110 streets are either residential collectors or local streets. The traffic patterns are
111 pretty well set.

112

113 We also examined many categories of public infrastructure and services. In
114 addition to understanding the current uses of the study area, an analysis of the
115 existing public and private infrastructure that serves the area is necessary in order
116 to determine potential impacts on those services by future development. Currently,
117 the study area is well served by all of these facilities. New or expanding
118 developments within the area could take advantage of those existing facilities and
119 services. But depending on their scale, we'd have to assess them and see what

120 their impacts would be on those. With significant developments and their impacts,
121 some of those services may have to be reworked.

122

123 Additionally, the concentration of services, even to the point of the post office in
124 this area lends to that village feel. The residents here can get the majority of their
125 services without leaving the area. There are still some things that they would need
126 to leave the area for, but they have a grocery, a post office, some cultural items,
127 parks, recreation areas, and a school. So most of your services are right there,
128 and it really is a community. The people out there are proud of the community.

129

130 Those are some of our conclusions. The primary motivation of the study was to
131 examine the existing character and to look at that. The general style of most of the
132 architecture in the area is Colonial or Victorian style, as you can see here with
133 Walkerton Tavern and one of the historic homes in the neighborhood. They both
134 contribute to the overall village character.

135

136 All the roadways are two-lane roads except for one intersection where there's one
137 turn lane. That lends to the rural character as well. Many of them have ditch
138 drainage on the sides versus curb and gutter. So it's not as formalized; it's more
139 relaxed and more rural. There is no signage in the area. The front yards, especially
140 in the commercial area, tend to be much narrower than what you typically would
141 see out in a commercial corridor. That brings the village closer to the road and
142 helps them interrelate a little bit better.

143

144 There are some opportunities for new development in the area with some
145 unrestricted zonings. You'll notice the Industrial zonings, the M-1 and the M-2, are
146 unrestricted. That was something that we were worried about with future
147 development because almost anything can go in M-1 and M-2.

148

149 Mr. Emerson - Point those out, Seth. Just make sure everybody saw
150 where they were. They're kind of right in the core of the area.

151

152 Mr. Humphreys - Down here where the grocery store is, is actually sitting
153 on unrestricted M-1. That's around the railroad tracks, and the railroad tracks come
154 through in here and are M-1. Up here there is pipe fitting or pipe manufacturing
155 company, and they're M-2. If that ever went away, you'd have a significant hole
156 there that has the potential to be almost anything.

157

158 In preparing our conclusions, that was one of the biggest threats, if not the biggest
159 threat to the area. Depending on what goes in there, it could be potential
160 destabilization of the character for the area. For some of the recommended land
161 uses, we did recommend for those area to be Office. But once again, they could
162 be developed to almost anything else.

163

164 At the same time, if they're developed well, it's also an opportunity to solidify the
165 character of the area. So, it's not necessarily wholly a bad thing. But we've got to

166 get that looked at in a way and hopefully get somebody in there that would develop
167 it in a way that helps promote the area.

168

169 So, we have three recommendations. Since we did the plan in 2009, almost eight
170 years ago, there have been a few changes. One, there are two parcels up next to
171 the Glen Allen Cultural Arts Center that we purchased in 2011. We just want to
172 move those to Government and make that official. There was a rezoning in 2010
173 from A-1 or one of the R districts to B-2 or B-1. So we want to move that from SR1
174 to Commercial Concentration. And then the Glen Allen Post Office, I think that
175 might have been missed when we wrote the Comprehensive Plan because it's not
176 owned by the federal government, but we want to go ahead and make that
177 Government as well. Those are more housekeeping items than anything else.

178

179 Then also with the Comprehensive Plan we want to go ahead and make the study
180 area a Special Focus Area. We have a couple different types. There are currently
181 30 Special Focus areas in the County. We've got Existing Character Protection
182 Areas, Mixed-Use/Village Areas, Neighborhood Enhancement Study Areas, and
183 Revitalization/Reinvestment Opportunity Areas. This fits in most with the Existing
184 Character Protection Area. We have five other areas like this around the County,
185 two of which have just been initiated for a study out in Varina: the Route 5 area
186 and the Marion Hill Area. So we think this fits in well with the intentions of the
187 Special Focus Areas category.

188

189 The last recommendation that we have is while we can do a lot—I should go back
190 to this. With these, we'll have the vision, goals, objectives, and design guidelines,
191 but they're not binding the way they are. If we can get something into an Overlay
192 District—this is the area that we're recommending for an Overlay District, which
193 would go into the Zoning Ordinance. We're only recommending a portion of the
194 study area because this does put some more restrictions on the properties. It is
195 not going to affect some of the uses such as the residential southeast of the study
196 area. The main focus of this I think would be looking at uses. But some of the other
197 things that are listed here can come out as well. I think we want to concentrate on
198 uses just because of the unrestricted properties that are in there that could damage
199 the character of the area.

200

201 The next steps. Today, the public website went live. August 29th between 4:30
202 and 7:30 we'll be having a community meeting at the Glen Allen Cultural Arts
203 Center.

204

205 Mr. Emerson - That's our open house meeting where you can come
206 anytime between 4:30 and 7:30. We'll have staff there. We'll have the plan on
207 display, informational boards, and be there to answer any questions the public may
208 have.

209

210 Mr. Humphreys - If everything goes well there, depending on what kind
211 of feedback we get from the public, the next steps would be a Planning

212 Commission public hearing on October 12th and the Board public hearing on
213 November 28th for potential approval of that.

214

215 Mary Beth do you want to show them the website real quick?

216

217 Mr. Nelson - When did we first introduce this?

218

219 Mr. Emerson - When was it initiated? What was the initiation date?
220 Seth, do you remember? I'd have to look in the file.

221

222 Mr. Humphreys - We started looking at it in early to mid 2016.

223

224 Mr. Emerson - Mr. Glover requested we begin to look at it when we
225 had some development on some by-right properties in that area that gained the
226 attention of the residents in the area. They were concerned about the type of
227 development that could occur on the by-right zoning that existed within what we'll
228 call the Glen Allen Village area. He asked that we go in and analyze it. Of course,
229 part of it dropped over into Fairfield, so we consulted with Mr. Thornton and
230 Mr. Archer. And we pulled this analysis together and came up with some
231 conclusions and some recommendations based on the input we'd already received
232 through the plan approval process and comments from the citizens, as well as our
233 own thoughts after gathering this data. That's why we're moving forward just a little
234 bit differently than we have with the Route 5 study. We felt like we had a little bit
235 better idea, smaller area, in terms of what we might want to suggest and
236 recommend.

237

238 Mr. Nelson - I guess I was asking for two reasons. That's one of
239 them. It seems like this is on a little more aggressive course than the Varina one.
240 The second part of it is I know we have a new Brookland representative in January.
241 So this plan will pretty much be approved before a new person—

242

243 Mr. Emerson - Well, if I understand correctly, I may be wrong, I believe
244 the victorious person will take office immediately after the votes are certified in
245 November. So, if the election is on November 7th and the Board meeting is on the
246 14th, the new Board member conceivably could vote on that. I could be wrong, but
247 I believe the new Board member takes their seat as soon as the votes are certified
248 in a situation like this.

249

250 Mr. Nelson - But they still won't have time—there are two
251 candidates.

252

253 Mr. Emerson - To absorb—

254

255 Mr. Nelson - Nothing against Mr. Witte, but let's just say it's not
256 Mr. Witte, it's somebody else.

257

258 Mr. Emerson - We're moving forward with this at the behest of the
259 current Brookland Board member who asked us to move forward with it. That's the
260 reason. I actually had written a letter transmitting this to Mr. Glover since he was
261 the one that had originally requested it on the day he passed away. So of course
262 we didn't send it. It just sat on my desk until Mr. Hinson asked about. When he did,
263 we produced it. And he said, "Well I don't see why we shouldn't at least begin to
264 move forward in the public process." That's when we came up with the schedule.
265 It's a simpler study. It's not as much area as the Route 5 Study. The Route 5 Study
266 is what, 13, 14 miles of corridor, whereas this is a very small, concentrated area.

267

268 Ms. Moore - It's actually bigger than the Innsbrook Study.

269

270 Mr. Emerson - How many acres? Do you remember? The Innsbrook
271 Study is 11.

272

273 Ms. Moore - [Unintelligible]

274

275 Mr. Emerson - Right. Well they're right in line, because the Innsbrook
276 Study is about 13 (1,300 acres), I think.

277

278 Ms. Moore - I think this one may have been 16.

279

280 Mr. Emerson - I believe it is. That's what I was thinking, but I wasn't
281 sure. Whereas this one [unintelligible] area.

282

283 Mr. Humphreys - I think it was 103.

284

285 Mr. Emerson - It's a smaller area.

286

287 Mr. Humphreys - It's 161 (acres).

288

289 Mr. Emerson - And many uses are already set because they're
290 developed. The main threats are what Seth pointed out to you, which are the
291 unrestricted zonings. That's primarily those industrial unrestricted zonings. I know
292 you understand that very well from some of the challenges you've had with some
293 of the existing unrestricted zonings in your district.

294

295 Ms. Moore - The other aspect is that it is industrial/commercial,
296 which means we could move forward easier with the text amendment to regulate
297 commercial uses that we can't do for residential.

298

299 Mr. Emerson - And we don't have the piece such as we did the other
300 night, the workshops included in this as we did in Varina. But again, it's not as large
301 of an area. With the website and with our open house, we believe we can gather
302 the input from citizens and include that into the final document. That'll come back
303 to the Commission. What was our date coming back to the Commission, Seth?

304
305 Mr. Humphreys - October 12th.
306
307 Mr. Emerson - And of course if we do begin to get a great deal of input
308 and we find we're not able to move quickly enough, we certainly will slow down
309 and continue to gather input until such time that it's ready to come forward. It's
310 really a tentative schedule. The firm date we know is that we're going out for open
311 house on the 29th. That's really the firm date.
312
313 Mr. Humphreys - And the firm date of the website going up.
314
315 Mr. Emerson - Correct, today. Once it's out in the public realm and we
316 begin to take input, those dates become—they're goals, they're not necessarily set
317 in stone.
318
319 Ms. Danuser - The website went live not quite two hours ago. Just go
320 up to the regular henrico.us page, and you can either scroll down to Projects and
321 find it through the Glen Allen Small Area Study or you can go the Planning
322 Department website and scroll down to the projects from there. Or you can just
323 use the henrico.us/projects/glen-allen-small-area-study address.
324
325 Mr. Humphreys - Basically, you're going over the project. This is kind of
326 their cookie-cutter sheet for IT for the web pages. We're just basically giving a good
327 description of what it is, which we've already gone over tonight. The neat stuff is
328 the Route 5 down here.
329
330 Ms. Danuser - I'll just open this in the web browser so it's a little bit
331 easier for you guys to see back in the back.
332
333 Mr. Humphreys - We've got, obviously, the introduction, which we went
334 over tonight. If you go to the Historic Site Tour, you can click on each one of the
335 historic sites within the area and in close proximity. Or you can scroll through them
336 down at the bottom. The Bowles Lane house.
337
338 Ms. Danuser - Toggle this description on and off.
339
340 Mr. Humphreys - So they do have considerable more descriptions.
341
342 Mr. Leabough - So it's essentially the same functionality that's on your
343 Route 5.
344
345 Ms. Danuser - It's pretty much the same. Most of this is the same
346 functionality and the same format. There are a couple extras. We are showing
347 some recommendations up here, which we're not showing in Route 5.
348

349 Mr. Humphreys - This is all we went over tonight, the zoning, land use,
350 and current future land use recommendation. As Mary Beth said, the
351 Recommendations tab is new.

352

353 Ms. Danuser - There is a legend over here, too, for each of those tabs.

354

355 Mr. Humphreys - It goes over the three recommendations, the proposed
356 future land use changes. They're all highlighted. The proposed Special Focus Area
357 with a description of what that would entail. The proposed Overlay Area, also with
358 a description of generally what that would entail. And it notes that area within the
359 study which we're recommending for the Overlay. And we have a survey. The rest
360 of it's just like the Route 5 Study where we have a survey and a public input map
361 where people can click, leave a point, and leave a comment about a specific area
362 or specific site.

363

364 Ms. Danuser - And you can change the background on this as well so
365 you can toggle over to an aerial.

366

367 Mr. Humphreys - I think it's pretty intuitive.

368

369 Ms. Danuser - Then fill out your information, your name, your email
370 address, and your comments.

371

372 Mr. Humphreys - That's just another way to get the discussion going,
373 which I think is a great idea we started using on the Route 5 Study. I think it will
374 translate here as well.

375

376 Mr. Emerson - The folks in this area had a very active Facebook page
377 during the recent development of the Dollar Store. So I think they'll warm up to the
378 website, I would hope, pretty quickly and come in and start giving us their
379 comments.

380

381 Ms. Danuser - At the Varina open house, we had a lot of positive
382 feedback about this piece.

383

384 Mr. Emerson - The Varina website's getting a lot of use, I believe.

385

386 Mr. Leabough - I know we're talking about Glen Allen, but how many
387 hits do you all have on that site?

388

389 Ms. Danuser - I can get back to you on that.

390

391 Mr. Emerson - I knew that number recently but—

392

393 Ms. Moore - I think it was recently 47 on the website itself.

394

395 Mr. Emerson - 4,700?
396
397 Ms. Moore - No, 47.
398
399 Ms. Danuser - Forty-seven points or surveys.
400
401 Mr. Emerson - It's 47 surveys, not number of hits.
402
403 Ms. Danuser - There's another—
404
405 Ms. Moore - Oh, number of hits. I'm sorry. I don't have that.
406
407 [Many people talking at the same time; unintelligible.]
408
409 Ms. Danuser - I can get with our web people.
410
411 Mr. Leabough - The reason I'm asking is that it's an excellent site, and
412 I just hope that people take advantage of it while it's available. If we need to do
413 more to kind of get the word out there about this site for Glen Allen, as well as
414 Route 5, just let us know. We'll do whatever we can. You all have invested a lot of
415 time and effort into it, and I think it would benefit the public to at least access it. It's
416 really neat.
417
418 Mr. Humphreys - I don't know of any other department in the area that's
419 doing it.
420
421 Mr. Baka - I was going to commend you on the technology. Years
422 ago I worked on the staff in Hanover County, and your technology is light years
423 ahead of what we had. I think it's fantastic.
424
425 I do have a quick question on the boundaries of this study area. Having worked on
426 these things, that can also be one of the more challenging issues. When you
427 looked at the eastern side of the study area boundary, there are three rural parcels
428 on the north side of Mountain Road that are outside of that subdivision. Was there
429 any consideration to include those three parcels on the north side of Mountain in
430 Fairfield? Right over in there. I know the parcels on the south side of the road were
431 C-1, Conservation zoning, so that makes sense that they were left—
432
433 Mr. Emerson - We're following the geographic feature of the stream.
434 And that's also a parcel line for the Cultural Arts Center.
435
436 Mr. Humphreys - The Cultural Arts Center. Also if you go to the land use
437 one—or the—
438
439 Mr. Emerson - I believe that's a residential subdivision.
440

441 Male - Right there is bold.
442
443 Mr. Humphreys - The majority of that is EPA. So mostly undevelopable.
444 There are a lot of wetlands in there. I'll double check, but I think it's associated with
445 that subdivision.
446
447 Mr. Baka - So you can't really change it or approve it. It is what it
448 is.
449
450 Mr. Humphreys - Right.
451
452 Mr. Baka - The second question would be on the western side on
453 the Overlay District map, the smaller portion. It had gone to the west except it didn't
454 go to that one open parcel just north of Mountain Road. That one. Is there any
455 reason why that was left out of your proposed Overlay District?
456
457 Mr. Emerson - That belongs to the church.
458
459 Mr. Baka - The whole thing?
460
461 Mr. Emerson - Yes.
462
463 Mr. Baka - Okay. All right, fair enough. Thanks.
464
465 Mr. Emerson - Any other questions or thoughts? Mr. Witte?
466
467 Mr. Witte - No. I've been over it and over it and over it. I've talked
468 to a lot of people about it. I have one concern about it from one of the M-zoned
469 people. They're concerned it may reduce the value of their property. But from the
470 information I've been able to dig up, it seems like when you have a Historic Overlay
471 District, property values actually increase instead of decrease. I still have a friend
472 of mine working on more details for that.
473
474 Mr. Emerson - Mr. Archer, how about you?
475
476 Mr. Archer - I have none. I am familiar with some of those M-1/M-2
477 properties that are down closer to Brook Road. They've been kind of troublesome
478 over the years, but it's been a long time now since I've heard anything from them,
479 to be honest with you. We did have somebody who wanted to do a development
480 up in that area, but they withdrew it.
481
482 Mr. Emerson - We did. All right, well if that's the end of the questions
483 or if we've covered all your thoughts at this point, we'll move on to the next item on
484 your work session, which is the review and discussion of the 2018 Planning
485 Commission meeting dates. They're very similar to what you've seen in the past.
486 No second August meeting, and of course the dates have been compressed during

487 the holiday periods of November through December in order to accommodate the
488 holiday schedule and get those meetings in. Ms. News put this together and
489 gathered all the information, so I'll let her add any thoughts or comments that she
490 might have regarding it.

491

492 Ms. News - The only thing I can say is that every five or six years
493 the calendar cycles, so we're back to basically the same schedule in 2012.
494 [Inaudible]

495

496 Mr. Baka - The August POD meeting, have we traditionally never
497 done a POD meeting in August? Do we sometimes do one? Does that bloat up our
498 September agenda more than typical?

499

500 Mr. Emerson - Normally it doesn't. Sometimes the July agenda will be
501 heavier because of it, but I don't think the September agenda necessarily reflects
502 any heavier. We haven't had a second meeting since either 1999 or 2000. Is that
503 right, Leslie?

504

505 Ms. News - Yes, 2001 was when they started that. Its been over
506 15 years.

507

508 Mr. Witte - I just want to clarify that he took Bonnie-Leigh's place.
509 Is that correct?

510

511 Mr. Baka - No, not in this matter.

512

513 Mr. Nelson - Does the Planning Commission follow the Board of
514 Supervisors' model?

515

516 Mr. Emerson - Yes sir.

517

518 Mr. Nelson - So that's about the same time that the Board stopped
519 having second August meetings as well?

520

521 Mr. Emerson - I'm not a hundred percent about that, but it may be. I
522 know they did model dropping the second meeting in August after the Board
523 dropping the second meeting in August. Leslie, do you know?

524

525 Ms. News - [Inaudible] The Board was doing it first but—

526

527 Mr. Archer - Yes. The Board had been doing I think quite some time
528 before we did.

529

530 Mr. Nelson - But you didn't follow the model for December, because
531 I don't think we have a second December meeting.

532

533 Mr. Archer - No, you're right.

534

535 Mr. Emerson - That's correct.

536

537 Mr. Archer - I was working on it, but.

538

539 Mr. Emerson - It compresses the meetings quite a bit. We don't want
540 to put the development community in a bind. That second meeting in December
541 normally has several cases on it, as I recall. Certainly, staff having to turn those
542 meetings over so quickly in November and December, it gets kind of exciting
543 around here. But we've managed to do it thus far. But certainly if you wanted to
544 consider following suit in December, we could take a look at it. There are many
545 ways you could handle that. You could combine your first December meetings, and
546 we could come in the afternoon and meet maybe prior to dinner and do your plans
547 of development and subdivisions, then have dinner, and then have your zoning
548 and your public hearings at 7 p.m. that evening. There are a couple ways you could
549 do that.

550

551 Actually, during the recession, we were trying to come up with ways to save money.
552 That was one of our recommendations, to combine the two meetings into one day.
553 We never did move forward with that. There was very minimal cost savings on that
554 really. It was more staff time and Commission time to free up the rest of the month,
555 but there was no real cost savings to it. Well there was some, but not a lot. But that
556 is an option as well. You could take the December meeting and just use an
557 afternoon and an evening and just knock it out. Then you wouldn't have your
558 second December meeting.

559

560 If you want to think about that, we can look at it and bring you back some sort of
561 recommendation.

562

563 Mr. Leabough - How do folks feel? Do you want to consider it or just go
564 with what we have? Mr. Archer, how do you feel?

565

566 Mr. Archer - Look, I have caught enough heat over the years for the
567 August month; I'm not getting involved in this one.

568

569 Mr. Leabough - I think we'll leave it as-is. So we don't need to take
570 action on it now.

571

572 Mr. Emerson - We'll do it downstairs publically. The big thing is we
573 want to get confirmation from you because we have to reserve the room downstairs
574 for your dates that you have these meetings before somebody else. There are
575 other meetings in those rooms. Now they know upstairs in regards to the
576 boardrooms what days that we historically have met. I think we were a little late
577 last year or year before last. I had to make a couple of phone calls to get a few
578 people off your Wednesday meeting dates. They quickly moved in and filled that

579 hole that they thought was there. So we would like to get the schedule confirmed
580 so we can reserve the rooms.

581

582 Mr. Leabough - Does it help with staff in terms of—I don't know how
583 many staff people take off for the holidays—what you suggested earlier? Does that
584 allow staff to spend more time with their families? Does it impact them in a positive
585 way?

586

587 Mr. Emerson - It certainly would free up a little bit more in those couple
588 weeks between Christmas and New Year's Day. I don't know as far as people
589 taking off if it would have that much impact. Leslie, Jean, I'll let you all weigh into
590 that. What do you think on that?

591

592 Ms. News - Well, we moved this up enough so that the whole week
593 before Christmas is free. That was a concern for people who were traveling for
594 Christmas. As I recall in the discussion with the Commission when we talked about
595 joining the meetings, there was concern about if we had a heavy zoning agenda
596 and a heavy PC agenda.

597

598 Mr. Emerson - It could make for a long day.

599

600 Ms. News - A lot for the Commission to have to deal with.

601

602 Mr. Emerson - Chesterfield does it. I think that's their regular practice.
603 They come together in the afternoons and handle all their subdivision site plans
604 and plans of development. And then in the evening they do their rezonings.

605

606 Mr. Baka - If the POD meeting is on December 12th, then it's
607 earlier enough in the month [inaudible].

608

609 Mr. Emerson - And it's two separate groups of staff from a workload
610 standpoint. We've managed it thus far, and it hasn't been an issue.

611

612 Mr. Leabough - Mrs. Marshall, do you have any strong opinions one
613 way or the other?

614

615 Mrs. Marshall - I'm fine with that.

616

617 Mr. Leabough - All right. Okay, I think we're good.

618

619 Mr. Emerson - All right. We'll be able to quickly dispense with that
620 downstairs then. I wanted to make sure if there were any questions that we got
621 them answered, so I'm glad we did.


622

623 Mr. Archer - So we'll vote on the calendar downstairs.


624

625 Mr. Emerson - Yes sir. It's on your agenda.
626
627 Ms. News - Spring break is April 2nd to the 6th. I'm not sure what
628 date Easter is.
629
630 Mr. Emerson - It's either at the beginning or the end of spring break
631 for sure, because that's where it normally falls.
632
633 Ms. News - April 1st is Easter. I'm Googling it, so.
634
635 Mr. Leabough - Sunday April the 1st is Easter.
636
637 Mr. Emerson - So it's early this year. All right, so it falls before break.
638
639 Mr. Leabough - Will that work for you, Mrs. Marshall?
640
641 Mrs. Marshall - I'll make it work.
642
643 Mr. Leabough - We'll rearrange this whole calendar for you.
644
645 Mr. Emerson - Mr. Chairman, I have nothing further for the
646 Commission in the work session this evening.
647
648 Mr. Leabough - Anything else? If now, we'll go into recess and
649 reconvene in the boardroom.

650
651 The Commission recessed their meeting at 6:27 p.m.
652
653
654
655



Mr. Eric S. Leabough, C.P.C., Chairman



Mr. Joseph Emerson, Secretary

1 Minutes of the regular monthly meeting of the Planning Commission of the
2 County of Henrico held in the County Administration Building in the Government
3 Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. August 10,
4 2017. Display Notice having been published in the *Richmond Times-Dispatch* on
5 July 24, 2017 and July 31, 2017.
6

Members Present: Mr. Eric S. Leabough, C.P.C., Chair (Varina)
Mr. Robert H. Witte, Jr., Vice Chair (Brookland)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Gregory R. Baka (Tuckahoe)
Mrs. Sandra M. Marshall (Three Chopt)
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning
Secretary
Mr. Tyrone E. Nelson (Varina)
Board of Supervisors' Representative

Also Present: Ms. Jean M. Moore, Assistant Director of Planning
Mr. James P. Strauss, PLA, Senior Principal Planner
Mr. Benjamin Blankinship, AICP, Senior Principal Planner
Ms. Rosemary D. Deemer, AICP, County Planner
Mr. Benjamin Sehl, County Planner
Mr. Anthony Greulich, County Planner
Mrs. Lisa Blankinship, County Planner
Ms. Erin Puckett, County Planner
Mr. Mike Morris, Planning Technician
Mr. William Moffett, CPTED Planner, Police
Mr. John Cejka, County Traffic Engineer, Public Works
Ms. Sylvia Ray, Recording Secretary

7
8 **THE PLANNING COMMISSION RECONVENED AT 7:00 P.M. FOLLOWING A**
9 **WORK SESSION.**

10
11 **Mr. Tyrone E. Nelson, the Board of Supervisors' representative, abstains on**
12 **all cases unless otherwise noted.**

13
14 Mr. Leabough - We'll reconvene this meeting of the Henrico County
15 Planning Commission. This is our rezoning meeting. We convened earlier for a
16 work session upstairs in the Planning Conference Room. As you mute or silence
17 your cell phones, I ask that you rise with the Commission for the Pledge of
18 Allegiance.

19
20 Is there anyone in the audience with the news media? I don't believe I see
21 anyone, but if I missed you, please raise your hand. There's no one with news
22 media. I'd like to recognize our Board Member representative, Rev. Nelson.
23 Thank you, sir, for serving with us this year. All Commissioners are present, so

24 we have a quorum. With that, I'd like to turn the agenda over to our secretary.
25 Mr. Joe Emerson.

26
27 Mr. Emerson - Thank you, Mr. Chairman. As you noted, the
28 Commission did hold a work session this evening at 5:30 in the Planning
29 Department Large Conference Room. The Commission did receive a
30 presentation on the Glen Allen Study, and also, we discussed the 2018 Planning
31 Commission calendar and meeting dates, which does appear for your
32 confirmation later in the agenda this evening.

33
34 With that said, the requests for withdrawals and deferrals are the first item on
35 your agenda, and those will be presented by Mr. Jim Strauss.

36
37 Mr. Strauss - Thank you, Mr. Secretary. I do have three requests
38 for deferral this evening. The first request is in the Three Chopt District, page 1 of
39 your agenda, POD2017-00308, Innslake Place. The applicant is requesting a
40 deferral to the September 27, 2017 meeting.

41
42 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

43
44 **POD2017-00308 Koontz-Bryant for WAM Associates, LLC and CATO**
45 **Innslake Place – Development:** Request for approval of a plan of
46 **4235 Innslake Drive** development and lighting plan, as required by Chapter 24,
47 Section 24-106 of the Henrico County Code, to construct a
48 five-story apartment building with 100 units above a
49 ground floor parking deck; and a four-story mixed-use
50 building with 123 apartments in the northern half of the
51 building and a four-story parking deck in the southern half
52 of the building, in an urban mixed-use development. The
53 4.08-acre site is located on the southeastern corner of the
intersection of Innslake Drive and Dominion Boulevard, on
parcel 747-761-9275. The zoning is UMUC, Urban Mixed
Use District (Conditional). County water and sewer. **(Three
Chopt)**

44
45 Mr. Leabough - Is there anyone present in the audience in opposition
46 to POD2017-00308, Innslake Place? Mrs. Marshall, I see no opposition.

47
48 Mrs. Marshall - Mr. Chairman, I move POD2017-00308, Innslake
49 Place, including the lighting plan, be deferred to the September 27, 2017
50 meeting, per the applicant's request.

51
52 Mr. Archer - Second.

53

54 Mr. Leabough - We have a motion by Mrs. Marshall, a second by
55 Mr. Archer. All in favor, say aye. Those opposed, say no. Hearing no opposition,
56 that motion passes.
57

58 At the request of the applicant the Planning Commission deferred the plan of
59 development and lighting plan for POD2017-00308, Innslake Place, to its
60 meeting on September 27, 2017.
61

62 Mr. Strauss - The next request for deferral is in the Three Chopt
63 District on page 4 of your agenda, REZ2017-00020, B. Hunt Gunter. The
64 applicant in this case has requested deferral to the September 14, 2017 meeting.
65

66 **REZ2017-00020 Mark Williams for B. Hunt Gunter:** Request to
67 conditionally rezone from B-1 Business District to B-2C Business District
68 (Conditional) Parcel 741-742-5027 containing .523 acres located at the northwest
69 intersection of Pump Road and Patterson Avenue (State Route 6). The applicant
70 proposes a drive-thru restaurant. The use will be controlled by proffered
71 conditions and zoning ordinance regulations. The 2026 Comprehensive Plan
72 recommends Commercial Concentration and Environmental Protection Area.
73

74 Mr. Leabough - Is there anyone in audience in opposition to the
75 deferral request for REZ2017-00020, B. Hunt Gunter? I see no opposition,
76 Mr. Baka.
77

78 Mr. Baka - Mr. Chairman, I move that REZ2017-00020, B. Hunt
79 Gunter, be deferred to the September 14, 2017 meeting at the request of the
80 applicant.
81

82 Mr. Witte - Second.
83

84 Mr. Leabough - We have a motion by Mr. Baka, a second by
85 Mr. Witte. All in favor, say aye. Those opposed, say no. Hearing no opposition,
86 that motion passes.
87

88 At the request of the applicant the Planning Commission deferred REZ2017-
89 00020, B. Hunt Gunter, to its meeting on September 14, 2017.
90

91 Mr. Emerson - Mr. Chairman, before Mr. Strauss continues, just for
92 the record, I believe he stated that was in the Three Chopt District and it is in the
93 Tuckahoe District.
94

95 Mr. Strauss - Oh, I'm sorry for the error.
96

97 Mr. Leabough - Thank you.
98

99 Mr. Strauss - The third request for deferral this evening is in the
100 Varina District, page 4 of the agenda, REZ2017-0015, JG Laburnum LLC. The
101 applicant in this case is requesting deferral to the October 12, 2017 meeting.
102

103 **(Deferred from the June 15, 2017 Meeting)**

104 **REZ2017-00015 Andrew M. Condlin for JG Laburnum, LLC and**
105 **Robins Laburnum, LLC:** Request to conditionally rezone from B-2C Business
106 District (Conditional) and B-3C Business District (Conditional) to B-3C Business
107 District (Conditional) Parcel 817-711-0712 and part of Parcels 817-711-0454 and
108 816-711-8151 containing 3.31 acres located approximately 290 feet south of
109 Eubank Road approximately 270 feet east of its intersection with S. Laburnum
110 Avenue. The applicant proposes an automotive body and paint shop. The use
111 will be controlled by zoning ordinance regulations and proffered conditions. The
112 2026 Comprehensive Plan recommends Office and Commercial Concentration.
113 The site is in the Airport Safety Overlay District.
114

115 Mr. Leabough - Is there anyone in the audience in opposition to the
116 deferral of REZ2017-00015, Andrew M. Condlin for JG Laburnum, LLC and
117 Robins Laburnum, LLC? I see no opposition, so with that I move REZ2017-
118 00015, Andrew M. Condlin for JG Laburnum, LLC and Robins Laburnum, LLC,
119 be deferred at the request of the applicant to the October 12, 2017 meeting.
120

121 Mr. Witte - Second.
122

123 Mr. Leabough - We have a motion by Mr. Leabough, a second by
124 Mr. Witte. All in favor, say aye. Those opposed, say no. Hearing no opposition,
125 that motion passes.
126

127 At the request of the applicant, the Planning Commission deferred REZ2017-
128 00015, Andrew M. Condlin for JG Laburnum, LLC and Robins Laburnum, LLC, to
129 its meeting on October 12, 2017.
130

131 Mr. Emerson - Mr. Chairman, that completes the requests for
132 withdrawals and deferrals this evening. Next item are the requests for expedited
133 items, and we have none of those this evening, so we will move into the first
134 public hearing item on your agenda, which is an ordinance amendment. The staff
135 report will be presented by Mr. Ben Blankinship.
136

137 **PUBLIC HEARING: ORDINANCE –** To amend and reordain Section 24-12.1
138 titled “Provisional uses permitted,” Section 24-94 titled “Table of regulations,” and
139 Section 24-95 titled “Additional requirements, exceptions and modifications” of
140 the Code of the County of Henrico. This ordinance would allow by right, in
141 subdivisions approved prior to 1960, a front porch on a one-family dwelling to
142 extend up to eight feet into the front yard setback, provided the porch is no wider
143 than the front of the dwelling. The porch extension would no longer require a
144 provisional use permit. The staff report will be presented by Mr. Ben Blankinship.

145

146 Mr. Blankinship - Thank you, Mr. Emerson. Good evening,
147 Mr. Chairman, members of the Commission. We looked at this in a work session
148 last month, so I'm sure you remember it.

149

150 On November 9th of last year, the Board of Supervisors amended the Code to
151 allow, by provisional use permit, a front porch to extend up to eight feet in older
152 subdivisions, pre-1960 subdivisions. That was prompted by a case over on
153 Rockwood Road where a contractor had built some front porches that everybody
154 agreed were great improvements to the neighborhood, but unfortunately were in
155 violation of the front yard setback. By amending the Code, we were able to
156 resolve that issue. At the same time, the Board of Zoning Appeals in their review
157 of the case noted that it could be helpful in many neighborhoods to allow people
158 to build front porches to spur re-investment and help people to revitalize their
159 neighborhoods. So we presented the amendment last year, and the Board, as I
160 say, had been allowing these porches by a provisional use permit.

161

162 But our experience has shown now that the level of scrutiny that we give a
163 provisional use permit is a little bit of overkill for a front porch extending a few
164 feet. It's an unnecessary expense and some additional time for the applicant. So
165 just in the interest of streamlining government, it was proposed that we should
166 change the process to just review these front porches on a building permit to
167 allow in the pre-1960 subdivisions a front porch up to eight feet deep just as a
168 matter of right that we could review on a building permit.

169

170 So that's the amendment that is before you. There was one sentence in section
171 12.1 that would be deleted entirely. It was just added last year and would be
172 deleted now. There's one sentence in 24-94 that was added last year and would
173 be deleted. And then there would be a change to 24-95(i)(1) just to state rather
174 than a provisional use permit these front porches would be allowed as a matter of
175 right.

176

177 That is the end of my presentation. This is a public hearing. If this is
178 recommended for approval by you this evening, it would tentatively go to the
179 Board of Supervisors for a public hearing on September 12th. I'll be happy to
180 answer your questions. And as I say, it's a public hearing, so it would be
181 appropriate to open the floor for comments.

182

183 Mr. Leabough - Are there any questions for Mr. Blankinship from the
184 Commission? This is a public hearing, so anyone in the audience that would like
185 to speak to the item that Mr. Blankinship just presented, please approach the
186 podium. I will remind you all that these are recorded proceedings, so please state
187 your name for the record if you choose to speak. Don't everyone rush to the
188 podium at once.

189

190 If there is no one here to speak, then we'll close the public comment period. If
191 there are no questions from the Commission, I'll entertain a motion.

192

193 Mr. Baka - Mr. Chairman, if I may, I supported this amendment
194 as a member of the BZA to allow for the front porches on Rockwood Drive. That
195 was in the Tuckahoe District. I also would support this measure to simplify the
196 process and streamline it to allow it to go more quickly. So at this point, I make a
197 motion to recommend approval of the public hearing to amend and reordain
198 Section 24-12.1, and 24-94 as listed here in the agenda.

199

200 Mr. Witte - Second.

201

202 Mr. Leabough - We have a motion by Mr. Baka, a second by
203 Mr. Witte. All in favor, say aye. Those opposed, say no. Hearing no opposition,
204 that motion passes.

205

206 Just for the record, that's moving that on to the Board of Supervisors with a
207 recommendation of approval.

208

209 Mr. Blankinship - Thank you, Mr. Chair.

210

211 Mr. Emerson - Mr. Chairman, we now move on to page 4 of your
212 agenda for REZ2017-00019, Wilton Acquisition, LLC. The staff report will be
213 presented by Mr. Ben Sehl.

214

215 **(Deferred from the July 13, 2017 Meeting)**

216 **REZ2017-00019 Wilton Acquisition, LLC:** Request to conditionally
217 rezone from RTHC Residential Townhouse District (Conditional) to R-6C General
218 Residence District (Conditional) Parcel 767-751-2632 containing 15.17 acres
219 located on the south line of Wistar Road at its intersection with Shrader Road.
220 The applicant proposes a condominium development of no more than 180 units
221 or a townhome development of no more than 80 units. The R-6 District allows a
222 maximum gross density of 19.8 units per acre. The use will be controlled by
223 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive
224 Plan recommends Urban Residential, density should range from 3.4 to 6.8 units
225 per acre.

226

227 Mr. Leabough - Is there anyone in the audience in opposition to
228 REZ2017-00019, Wilton Acquisition, LLC? I see no opposition. Good evening,
229 Mr. Sehl.

230

231 Mr. Sehl - Good evening, Mr. Chairman. Thank you, members of
232 the Commission.

233

234 The subject property is located close to the intersection of Wistar and Shrader
235 Roads and is currently undeveloped, but located in an area surrounded by

236 existing and ongoing new development including a new townhouse community
237 immediately to the east that is also being developed by the applicant.

238
239 The site was re-zoned RTHC in 2005 to allow for a 66-unit townhouse
240 community, which was never constructed, although a plan of development was
241 approved. Surrounding properties are zoned RTHC, O-2C and B-3 and B-2. The
242 business uses include Merchants Walk shopping center and a Dominion Energy
243 facility here.

244
245 The applicant, with the revised proffers and concept plan distributed to you this
246 evening, now proposes to construct a maximum of 160 units—versus the 180
247 that were in the earlier agenda—consisting of 136 two-over-two condominium
248 units and 24 townhouses. This results in an equivalent density of 10.5 units per
249 acre, which is higher than that recommended with the 2026 Plan designation of
250 Urban Residential, but generally in line with the nine units per acre permitted in
251 the RTH District. The new proffers combine the three sets that were included in
252 your staff report, meaning that black lines weren't provided. However, the
253 proffers as a whole are largely the same and incorporate all elements of those
254 three sets previously with some minor changes being grammatical purposes and
255 the removal of a proffered fence along the eastern property line where a fence
256 will already be provided as part of the adjacent development.

257
258 The revised plan shows that the townhouse units would abut proposed
259 townhouses to the east, while the taller four-story condominiums would be
260 located closer to the adjacent business-zoned property. Overall, the layout
261 should provide for an appropriate transition from the residential uses to the east
262 and south towards the more intense uses along the West Broad Street corridor.

263
264 In addition to the concept plan, the applicant has proffered several building
265 elevations showing the proposed condos and townhouses. The applicant has
266 also provided a number of other proffers consistent with townhouse and
267 condominium developments elsewhere in the county.

268
269 A community meeting was held by the applicant on July 10th, although no nearby
270 residents or other concerned citizens attended. Overall, staff believes this
271 request would allow for an appropriate level of development on the subject site.
272 While not fully consistent with the recommendations of the Comprehensive Plan
273 with regards to overall residential density, the increase may benefit surrounding
274 commercial areas that are within walking distance of the subject property.

275
276 Staff notes that the issues regarding potential student generation noted in the
277 staff report continue to give some level of concern. However, it should be noted
278 that the already approved townhouses on the property would lead to similar
279 elementary school capacity issues and that as part of the most recent bond
280 referendum, a new elementary school is planned in the area to help address
281 capacity issues at Johnson and other nearby elementary schools.

282

283 For these reasons, staff believes this request could be a reasonable use of the
284 subject property and would not negatively impact adjacent properties. Therefore,
285 staff recommends approval of this request, and notes that time limits would need
286 to be waived on the new proffers.

287

288 This concludes my presentation. I will be happy to answer any questions.

289

290 Mr. Leabough - Are there any questions from the Commission for
291 Mr. Sehl? There are no questions. All right, Mr. Witte.

292

293 Mr. Witte - I'd like to have the applicant come down, please, just
294 for a quick question.

295

296 Mr. Wilton - Yes sir. For the record, my name is Henry Wilton, and
297 I represent Wilton Acquisitions.

298

299 Mr. Witte - Thank you, sir. My question regards square footages.
300 Do you happen to know the square footage of the townhomes?

301

302 Mr. Wilton - The square footages of the two-story townhomes that
303 are being built right now are approximately 2,300 square feet. Our minimum,
304 obviously, is lower than that, and it was with the other case. We proffered the
305 same under that. The four-story units have a minimum, I think, of 1,400. But they
306 go from 1,507 to 2,500 square feet. So again, only minimum suggested, but what
307 we're building there is 1,500 square feet all the way up to 2,500 square feet. The
308 minimums are there in case the market changes. Before, we didn't even have
309 this two-of-two four-story unit that actually looks like one unit altogether.

310

311 Again, as times change, we want to be flexible. But as you can see, we're
312 building 1,800, 2,300, and 2,500 square-footers.

313

314 Mr. Witte - That answers the question I've been asked. The other
315 question is what's the largest unit in the two-over-twos?

316

317 Mr. Wilton - It's 2,500 plus.

318

319 Mr. Witte - 2,500 plus.

320

321 Mr. Wilton - Plus, yes sir.

322

323 Mr. Witte - Okay.

324

325 Mr. Wilton - They have models open over at Broad Street, if you
326 want to go through them. They look extremely nice.

327

328 Mr. Witte - I was just asked that question earlier today. I didn't
329 have a solid answer, but I do now. Thank you. I have no further questions.

330
331 Mr. Wilton - Thank you, sir.

332
333 Mr. Leabough - Are there any other questions from the Commission?
334 All right, thank you, sir.

335
336 Mr. Witte - All right, Mr. Chairman, this development, in addition
337 to being a great location for where it is, I am certain it will increase the economic
338 activity in the shopping center, which has slowed over the years. The sidewalks
339 between the existing townhomes that they've put in with their sidewalks and this
340 sidewalk will certainly make it much safer for people walking to the shopping
341 center. So I think that's good on top of good.

342
343 With that, Mr. Chairman, I move we waive the time limits on this case.

344
345 Mrs. Marshall - Second.

346
347 Mr. Leabough - We have a motion by Mr. Witte, a second by
348 Mrs. Marshall. All in favor, say aye. Those opposed, say no. Hearing no
349 opposition, that motion passes.

350
351 Mr. Witte - With that, Mr. Chairman, I move that case REZ2017-
352 00019, Wilton Acquisition, LLC, move to the Board of Supervisors as on the
353 agenda and presented with a recommendation of approval.

354
355 Mr. Baka - Second.

356
357 Mr. Leabough - We have a motion by Mr. Witte, a second by
358 Mr. Baka. All in favor, say aye. Those opposed, say no. Hearing no opposition,
359 that motion passes.

360
361 **REASON -** Acting on a motion by Mr. Witte, seconded by Mr.
362 Baka, the Planning Commission voted 5-0 (one abstention) to recommend the
363 Board of Supervisors **grant** the request because it would provide for appropriate
364 development and would not be expected to adversely affect the pattern of zoning
365 and land use in the area.

366
367 Mr. Emerson - Mr. Chairman, we move on to the top of page 5 with
368 PUP2017-00016, Dignus Holdings LLC. The staff report will be presented by Mr.
369 Ben Sehl.

370
371 **PUP2017-00016 Dignus Holdings LLC:** Request for a Provisional
372 Use Permit under Section 24-58.2(a), 24-120, and 24-122.1 of the County Code
373 to allow 24-hour operation of a fitness facility on part of Parcel 811-723-6565

374 located on the south line of Nine Mile Road (State Route 33) approximately 900'
375 southeast of its intersection with S. Laburnum Avenue. The existing zoning is M-
376 1C Light Industrial District (Conditional) and B-3C Business District (Conditional).
377 The 2026 Comprehensive Plan recommends Commercial Arterial. The site is in
378 the Enterprise Zone.

379

380 Mr. Leabough - Is there anyone in the audience in opposition to
381 PUP2017-00016, Dignus Holdings LLC? I see no opposition. Good evening
382 again, Mr. Sehl.

383

384 Mr. Sehl - Thank you again, Mr. Chairman.

385

386 This request is for a provisional use permit to allow a 24-hour operation of a
387 fitness facility located in the new redeveloped shopping center on the south line
388 of Nine Mile Road. The facility is in the interior corner of several in-line retail
389 tenants, just west of the recently opened Walmart Supercenter, which is at this
390 location.

391

392 The property is located in an area of Nine Mile Road that contains a variety of
393 zoning districts, including B-2, B-3, and M-1. The subject site is zoned M-1C,
394 which normally permits 24-hour operation. However, proffers accepted with C-
395 69C-04 limit hours to those permitted in the B-2 District, meaning a PUP is
396 required to operate between 12 midnight and 6 a.m.

397

398 The B-3 and M-1 zoning districts in the area also allow 24 hours, although most
399 of the businesses within the vicinity limit their hours by choice or by proffers. The
400 remainder of Eastgate Town Center is zoned B-3C, but with the exception of
401 Walmart, all other businesses would also be required to obtain a PUP prior to
402 extended hours of operation.

403

404 While concerns have been raised in the past regarding 24-hour operation of retail
405 uses, the membership nature of the fitness facility should minimize the public
406 safety concerns expressed regarding those applications. Additionally, the subject
407 property is located on property zoned M-1C and designated Commercial Arterial
408 on the 2026 Plan, meaning extended operating hours could be more appropriate.
409 Finally, based on the conditions proposed within the staff report and existing
410 security measures in place for the facility, public safety should be ensured.

411

412 Staff does note that uniformed security for the overall shopping center continues
413 to be discussed with the developer of Eastgate Town Center. However, the
414 applicant for this request has minimal control over that aspect of site security,
415 and the limited impacts of the fitness facility should not negatively affect adjacent
416 properties. For these reasons, staff supports this request subject to conditions 1-
417 7 as noted in the staff report.

418

419 That does conclude my presentation. I'd be happy to try to answer any questions
420 you might have.

421

422 Mr. Leabough - Are there any questions from the Commission for
423 Mr. Sehl?

424

425 Mr. Archer - Mr. Sehl, can you give us any indication as to what
426 state of readiness we are with regard to the security?

427

428 Mr. Sehl - Not specifically, Mr. Archer. I know Mr. Rector is in
429 the audience this evening and might be able to speak to that somewhat.
430 Mr. Moffett from the police might also be able to speak directly to that. I know
431 discussions are ongoing. It was part of the discussions when the original
432 rezoning took place. But as you and I have discussed, although Walmart did not
433 open at this time, they're allowed to, but they did not initiate as a 24-hour
434 operation.

435

436 Mr. Archer - Okay. That's all I had.

437

438 Mr. Leabough - Are there any other questions? Would you like to hear
439 from the applicant?

440

441 Mr. Archer - I'd like to hear from Mr. Rector, if I may. Good
442 evening, Mr. Rector.

443

444 Mr. Rector Good evening, Mr. Archer.

445

446 Mr. Archer - How are you, sir?

447

448 Mr. Rector I'm well. How about yourself?

449

450 Mr. Archer - Pretty good.

451

452 Mr. Rector For the record, I'm Josh Rector, representing
453 Eastgate Town Center.

454

455 Mr. Archer - Mr. Rector, I'm just trying to get some indication. The
456 staff report does indicate that there is discussion going on about this is.

457

458 Mr. Rector There is.

459

460 Mr. Archer - Can you bring us any closer to where we are?

461

462 Mr. Rector Sure. And I presume you're specifically referring to
463 security as a specific concern?

464

465 Mr. Archer - Yes.
466
467 Mr. Rector Yes. We've actually got a contract in place with a
468 security guard firm. We're actually just trying to work on coordination with
469 Walmart. Since the plan, meaning Walmart's property and our property were all
470 approved together under one application, we're trying not to overlap the security
471 forces. We're trying to make sure that they work hand in hand, basically, that we
472 don't have two security guards and we're not sort of wasting money.
473
474 So we have an agreement in place with Walmart that both properties will be
475 covered when a security guard is on site. We're just working on the coordination
476 aspects of it. I would expect that security guards will be present out there within
477 the next couple of weeks.
478
479 Mr. Archer - Okay we do know that Walmart is right now opening
480 until 12.
481
482 Mr. Rector That's correct.
483
484 Mr. Archer - Do you know if there are any specific plans for them
485 to stay open later and when that might occur?
486
487 Mr. Rector I have not been I informed of any such plans. I've
488 been told by individuals at Walmart that some day that might be something they'll
489 look into doing. But at the moment, they think that these are the best hours of
490 operation.
491
492 Mr. Archer - Okay. Anybody else have questions?
493
494 Rev. Nelson - I have a question. This is more about the Walmart
495 and security and policing. I was with an officer maybe about two weeks ago.
496 They told me there have been some security challenges, some calls, and it
497 seemed like quite a few. What are we doing to try to level that out? I know you're
498 not the Walmart general manager.
499
500 Mr. Rector I can't speak for Walmart, to be clear. I would
501 presume that was probably Officer Lewis, who's been out there and who's
502 absolutely fantastic to work with. I've been please with the police department
503 from the beginning, so I just wanted to say that.
504
505 I know that they had several issues when they were first opening up and they
506 were first stocking their store. They even had some employee theft issues. I
507 know Walmart is very professional in terms of taking care of that. I know the
508 camera network they put in place is bar none. I know the camera network we put
509 in I think is also bar none. I know the fact that we provided direct access for the
510 police department to that camera network ought to help eliminate a lot of the

511 steps in terms of tracking down and trying to at least eliminate the problems after
512 the fact.

513

514 In terms of preventing if, I don't know what else we can do other than security
515 guards and making a solid presence out there. I do think that for the number of
516 people out there and for being something new, the number of incidents really
517 have been pretty minor. All crimes are significant, but in terms of the activities out
518 there, they've been relatively insignificant compared to other developments of
519 this size.

520

521 Mr. Leabough - Are there other questions? Thank you, sir.

522

523 Mr. Rector Thank you everyone.

524

525 Mr. Leabough - Mr. Archer?

526

527 Mr. Archer - Mr. Chairman, I'd like for the applicant to come down
528 for just a moment, please.

529

530 Mr. Tozar - How's it going?

531

532 Mr. Archer - Good evening, sir.

533

534 Mr. Tozar - For the record, Elijah Tozar. I'm the project
535 coordinator with Planet Fitness.

536

537 Mr. Archer - Sir, the main reason I had you come down was
538 because I wanted to see if anybody else had any questions for you.

539

540 Mr. Leabough - Can you repeat your last name? I didn't catch it.

541

542 Mr. Tozar - Tozar (T-o-z-a-r).

543

544 Mr. Leabough - Thank you, sir. So are there any questions?
545 Mr. Archer, did you a particular question?

546

547 Mr. Archer - No, nothing in particular. I visited the place the other
548 day, and I was thoroughly impressed with it.

549

550 Mr. Tozar - Thank you.

551

552 Mr. Archer - I note that there are other Planet Fitness facilities
553 around. I passed by one today over in Chesterfield County. I think it will be a nice
554 addition to the Fairfield District and surrounding districts. Of course you aware
555 that there is a stipulation in here that if the police department determines that

556 incidents have gotten beyond where they should be that the Board could
557 adversely affect this, if I might put it that way.

558

559 Mr. Tozar - Certainly.

560

561 Mr. Archer - I want to make sure everybody else is aware of that.

562

563 Mr. Tozar - Certainly.

564

565 Mr. Archer - Okay? But I was impressed with your operation.

566

567 Mr. Tozar - Well thank you. We do a lot of internal security
568 measures with cameras, as well as what Josh told us in terms of externally with
569 the police department. We try to do tape backup. I think Planet Fitness in terms
570 of check-in and procedures with members and checking in members. Everybody
571 has photo identification that works out in the club. It's a requirement. And also we
572 do checking accounts, which we think the actual process of signing up with
573 checking accounts helps us.

574

575 I've gone to many Planet Fitness facilities throughout the country; the vast
576 majority are 24/7. So we certainly hope this will be approved, and I think we're
577 certainly able to do our best to keep the place safe.

578

579 Mr. Archer - In terms of having anything valuable, particularly in
580 terms of cash, you wouldn't have very much on hand?

581

582 Mr. Tozar - Certainly.

583

584 Mr. Archer - So I would have to walk out of there with a treadmill or
585 something.

586

587 Mr. Tozar - Right. The treadmill is probably going to be the most
588 expensive thing in there, and that's hard to carry out. We start our drawers at 50
589 dollars. We also do bank drops into a safe and then deposit weekly. So we do
590 keep a small amount of cash. We also have very little cash sales. Most of it is
591 through the auto draft process through your bank account. Credit card sales and
592 cash sales are generally drinks and smaller items.

593

594 Mr. Archer - Okay. Anybody else have any questions? All right, I'm
595 good.

596

597 Mr. Tozar - Thank you.

598

599 Mr. Archer - Thank you.

600

601 Mr. Leabough - Mr. Archer, how would you like to proceed, sir?

602
603 Mr. Archer - Mr. Chairman, I would like to move that PUP2017-
604 00016, Dignus Holdings LLC, be passed to the Board with a recommendation of
605 approval.

606
607 Mrs. Marshall - Second.

608
609 Mr. Leabough - We have a motion by Mr. Archer, a second by
610 Mrs. Marshall. All in favor, say aye. Those opposed, say no. Hearing no
611 opposition, that motion passes.

612
613 **REASON -** Acting on a motion by Mr. Archer seconded by Mrs.
614 Marshall, the Planning Commission voted 5-0 (one abstention) to recommend the
615 Board of Supervisors **grant** the request because it would provide added services
616 to the community and when properly regulated by the recommended conditions,
617 it would not be detrimental to the public health, safety, welfare and values in the
618 area.

619
620 Mr. Emerson - Mr. Chairman, we now move on to the next item,
621 which is SIA2017-00002, Staples Mill Fire Station #20. The staff report will be
622 presented by Ms. Rosemary Deemer.

623
624 **SIA2017-00002 Staples Mill Fire Station #20:** The Department of
625 Planning has received a request from the Division of Fire to initiate a
626 Substantially In Accord study of a proposed fire station located at 7500 Staples
627 Mill Road. The proposed fire station site consists of Parcel 772-749-6261,
628 located along the west line of Staples Mill Road approximately 285 feet south of
629 the intersection with Bremner Boulevard. The property is 9.573 acres and is
630 zoned R-5C General Residence District (Conditional) and O-2C Office District
631 (Conditional). The 2026 Comprehensive Plan recommends Office and
632 Commercial Concentration.

633
634 Mr. Leabough - Is there anyone here in opposition to SIA2017-00002,
635 Staples Mill Fire Station #20? Ms. Deemer, good evening.

636
637 Ms. Deemer - Good evening, Mr. Chairman, members of the
638 Commission.

639
640 At the request of Henrico County Division of Fire, the Planning Department
641 conducted a Substantially In Accord Study to determine if a proposed site for a
642 fire station, located on the west line of Staples Mill Road is substantially in
643 conformance with the county's adopted Comprehensive Plan. The proposed site
644 consists of a single, divided tax parcel located approximately 285 feet south of
645 the intersection with Bremner Boulevard in the Brookland Magisterial District. It is
646 directly across the street from the Staples Mill Amtrak station.

647

648 The development pattern in the area is a mix of low-density, single-family homes
649 to the northwest and slightly more-dense townhouse development to the west.
650 Directly to the north and south are retail spaces, while to the east are several
651 vacant commercial properties which have been cleared of previous structures to
652 accommodate parking at the Amtrak station.

653

654 The property is zoned O-2C Office District (Conditional) and R-5C General
655 Residence District (Conditional). Property in and around the area is zoned a mix
656 of R-4 One Family Residence District, RTHC Residential Townhouse District
657 (Conditional), and B-2 and B-3 Business District.

658

659 The 2026 Comprehensive Plan designates the subject property for a combination
660 of Office and Commercial Concentration, similar to most of the properties to the
661 north, east, and south. The Amtrak parcel directly east of the site is designated
662 Government, as is the park-and-ride location to the southwest. The area to the
663 west is designated Urban Residential, reflecting the townhome development of
664 Glenside Woods. The remaining area to the north is designated Suburban
665 Residential 2. The provision of public facility improvements is generally
666 compatible and appropriate with these land use recommendations.

667

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

674

675 I'd be happy to answer any of your questions.

676

677 Mr. Leabough - Are there any questions from the Commission for
678 Ms. Deemer?

679

680 Mr. Baka - I have one question. I realize this is an SIA, so we're
681 in accord with the plan. When you get to the development stage of a fire station
682 next to the residential areas . . . I guess maybe this is a POD question. What type
683 of buffer or setbacks are required on those western and northern property lines?

684

685 Ms. Deemer - Excuse me while I flip through my notes. There is a
686 rezoning case that rezoned it to O-2C and R-5C. The applicable proffers would
687 include a minimum front yard setback of 50 feet a 35-foot landscaped greenbelt
688 along the ultimate right of way of Staples Mill Road to be planted to the standards
689 of a 35-foot transitional buffer and a 10-foot transitional buffer between the O-2
690 portion of the property and the adjacent single-family subdivision to north and
691 southwest, as well as along the RTHC development to the west.

692

693 Mr. Baka - Okay.

694
695 Mr. Emerson - Mr. Baka, I might also add this site has a large
696 amount of wetlands surrounding the developable portion of the property. Those
697 will remain undisturbed. So this actually would have more buffer than you might
698 normally find.

699
700 Mr. Baka - Okay. Thank you.

701
702 Mr. Leabough - Are there any other questions from the Commission?
703 Thank you, Ms. Deemer.

704
705 Mr. Witte - Well, Mr. Chairman, I recommend approval of
706 resolution of substantially in accord with the Comprehensive Plan for SIA2017-
707 00002, Staples Mill Fire Station #20.

708
709 Mrs. Marshall - Second.

710
711 Mr. Leabough - We have a motion by Mr. Witte, a second by
712 Mrs. Marshall. All in favor, say aye. Those opposed, say no. Hearing no
713 opposition, that motion passes.

714
715 Mr. Emerson - Mr. Chairman, we now move on to the next item on
716 your agenda, which is SIA2017-00003, Mental Health and Developmental
717 Services East Clinic. The staff report will be presented by Ms. Erin Puckett.

718
719 **SIA2017-00003 Mental Health and Developmental Services East**
720 **Clinic:** The Department of Planning has received a request from General
721 Services to initiate a Substantially In Accord study of a proposed mental health
722 facility to be located at 3908 Nine Mile Road. The proposed site consists of
723 Parcel 807-722-5968, located along the north line of Nine Mile Road
724 approximately 240 feet east of its intersection with Dabbs House Road. The
725 property is 4.04 acres and is zoned A-1 Agricultural District. The 2026
726 Comprehensive Plan recommends Office/Service (O/S).

727
728 Mr. Leabough - Is there anyone present in the audience in opposition
729 to SIA2017-00003, Mental Health and Developmental Services East Clinic?
730 There is no opposition. Good evening, Ms. Puckett.

731
732 Ms. Puckett - Good evening. Thank you Mr. Chairman, and
733 members of the Commission.

734
735 At the request of Henrico County General Services, the Planning Department
736 conducted a Substantially In Accord Study to determine whether a proposed
737 clinic for Mental Health and Developmental Services on the north line of Nine
738 Mile Road, east of its intersection with Dabbs House Road, is substantially in
739 conformance with the 2026 Comprehensive Plan.

740

741 The site is located in the Varina Magisterial District and includes one parcel of
742 approximately 4.04 acres. Surrounding uses include Carter Woods apartments to
743 the north, the apartment access drive and single-family acreage parcels to the
744 east, the Masonic Home of Virginia to the south and the county-owned Hilliard
745 House shelter to the west. The Henrico County Eastern Government Center is
746 also located to the west, across Dabbs House Road. The subject property also
747 surrounds a smaller parcel on three sides.

748

749 The property is zoned A-1, which would allow county facilities as a principal use.
750 Surrounding zoning is primarily agricultural and residential in nature.

751

752 The 2026 Comprehensive Plan recommends Office/Service uses for the subject
753 property. While not entirely consistent with this designation, a clinic and/or office
754 would be similar in nature to uses supported by this designation. The site is also
755 adjacent to county-owned properties to the west which are designated
756 Government on the Future Land Use Map. Other surrounding future land uses
757 include multi-family residential to the north and east, office/service to the east,
758 and semi-public to the south. A public facility would also be generally compatible
759 with these land use recommendations.

760

761 Planning staff recognize the importance of providing necessary public facilities
762 and services to serve a growing population. The site in question provides
763 adequate area and minimal constraints for the proposed clinic use and presents
764 no apparent conflict with the intent of the Comprehensive Plan. Staff therefore
765 concludes the proposed use of the site is "substantially in accord" with the goals,
766 objective and policies of the Plan.

767

768 This concludes my presentation. I will be happy to take any questions.

769

770 Mr. Leabough - Are there any questions from the Commission for
771 Ms. Puckett? There are no questions. Okay. Just for the record, fellow
772 commissioners and Mr. Chairman [sic], I play on abstaining from voting on this
773 case. I work for a state agency that has a performance contract with the
774 Community Services Board and has administrative oversight. So I will not vote on
775 this.

776

777 Mr. Archer - Mr. Chairman, are there any other questions from the
778 Commission or anyone else?

779

780 Mr. Leabough - I don't think so.

781

782 Mr. Archer - All right. There being no objection, then as pertains to
783 Resolution PCR 517, SIA2017-00003, Mental Health and Developmental
784 Services East Clinic, I move that it be sent to the Board with a recommendation
785 of approval.

786

787 Mr. Baka - Second.

788

789 Mr. Leabough - We have a motion by Mr. Archer, a second by
790 Mr. Baka. All in favor, say aye. Those opposed, say no. I abstain from voting on
791 this case, for the record. Hearing no opposition, that motion passes.

792

793 Vote:

794

795 Archer Yes

796 Baka Yes

797 Leabough Abstain

798 Marshall Yes

799 Witte Yes

800

801 Mr. Emerson - Mr. Chairman, next on your agenda, which we did
802 review and discuss during your work session, is your 2018 Planning Commission
803 meeting dates. If the Commission is comfortable with this calendar, a motion
804 confirming that this is your schedule for the 2018 year would be appropriate.

805

806 Mr. Witte - So moved.

807

808 Mr. Leabough - We have a motion by Mr. Witte. I second. So we have
809 a motion by Mr. Witte, a second by Mr. Leabough. All in favor, say aye. Those
810 opposed, say no. There is no opposition; that motion passes.

811

812 Mr. Emerson - Mr. Chairman, the next item on your agenda will be
813 the consideration of the approval of your minutes from the Commission meeting
814 on July 13th. We have no errata sheet, but of course we'll entertain any
815 corrections or changes that the Commission wishes us to make.

816

817 Mr. Leabough - Are there any changes? If not, a motion is in order.

818

819 Mr. Witte - So moved.

820

821 Mrs. Marshall - Second.

822

823 Mr. Leabough - We have a motion by Mr. Witte, a second by
824 Mrs. Marshall. All in favor say aye. Those opposed, say no. That motion passes.

825

826 Is there any other business, Mr. Emerson, to come before the Commission
827 today?

828

829 Mr. Emerson - Mr. Chairman. I have nothing more for the
830 Commission this evening.

831


832 Mr. Leabough - All right. Anything else from Commission members?
833 There being none, I'll entertain a motion to adjourn.

834
835 Mr. Archer - There being no further business, I move for
836 adjournment.

837
838 Mr. Witte - Second.

839
840 Mr. Leabough - We have a motion by Mr. Archer, a second by
841 Mr. Witte. All in favor say aye. We are adjourned.

842
843 Mr. Witte - Thank you, staff.

844
845
846 
847 _____
848 Mr. Eric S. Leabough, C.P.C., Chairman

849
850 
851 _____
852 Mr. R. Joseph Emerson, Secretary
853
854