

1 **Minutes of the regular monthly meeting of the Planning Commission of Henrico**  
2 **County held in the County Administration Building in the Government Center at**  
3 **Parham and Hungary Spring Roads, beginning at 6:00 p.m., Thursday, December**  
4 **12, 2024. Display Notice having been published in the Richmond *Times-Dispatch***  
5 **on November 21, 2024, and November 29, 2024.**

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7 **Members Present:** Mr. William M. Mackey, Jr., Chairperson (Varina)  
8 Mr. Robert . Witte, Jr., Vice Chair (Brookland)  
9 Mr. Bob Shippee, (Three Chopt)  
10 Mr. Jaron N. Dandridge (Fairfield)  
11 Mr. Brian Winterhoff, (Tuckahoe)  
12 Mr. R. Joseph Emerson, Jr., AICP, Director of Planning  
13 Secretary  
14 Mr. Tyrone E. Nelson (Varina)  
15 Board of Supervisors Representative  
16

17 **Also Present:** Ms. Jean Moore, Assistant Director  
18 Mr. Ben Sehl, Senior Principal Planner  
19 Mr. Ben Blankinship, AICP, Senior Principal Planner  
20 Mr. Kellogg, Water Quality Research Analyst  
21 Mr. Livingston Lewis, County Planner  
22 Ms. Molly Mallow, County Planner  
23 Ms. Kelly Drash, County Planner  
24 Ms. Neha Shinde, AICP, County Planner  
25 Mr. Lamont Johnson, Traffic Engineer  
26

27 **Mr. Tyrone E. Nelson, the Board of Supervisors' representative, abstains from all**  
28 **cases unless otherwise noted.**  
29

30 **Mr. Mackey -** Good evening. I'd like to welcome you to our Planning  
31 Commission meeting for December 12, 2024. I would like to ask you, if you haven't  
32 already done so if you wouldn't mind to either turn off or silence your cell phones so it's  
33 not a disruption during the meeting. Everyone who's able to stand, would you please  
34 stand with us for the Pledge of Allegiance.  
35

36 [Recitation of the Pledge of Allegiance]  
37

38 **Mr. Mackey -** Thank you. Do we have anyone from the news media in the  
39 audience or via WebEx? I don't think we do. I'd like to take this time to welcome  
40 Supervisor Nelson. He's sitting with the Commission. He sits on the Board and sitting with  
41 the Commission this year serving as a representative from the Board of Supervisors. We  
42 definitely have a quorum so we can handle all our business. At this time, I will turn the  
43 meeting over to our Secretary, Mr. Joe Emerson.  
44

45 **Mr. Emerson -** Thank you, Mr. Chairman. I'll join with you in welcoming  
46 everybody here this evening for the Commission's December 12, 2024, meeting. Our last

meeting of the year. This evening it is requested that all public comments be provided from the lectern to the rear of the room. For everyone who's watching the live stream on the county website, you can participate remotely in the public hearings by following these guidelines. Go to the Planning Department's meeting webpage at [henrico.gov/planning/meetings](http://henrico.gov/planning/meetings). Scroll down under Planning Commission and click on WebEx event. Once you have joined the WebEx event, please click on the chat button in the bottom right corner of your screen. Staff will send a message asking if anyone would like to sign up to speak on an upcoming case. To respond, select Kelly Drash from the drop-down menu and send her a message. She will place you in the queue to speak. The Commission does have guidelines for its public hearings, and they are as follows. The applicant is allowed 10 minutes to present the request, and time may be reserved for responses to testimony. The opposition is allowed a cumulative 10 minutes to present its concerns meaning that everyone who wishes to speak must be included in the overall 10-minute allowance. Commission questions do not count into the time limits. The Commission may waive the time limits at its discretion. Comments must be directly related to the case under consideration. The Commission maintains verbatim minutes of the meeting. Commentors must provide their name and address prior to speaking for the record. Again, thank you for your participation and interest this evening. Mr. Chairman, with that said, the first item on our agenda this evening are requests for withdrawals and deferrals, and you have none of those. The next item are requests for expedited items and there are two of those. They will be presented by Mr. Ben Sehl.

Mr. Mackey - Thank you.

Mr. Sehl - Thank you, Mr. Chairman, members of the Commission. As Mr. Emerson noted, there are two items on the Commission's expedited agenda this evening. The first is in the Tuckahoe District on Page 1 of your agenda. This is PUP-2024-102262, John Giavos.

**PUP-2024-102262 Johannas Design Group for John Giavos:** Request for a Provisional Use Permit under Sections 24-2306 and 24-4423 of Chapter 24 of the County Code to allow outdoor seating on Parcel 761-731-7854 located at the southeast intersection of Huguenot Road (State Route 147) and Kanawha Drive. The existing zoning is B-1 Business District. The 2026 Comprehensive Plan recommends Environmental Protection Area.

The applicant is in agreement with the conditions provided in the Commission's staff report and staff is unaware of any opposition to this request and therefore recommends approval. I'm happy to try and answer any questions you might have.

Mr. Mackey - Sorry, Mr. Sehl. Thank you. Is there anyone in the audience or via WebEx in opposition to this item being approved on the expedited agenda?

Ms. Drash - Mr. Chairman, there is no one on WebEx for this case.

Mr. Winterhoff - At this time, I move that we recommend approval for PUP-2024-102262, John Giavos, with the conditions listed in the staff report.

Mr. Shippee - Second.

Mr. Mackey - We have a motion by Mr. Winterhoff, a second by Mr. Shippee. All in favor, say aye.

Commission - Aye.

Mr. Mackey - Any opposed? Motion is granted.

**REASON:** Acting on a motion by Mr. Winterhoff, seconded by Mr. Shippee, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because properly developed and regulated by the recommended special conditions, it would not be detrimental to the public health, safety, welfare and values in the area.

Mr. Sehl - Next, moving to the Three Chopt District, on Page 2 of your agenda is POD-2024-102345. This is Townes Site Engineering for ME Taylor, LLC and Markel/Eagle Advisors, LLC:

**POD-2024-102345 Townes Site Engineering for ME Taylor, LLC and Markel/Eagle Advisors, LLC:** Request for approval of a Chesapeake Bay Resource Area Exception as required by Chapter 24, Section 5805.A of the Henrico County Code to convert an existing farm pond into a permanent stormwater management basin meeting standards for a level 2 wet pond BMP facility. The 3.95-acre portion of the 44.206-acre site is located north of Bacova Drive, approximately 2200 feet west of its intersection with N. Gayton Road, on part of parcel 732-768-9107, within the seaward 50-feet of the required 100-foot-wide Resource Protection Area, a component of a Chesapeake Bay Preservation Area, adjacent to a perennial stream that drains to Little Tuckahoe Creek in the James River watershed. The zoning is UMUC – Urban Mixed Use District (Conditional). County water and sewer.

There are conditions in the staff report provided to the Commission and I'd be happy to try and answer any questions you might have at this time.

Mr. Mackey - Thank you, sir. Is there anyone in attendance or via WebEx that's in opposition of this case?

Ms. Drash - Mr. Chairman, there is no one on WebEx for this case.

Mr. Shippee - Mr. Chairman, I appreciate the time spent on this. It's an excellent one. I move that case POD-2024-102345, ME Taylor, LLC and Markel/Eagle Advisors, LLC, Chesapeake Bay Resource Area Exception be approved on the expedited agenda subject to the annotations on the plans and conditions 1-2 in the staff report.



138  
139 Mr. Witte - Second.

140  
141 Mr. Mackey - We have a motion by Mr. Shippee, a second by Mr. Witte. All  
142 in favor, say aye.

143  
144 Commission - Aye.

145  
146 Mr. Mackey - Any opposed? Motion is carried.

147  
148 The Planning Commission approved the Chesapeake Bay Resource Protection Area  
149 exception request, subject to the annotations on the plans, and the following additional  
150 conditions:

- 151  
152 1. The applicant is required to file a Plan of Development/Site Plan in accordance  
153 with Chapter 24 of the Henrico County Zoning Ordinance prior to any construction  
154 plan approval.  
155  
156 2. Minor revisions may be made to the Plan of Development/Site Plan that require  
157 additional reforestation measures within the project's RPA.

158  
159 Mr. Emerson - Mr. Chairman, that completes the requests for expedited  
160 items this evening, and we now move to your first cases which are companion cases.  
161 They appear on Page 1. REZ-2024-100833, Andrew M. Condlin for Godsey Properties,  
162 Inc.

163  
164 **REZ-2024-100833 Andrew M. Condlin for Godsey Properties, Inc:** Request to  
165 conditionally rezone 14.77 acres from B-2C Business District (Conditional) and RTHC  
166 Residential Townhouse District (Conditional) to R-6C General Residence District  
167 (Conditional) Parcels 834-713-8189, 834-714-5632, 834-714-7258, and 834-714-9609  
168 located at the northwest intersection of Dry Bridge Road and E. Williamsburg Road (U.S.  
169 Route 60). The applicant proposes multifamily residential and commercial uses as part of  
170 a master-planned development. The R-6 District allows for multifamily dwellings at a  
171 density of 19.8 units per acre unless modified by a Provisional Use Permit (PUP). PUP-  
172 2024-101660 has been submitted to allow commercial uses and zoning modifications on  
173 a portion of the property. The uses will be controlled by zoning ordinance regulations and  
174 proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is  
175 located in the Airport Safety Overlay District.

176  
177 **PUP-2024-101660 Andrew M. Condlin for Godsey Properties, Inc:** Request for a  
178 Provisional Use Permit under Sections 24-4205 and 24-4315.C of Chapter 24 of the  
179 County Code to allow commercial uses and zoning modifications as part of a master-  
180 planned development on Parcel 834-713-8189 and Parts of 834-714-5632, -7258, and -  
181 9609 located at the northwest intersection of Dry Bridge Road and E. Williamsburg Road  
182 (U.S. Route 60). The existing zoning is B-2C Business District (Conditional) and RTHC  
183 Residential Townhouse District (Conditional). R-6C General Residence District

184 (Conditional) zoning is proposed with REZ-2024-100833. The 2026 Comprehensive Plan  
185 recommends Office. The site is located in the Airport Safety Overlay District.  
186

187 The staff report will be presented by Mr. Livingston Lewis. When the Commission takes  
188 action on these, you will need two separate actions on these items.  
189

190 Mr. Mackey - Thank you, sir. Is there anyone in the audience or via WebEx  
191 who would like to speak to these cases either in opposition or for it?  
192

193 Unknown speaker - Yes.  
194

195 Ms. Drash - Mr. Chairman, there is no one on WebEx for this case.  
196

197 Mr. Mackey - Thank you. You can proceed Mr. Lewis.  
198

199 Mr. Lewis - Thank you, Mr. Chairman, members of the Commission. This  
200 is an application to rezone 14.77 acres from RTHC and B-2C to R-6C to allow construction  
201 of retail uses and two age-restricted apartment buildings between Dry Bridge Road, E.  
202 Williamsburg Road, Whiteside Road, and Old Williamsburg Road. The applicant has also  
203 submitted a companion Provisional Use Permit request which would apply to a portion of  
204 the site. The PUP and rezoning applications are being presented together but would need  
205 separate motions for Commission actions this evening. Surrounding uses and zoning  
206 include a mix of Industrial, Commercial, and A-1 Single-Family Residential. The 2026  
207 Comprehensive Plan's future land use designation for the property is Office. As the  
208 western phase of Drybridge Commons rezoning approved in 2020, the subject site, now  
209 named Landmark West, was to include 41 townhomes, similar to these two-story  
210 examples proffered in that case. The appearance of those townhomes could be altered  
211 for design changes from the proffered exhibits, but only if approved by the Director of  
212 Planning later in the process during plan of development or subdivision. As illustrated  
213 here on the concept plan from the same 2020 approval, the area south of the 41  
214 townhomes was anticipated to be a series of retail buildings.  
215

216 The same applicant from 2020 has since reconsidered their previous plans and now  
217 proposes constructing two 4-story age-restricted apartment buildings and 30,000 square  
218 feet of retail according to this revised layout. Building 2 on the northern end is labeled as  
219 having 143 units on 7.57 acres. Building 1 is shown as 167 units on 7.2 acres which would  
220 also include the stand-alone retail. In the R-6 zoning district, the higher residential density  
221 of Building 1 and the proposed retail use to be developed with Building 1 would both  
222 require PUP approval. This is the reason for the filing of companion case PUP-2024-  
223 101660. In total, there would be 310 multi-family units, ranging in size from 725 square  
224 feet to 1,375 square feet. Other features shown on the layout include perimeter landscape  
225 buffers ranging from 25 feet wide without a berm to 50 feet wide with a berm, three points  
226 of access, a stormwater pond, outdoor patio gathering areas and event lawns for each  
227 residential building, and 507 parking spaces.  
228

Multi-page Exhibit C illustrates the anticipated exterior appearance of the apartments, with a mixture of materials and colors, roofline variation, and balconies. Exhibit D provides examples of the potential appearance of the commercial building or buildings, which has been limited to being a grocery store or office uses. In addition to the exhibits presented, the applicant has also submitted proffers addressing: maximum density, 55+ age restriction for residents, prohibited uses, buffers & screening, exterior building materials, indoor and outdoor amenities, road improvements, pedestrian and landscaping plans, hours of construction, and other topics. These assurances and mitigation measures are helpful and may reduce some of the anticipated impacts of the applicants' proposed development changes, however they do not address the two most critical issues identified by staff throughout the process and voiced by residents at two community meetings: the overall scale of the proposed multi-family buildings, and the resulting residential density as compared to surrounding development. While the applicant has revised their proffers several times in response to various issues, including additional perimeter screening, there have been no changes to residential building height, scale, density, or design elements such as the location and orientation of windows and balconies as was addressed in 2020. Constructing two 50-foot-tall buildings with exterior facades up to 450' in length and having a density of 26.7 units per acre on the residential portion would be in stark contrast to the previously approved townhome concept with its less imposing visual impact and much lower 6.2 units per acre density. This degree of change would not be compatible with adjacent single-family homes, would not be in keeping with the surrounding residential development pattern, and would set a negative precedent for other undeveloped properties in the area. While staff acknowledge the merits of expanding the variety of residential options and providing flexibility to respond to changing market conditions, these considerations must be carefully balanced with the degree to which a project fits with its surroundings. Without additional revisions addressing the issues of building scale and density, staff cannot support these two companion requests, and we recommend they be denied. This concludes my presentation and I'm happy to answer any questions.

Mr. Mackey - Thank you, Mr. Lewis. Do any of my colleagues have any questions for Mr. Lewis? Thank you, sir, we don't have anything. Let's hear from the applicant first.

Mr. Condlin - Good evening, Mr. Chair, members of the Commission. My name is Andy Condlin here on behalf of Godsey and Son, the applicant. I've with me as well, Dan Caskie. Mr. Lewis, as usual, did a very nice job with respect to describing the properties the outstanding issues of the 14.77 acres. I do think it's important to point out as we're looking at the overall scheme of what's developed in this area. It's not only just this particular 14 acres. It's a large swath of the B-2 and RTH on it, but you can see the Industrial property in the area as well as some of the other RTH and more dense zoning from the R-5A. This particular property in the area tonight that we're referring to as Landmark West is part of the larger 90+ acre development of Landmark which is mixed-use development. You can see Landmark West is at Williamsburg and Dry Bridge Road. As we scan into that this specific area for the 41 townhomes I think it's important to note that when we're talking about density and impact of density we should talk not just about



275 residential but what I'll get into as well is the commercial changes that we've made and  
276 the impacts from the commercial itself. One of the other things that has been discussed  
277 throughout and I'll reference in a second is the fact that this originally was zoning in behind  
278 the Residential had a 15' buffer, behind the commercial, the grocery store and the other  
279 retail and fast food had the 25' buffer to the surrounding neighbors. Mr. Weakley, who  
280 owns that one parcel, that's the outparcel not included with the application, has told me  
281 that I can say he's in support of the project because we have met with him and originally  
282 he wanted to be able to have, as Mr. Lewis had pointed out, the windows and some  
283 façade treatments that were facing him. He, instead this time asked us to put a 50' buffer  
284 and fencing around and a couple of other items that I'll discuss. So, as has been described  
285 and I'll zoom in here a little bit with respect to this particular proposal being for 310  
286 dwelling units but I think significant as well, as significant as well is the fact that we're  
287 reducing the commercial, to get rid of two possible fast food restaurants and other retail  
288 and limiting it to as was requested specifically by the community to say that it would only  
289 be a grocery store or medical office. We've provided for a grocery store or office which  
290 would include the medical office. We've provided for on top is the 50' buffer surrounding  
291 of course on Williamsburg as well. Excuse me, around Mr. Weakley's property would be  
292 the 50' buffer with the berming and then along the others would be a 25' buffer as has  
293 been marked by Mr. Lewis. When we met with the neighbors, and we've had a number  
294 of meetings both a number of formal community meetings as well as a number of  
295 discussions, we've made those revisions regarding the buffers. We've reoriented the  
296 buildings as well slightly to try to take some of the longer sides away from where the one  
297 resident in particular on the very top that you can see. I believe it's a VFW that is on the  
298 front part of that not an actual home but more of an association use. Mr. Lewis has shown  
299 some of the elevations. We think that from a 4-story standpoint we're trying to provide for  
300 a lot of variation in the elevations and the articulation which he's already described but I  
301 would point out as well as with respect to the age restricted, what we're trying to provide  
302 for with this number of units is the quality that is expected. Not only in the buildings  
303 themselves but in the amenities that we're providing. Landmark generally had provided  
304 for a lot of pedestrian and outdoor activities overall given the acreage on both the east  
305 and west side. On this, the west side in addition to the pedestrian we've provided on the  
306 right column we'll have five or more of the following that we have listed on the right  
307 column. Then on the left column we've provided for not only building amenity space of a  
308 2,000 square foot community space and then having a number of rooms and/or catering  
309 kitchens, beauty salons within the buildings themselves and the security system but also  
310 committing as we've done in other cases to make sure that we're also able to use the  
311 Landmark amenities that happen on the east side going across Dry Bridge Road. We're  
312 trying to provide for a robust amenity package which goes toward what we're trying to  
313 provide for as a quality of development. You can see within the development itself that  
314 we've got event lawns, outdoor spaces where we have outdoor grills and we'll have a  
315 potential pickleball courts, etcetera but as well within the facilities have this amenity space  
316 specifically. One of the things that Mr. Weakly had asked for and you can see in that area  
317 that we've provided in the 50' buffer we also have a 6' fence. He asked us to move the  
318 stormwater area away from his property which we did when it was sitting right, it was  
319 generally sitting in the parking lot with a grocery store. He also asked, as we've talked  
320 about relocating his driveway where previously through an easement he was interior, into

the site. We've provided for the driveway to go across Whiteside Road. Mr. Emerson and Mr. Lewis, that is one change I need to make to the proffers is that if this goes forward is that we have that strip to be a natural area. I do need to probably put in the proffers an exception for the driveway that needs to be relocated at that point. With respect to the concerns that were raised, particularly having discussed the project itself, one is the height. On this particular project, of course the back part is RTH which can also be 4 stories even though we're proposing 4 stories. RTH in and of itself has four stories and the proffers don't limit this otherwise, Most of this has been built to two stories and Landmark otherwise we're not sure there's a four-story market but it certainly is available. Certainly from the commercial standpoint under the B-2 we have allowance up to 45' in height. Which is exactly for the four stories we're proposing. The other thing I wanted to point out this is not an unusual situation particularly with age restricted. Just in 2018 was approved by the county over by Three Chopt Road. You can see this particular property. It sits immediately in front of the Wellesley. The Everleigh at Short Pump is again a four-story age-restricted facility that just ironically has a grocery store on the other side of it. We think that there's a precedent and there's other precedence but I'm not going to belabor the point that there's a way to do this. The county has accepted these before from the standpoint of having in this case a 25' buffer. Here's the concept plan from that standpoint. So, when we talk about density and the impact of density one of the nice things about senior housing as you know is that there can be fewer impacts from overall and part of the issue is that when you talk about density you can't just talk about it in a vacuum. You have to look at what is the impact? Obviously, senior housing that's age restricted does not have any school impact so that's certainly a reduction in density but specifically with respect to the traffic comparison. Under the original zoning on the existing zoning under the average daily trips that's the only one I'll refer to is had 9,306 trips per day was anticipated with the fast food, the supermarket and the townhouses or what they call the multi-family housing, the low rise. That was over 9,300 trips In our current trips when you add in not just the Residential but the Commercial is 4,000 trips for a reduction of 5,200. Again, and if we're going to be talking about impacts and talking about density we have to concentrate on impacts so there's no school impact and there's almost 50% less, about 40% less of traffic impacts and that includes in particular with the age restricted. It really has a greater impact on a.m. and p.m. peak hours because folks who are living in senior housing like to drive off-peak hours much more so and that's been proven in study after study. One of the concerns with respect to this proposal was about whether this was something that could be converted to just regular market without age restriction. Obviously, we have a proffered condition with respect to the age restricted but we've also done from a market study, looked at within 12 miles there's 516 units. It has been pointed out that some of those are not market rate, that they're subsidized. At the end of the day of the 516 age restricted units within that 12 mile radius, 28 vacancies and those all come from the Compass at Springfield which again is a 4-story facility that opened this year. Obviously, they're very happy with the absorption rate that's come forward. The market is very strong and one of the reasons that encouraged us from a senior benefits is that people that live in the area want to be able to live where they go to church, where their doctor is, where their friends are, and the nice thing is if there's available age restricted then they can move into there and they can continue to shop and volunteer and live where they currently are. It also allows existing housing stock to be



able to move forward, and when people move into the age-restricted that allows for the existing houses to be able to move forward, and when people move into the age-restricted that allows for existing houses to have younger families to be able to move in. We've seen this time and time again so there's a benefit to the entire community from that standpoint. With that, I would ask that you recommend to the Board of Supervisors for approval, but I'll be happy to answer any questions at this time if you have any.

Mr. Mackey - Any of my colleagues have questions? I have several questions.

Mr. Nelson - You go ahead first and then I'll follow.

Mr. Mackey - Okay, I'm going to let you go ahead and ask your question.

Mr. Witte - How many elevators does it have for four stories?

Mr. Condlin - I think, each building, Dan, I think each building has two? Each building would have two elevators for the four stories, so various wings. We'd have four elevators total but it would be two elevators in each building.

Mr. Witte - Thank you.

Mr. Mackey - Anybody else? I have several questions. My main question is how did we get here from where we were because I thought we did a lot of work on that last case and we keep talking about the commercial has been reduced, and I tried to find my notes from a couple of years ago. I could not find them. I need to do a better job of saving them because some of these cases are starting to come back around to haunt me. I remember the constituents then; the residents were happy with those smaller restaurants that would be in there because it seemed like you were trying to build a small village type. We were talking about the grocery store, but they seemed a little bit excited about the two little retail opportunities and I was just wondering why did you decide to go away from that?

Mr. Condlin - A couple of things. It's a good question. First, there's still commercial on the east side, including some that's under construction or soon to be under construction. I think they've got the site work for that and the other is that quite frankly in our community meetings we had the continued uses that we'd otherwise provided for in the original case and we heard loud and clear at the community meetings that they wanted to reduce the uses to just the grocery store and then the conversation turned to medical office. I've included office in that. That was the idea that we were going to try to provide for the again, just to try to accommodate the residents I think from the standpoint of the surrounding community and what they wanted was more of a benefit and not wanting to have fast food, drive-thru restaurant. That is where the discussion went.

Mr. Mackey - Now, as far as the scale and the density increases. That's a big building. I know you were saying about the proffers. While we have a height proffer in

there you also proffered some elevations. The elevations were only two stories. I'm not a lawyer, but I imagine that unless we change that you would be held to those elevations.

Mr. Emerson - Certainly, there's some language in there, Mr. Mackey, regarding basically how I think it reads is that unless otherwise requested and approved at the time of POD from the elevations, so they're proffered as being substantially similar so yes sir, a deviation would have to be granted.

Mr. Mackey - As far as the traffic impact, I understand that elderly people wouldn't have as many vehicles, but when you're increasing the amount of units double almost threefold, if they only had one vehicle you are going to have more traffic. That's just common sense. I know it seems like we're doing apples to oranges a little bit. It still seems like it's a little bit intense to me. Those amenities, I don't know 100%, but a lot of those amenities couldn't they also be added to the townhouse units?

Mr. Condlin - You mean under the existing zoning?

Mr. Mackey - Yes.

Mr. Condlin - Certainly, those amenities are pointed towards and specific for age-restricted use. That's what they're geared towards, pickleball being all the rage. We're going beyond age at this point but part of the issue is one of the reasons we're asking for an increase in density is to provide the quality and inclusion of additional amenities. The 41 townhomes in and of themselves when you add them and I apologize, I don't know the whole density from the standpoint of the entire Landmark. But what was happening on this site in particular, was probably not going to be as robust of an amenity package because of 41 townhomes quite frankly couldn't support that as much. The idea being that the rental and trying to provide the quality and keep the price up from a standpoint of keeping that quality and having an alternative for age restriction that is different than from even the market today. I think that was important. That's why we added so much more. Certainly, we could have added more but I don't think it would make sense from a market standpoint under the existing zoning.

Mr. Mackey - I think we have some transportation concerns that would be limited a little bit. You're not right on the bus line that far, correct?

Mr. Emerson - Correct. Yes, sir.

Mr. Nelson - Nowhere near the bus line.

Mr. Mackey - Right, so. I understand when you go to the other examples but those look more like urban areas as well. They're on the bus line. It would be much easier for people to get around. We realize that's a problem where we're looking to develop were these things approved to be developed that's why we were trying to do a little bit more of the retail and stuff right in that area to help them out a little bit because how else are they



458 going to get to it. As far as it being on the other side I mean, you have to cross 60. I don't  
459 know if that's going to be worth it.

460  
461 Mr. Condlin - We're still providing for the transportation. We're adding a light  
462 at Williamsburg and Dry Bridge. We're doing all the transportation improvements and then  
463 some, including the sidewalks. That's the only reason that I put into the chart and from  
464 the market study to show that there is a great market and a need for senior housing.  
465 That's one of the reasons when you ask, "Why and how did we get here?" It's really trying  
466 to provide for a continuum of housing options as we go through from folks as they're aging  
467 out they'll be able to provide for availability more because they want to stay in their area.  
468 They don't want to leave.

469  
470 Mr. Mackey - That's a good point you made because I thought about that  
471 earlier. There's a need for situations like this but we have to be careful, as I have said  
472 many times, just because there's a need doesn't mean that the need can be answered  
473 here. That's the problem that we're up against a lot of times. We can't fit every need into  
474 every project. I'm not saying that you're trying to do that but I'm just saying sometimes it  
475 just doesn't work with it.

476  
477 Mr. Condlin - Well, I guess from that standpoint. From the density  
478 standpoint and the comments that have been made in the staff report is that this is  
479 unusually large for this particular area, but at the end of the day, we do meet while the  
480 density is great and that's why we're asking for the PUP. We do meet the code  
481 requirements and are still able to put in the 50' buffer. We're still able to put in a lot of the  
482 protections and we think helps reduce the massing and reduces the unobtrusive from the  
483 standpoint of these developments. It's happened from the standpoint, I know this entire  
484 area supposed to be from office and industrial, but we're trying to provide for again the  
485 market and provide for the quality and it becomes a balancing act at that point.

486  
487 Mr. Mackey - I just have one other issue and then I'm going to pass it on to  
488 Supervisor Nelson. I was talking to staff earlier today. You know our job is to try and see  
489 into the future the best we can and nobody has a crystal ball. We don't know. Who's to  
490 say, down the road, you come back and you know what? The market just doesn't call for  
491 age restriction and now we got this big building, this big apartment and now all of a sudden  
492 we're just going to turn it into regular apartments. You're going to have different parking  
493 for age restricted that you wouldn't be able to qualify, well, you wouldn't meet the  
494 qualifications if you had to change it to something else if it was so approved.

495  
496 Mr. Condlin - Right. Well, certainly, we'd have to come back and do that and  
497 get your permission and the Board's permission but that's why the developer wants to be  
498 able to put in one building and make sure from a market standpoint it works and then the  
499 second phase would come in. It's no different than any other building from a market  
500 standpoint. I understand the need for the future but I think it's been proven true in the  
501 current market the need for age restricted and we feel like there's a need for higher quality  
502 in this area as well.



504 Mr. Mackey - Alright, Supervisor Nelson.  
505

506 Mr. Nelson - How many units is this again, Andy? How many units,  
507 proposed units?  
508

509 Mr. Condlin - 310 dwelling units.  
510

511 Mr. Nelson - 310 units. Initially, when the developer brought up the first  
512 conversation about shifting to senior apartments, it was more intriguing than just general  
513 market townhomes. I didn't envision 4-story, 310 units. I'm looking at this and one of the  
514 things that we're trying to do when we do any residential development is to do what Mr.  
515 Mackey suggested, which is if you're going to build and we're not just talking about this  
516 particular piece. This is a part of, what is it called, Landmark?  
517

518 Mr. Condlin - Landmark.  
519

520 Mr. Nelson - Part of the whole Landmark concept and with that many units,  
521 people should be able to get their needs met there. So, grocery, food, medical centers,  
522 whatever be the case. So, what I'm looking at is a picture of a bunch of asphalt and trees  
523 that will probably take 50 years to grow. It doesn't give me a village feel at all. Mr. Mackey  
524 just spoke to the most important part. I asked Mr. Emerson this earlier. What I don't want  
525 to happen is you say we would have to come back. We don't want you to come back. You  
526 get what I'm saying? We don't want to pass anything and then...I don't want to say it's  
527 deception because I'm not implying that. We don't want to approve something, a four-  
528 story senior apartment building with 310 units. I know there are several senior facilities  
529 that are a lot smaller and have some waiting list, but I don't think it's 300 or so seniors  
530 waiting or seniors who are looking for apartments that could be on the fourth floor with  
531 one or two elevators at the end of the building. That's just stuff that just comes to mind. I  
532 usually don't try to ask a lot of questions during the Planning Commission. I wait until it  
533 gets to the Board of Supervisors. I'd be curious. You say you had a community meeting?  
534 How many community meetings did you have?  
535

536 Mr. Condlin - We had two.  
537

538 Mr. Nelson - How many people were there?  
539

540 Mr. Condlin - Probably a half dozen average at each one.  
541

542 Mr. Nelson - We're talking about a community with thousands of people  
543 and we're going to go off of a half dozen or dozen people who said they wouldn't want  
544 fast food restaurants or anything other than medical buildings? That sounds...that's  
545 probably something we need to revisit. One thing I've heard from Sandston residents is  
546 definitely a desire for a grocery store in the area so they don't have to come into Varina  
547 or go into New Kent but just choices in general. It sounds like we're trying to eliminate  
548 those choices and just creating a thousand parking spaces. This just does not give me a  
549 village feel at all. I don't have any interest. I want to go on record in saying for us to

downshift. If we're going to do senior apartments, then it needs to be senior apartments. Period. Don't come back saying, "We can't sell them." I know that happens. You say we'll make it 55 and older, 62 and older and then somebody comes back and says, "It's not the market for it, can we make it..." First of all, it's not fair to the people who end up getting the apartments and think that they're moving into a senior community and then they end up what they thought they were getting, they're not getting. I don't think that's fair. Plus, Joe, what's the restriction on senior on this whole senior piece. So, first of all, that's a proffered condition, correct?

Mr. Emerson - It is a proffered condition. They're using the fair housing law which allows you to restrict to 55. The way that law reads is that one person has to be 55 years of age or older in the unit and then others can be less than and 20% of the units can be marketed to non-55 or older. So, they've taken that language and proffered that they would have residents no less than 55 years of age and no one under the age of 19. One 55 years of age or more per unit and then no one younger than 19 under their proffer but that's a deviation from what fair housing language says.

Mr. Nelson - How do you hold the apartment complex accountable for that?

Mr. Emerson - It would be the same as any other proffer. We would have to enforce it through our means. Once it came to our attention through notice of violation and then of course proceeding to court if they didn't correct the situation that we found. Normally, it would be reported to us. That's not something that we would actively go looking for.

Mr. Nelson - So, two out of every 10. So, what's that?

Mr. Mackey - That's 63.66.

Mr. Nelson - So, 63 units are non-age restricted.

Mr. Emerson - Not under their proffer. They took that piece out. Under federal code. You have two different pieces of federal fair housing code. The other is 62 years of age that restricts all residents to 62 years of age or older. That's very clear and wouldn't require a proffer other than we proffer to restrict everyone 62 years of age or older and citing that particular section of the Fair Housing Code.

Mr. Condlin - If I may. The other enforcement action is each year when you're age-restricted, because it is a violation of age discrimination, but it's an allowed exception to that. You have to register both with the federal HUD and the state equivalent which is escaping me right now but you have to do an annual registration to show that you're in compliance with that from each of these and the idea of 62 did come up. I would ask that my client wasn't able to from the market study commit to that tonight but wants to look at that and make sure he can meet the market because he does not want to come back either. He wants to make sure they're successful and that the market study was

595 based on a 55 straight without exceptions otherwise. He wants to make sure and he's  
596 willing to look at that. We want to be able to have the opportunity to do that.

597

598 Mr. Nelson - Is it the same person developing the other pieces, right?  
599 Landmark?

600

601 Mr. Condlin - Yes, sir. He wants to be careful. He's cognizant of the fact that  
602 you don't want us coming back. He doesn't want to be back. We don't want and there's  
603 no intention to come back at all and I know how best intentions are. He wants to make  
604 sure the 62 works in the marketplace because as you said it does decrease the market  
605 from that standpoint. He wants to make sure that that still works.

606

607 Mr. Nelson - Why 4-story and not 2-story?

608

609 Mr. Condlin - It comes down to a standpoint of the density. From being able  
610 to provide the quality and keeping the amenities and the quality of the services that we're  
611 providing as well and having that return to be able to provide that for differentiating and  
612 trying to create that market. That's ultimately what it becomes.

613

614 Mr. Nelson - Ok. So, you take the grocery store out of it, so, I would  
615 assume, Mr. Emerson, or any staff person, you take the grocery store out of this piece  
616 and then it would decrease all of this asphalt for parking.

617

618 Mr. Emerson - Yes, sir. It would.

619

620 Mr. Nelson - But, if you take the grocery story out of it you pretty much then  
621 eliminate everything about this that makes it a walkable...

622

623 Mr. Emerson - Yes, sir....

624

625 Mr. Nelson - Right now, at this point, the only thing people would be  
626 walking to is their cars to go somewhere.

627

628 Mr. Emerson - Or, one of the amenities, the pickleball courts or whatever else  
629 they install.

630

631 Mr. Nelson - Yes, but, the pickleball courts, those things won't be there at  
632 the beginning. The same way the grocery store won't be there in the beginning.

633

634 Mr. Emerson - Right.

635

636 Mr. Condlin - We did hear loud and clear that's one of the other reasons that  
637 I apologize, Mr. Mackey, when you asked the question is that wanting to have a grocery  
638 store and Mr. Godsey is committed to bring a grocery store in here and that's why he  
639 wanted to narrow it down to just to that because it was important to the community. That's  
640 what he heard as well. Not just from the 6 or half dozen residents but also generally that



641 he wanted to preserve that to say, "I'm committed to do that." Upon my advice which may  
642 not have been good was, we thought a benefit overall to say, "Hey, we're committed to  
643 this, to make sure that it's a quality, and it's a service." that they best serve not just the  
644 immediate but also the larger community.

645  
646 Mr. Mackey - Did you have anything else?

647  
648 Mr. Nelson - Just one more question for Joe. I know one of the things that  
649 we will continue to look at is reducing the landscape for whenever we do development.  
650 It's probably better to do up versus out. Less greenfield impact if it's on a greenfield. But,  
651 these trees on here just make it you're not going ...is that something you're going to  
652 proffer? Just looking at this why, okay, I see trees here but how can we hold a developer  
653 accountable to say if I'm looking at 100 trees here to make sure that 100 trees end up on  
654 this property?

655  
656 Mr. Emerson - They've proffered the conceptual plan, but we also have our  
657 requirements in the zoning code so when a landscape plan comes in based upon the  
658 transitional buffer that is required they have to plant to certain levels. That's how you  
659 guarantee you get the planting along with any proffers provided that clarify that and  
660 exceed the requirements of the zoning code. Of course, we do require native plantings  
661 up to 35%.

662  
663 Mr. Condlin - We specifically proffered the street trees, I call it an alley going  
664 from Williamsburg Road to left of the grocery store and above the grocery store going out  
665 to Dry Bridge so that's to your point Mr. Emerson. That was one of the specific proffers to  
666 be able to provide for that. That's consistent with what we had otherwise and then it's just  
667 the transitional buffer proffers where we provided the 50' and the 25'. That was required  
668 by the code. That's what's represented there to meet those requirements.

669  
670 Mr. Mackey - Any other questions for the applicant? Let's hear from people  
671 in the audience. You have to go to the mic and anyone else who wants to speak. You can  
672 either line up behind him or you can just wait until he sits down.

673  
674 Mr. Steil - My name is Jeff Steil. I live at 1484 Old Williamsburg Road. I  
675 live caddy corner across from the VFW that's in the top left corner of the picture we're  
676 looking at up here. I've lived there for five years. I built my house there. Also, I'm speaking  
677 on behalf of two of my other neighbors that have joined me tonight. The gal that's sitting  
678 in front of me here. They live in the house, that's showing to the north but caddy corner  
679 across from me down from the VFW. They've lived there since 1980. They've been there  
680 over 45 years. Also, the Stumps here which is the house you see at the very top center  
681 right next to that tree line. Pam and her family live right there. They've been there for 20+  
682 years. Just to give a little history on this, personally and I think my neighbors as well heard  
683 of the previous approval of the 41 townhomes. The first I learned about this development  
684 at all was when we had the first meeting going back into September. We met at the library  
685 in Sandston. When Andy had done the first presentation. We didn't know what was going  
686 in there. We thought it was going to be the townhomes and that's when we found out it

687 was going to be a 4-story structure. Here it is. I thought it was condos, R-6, no it's  
688 apartments; 310 apartments and the building is 4 stories high. As we've presented before  
689 that's the major heartburn that we have. The local residents that live in this proximity to  
690 this development. A question I do have is the other thing that's major about this change  
691 is going from the townhome which is a sale of the property as opposed to apartments,  
692 Andy. Is Godsey's direction that he'll maintain ownership of the property for both?  
693 Hypothetically, let's say this is approved and he goes with the apartments. Does he intend  
694 to maintain ownership of that property? As well as the grocery store? Is that something  
695 he's looking to sell to a grocery chain or is he looking to maintain that as an ownership  
696 and lease that property to a grocery store chain?

697  
698 Mr. Emerson - He'll have to answer those questions.

699  
700 Mr. Steil - I apologize. I'm not familiar with the formatting here. That's the  
701 other question that we have. There's been no discussion or there's been discussion but  
702 there's been no, that we're aware of, no progress made on the anchor of the grocery  
703 chain which is what we're in favor of. We're all in favor of that. As has been talked about.  
704 The closest grocery store to the west is on Laburnum, to the east is New Kent which is  
705 four to six miles away. I believe the surrounding area in Sandston would embrace that as  
706 well. You talk about the traffic counts and the density, and you showed your slide up there  
707 and how that's going to go down. I totally disagree with that. If you've seen what's going  
708 on in this neighborhood in the last year, the last two years. On the other side of the  
709 Whiteside Road intersection, which is a four-way intersection Williamsburg Road is a  
710 55mph speed limit. Where they're going to propose to put the light just to the east at the  
711 next intersection up at Dry Bridge; that's a three point intersection. What's going on in this  
712 intersection where we're talking about down here on Whiteside and Rt 60? On the south  
713 side they just launched Taylor Park this past year, right? You've got all that traffic that's  
714 building and this for people using the park which is pretty significant. Great park too by  
715 the way, you did an awesome job with that. In addition, behind the YMCA, HHHunt is in  
716 the process of building another 125 townhomes. Those who are not familiar with that if  
717 you look at the larger scale of this the only real intersection you can get in and out of the  
718 YMCA/Taylor Park and into those new townhomes: the 125 that are currently under  
719 construction is into and out of the Whiteside Road intersection that is not going to be  
720 controlled by traffic lights. Looking forward. I don't have a crystal ball but we see that's  
721 only going to progressively get worse with worse densities with what we want to do here.  
722 Again, as we talked about, if you look at this 4-story development it seems like it's an  
723 urban development that's going into a suburban environment. You talk about you're going  
724 to put walkways around the development. You can't do nothing on the corner, on the  
725 immediate corner of that is owned by a different landowner, right? There's going to be no  
726 passageway there. You're going to have an abbreviated walkway to the east of the  
727 development where the grocery store is proposed and just along Whiteside Road to the  
728 left side there at 9:00 o'clock position. There's no public transportation as we've talked  
729 about. No bus service. There's no sidewalks. There's no bike or pedestrian routes to be  
730 able to ingress and egress out of Sandston. There's no businesses around there. It's us  
731 three and a VFW and a veterinarian and a dentist's office and that's about it so it just  
732 doesn't seem like it fits in our neighborhood. Again, we're not opposed to the development

733 and I think as was previously agreed to and has been approved we're just trying to get  
734 our hands around and understand why we're changing it as we are. I know this is a follow-  
735 on issue and does have to be discussed. As I understand this, if it's a 4-story unit it  
736 requires a special fire/rescue service if and when there's an event that occurs. The one  
737 on Technology Drive does not have the equipment to be able to support a 4-story  
738 structure so that would have to come off of Firehouse 6 on Laburnum Avenue. Based on  
739 this layout, has all that been looked at as far as will that size of that truck be able to  
740 navigate into and out of this community when and if they have to service it? The other  
741 point I'd like to make is, regarding the other, Andy, you had mentioned the other  
742 development I guess you had tried to contrast and compare this to the Everleigh up on  
743 Three Chopt? That's a single building and there's 150 units in there. If you went back to  
744 that site and looked at that they've got a huge buffer between that. Matter of fact, it's a  
745 fire lane that's on the entire backside of that one structure which gives it significant  
746 separation. Not from the houses and what's here now but it's a grocery store that the back  
747 of that faces that so there's half the size and density as far as the number of units within  
748 that unit as opposed to this double structure that is being proposed here.

749  
750 Mr. Mackey - Sir, I ask that you be mindful of the time limit because we have  
751 some other people who want to speak.

752  
753 Mr. Steil - Ok. Unless I missed anything.

754  
755 Mr. Nelson - Actually, can I ask you one question?

756  
757 Mr. Steil - Yes.

758  
759 Mr. Nelson - I spoke to a young lady yesterday. Are you here representing  
760 a group of people?

761  
762 Mr. Steil - Yes, my neighbors that I introduced here.

763  
764 Mr. Nelson - I'm sorry.

765  
766 Mr. Steil - Pam Stump?

767  
768 Mr. Nelson - Yes, Ms. Stump is here. I just wanted to...okay, good, thank  
769 you.

770  
771 Mr. Steil - Okay, I think we pretty much-covered everything we had in  
772 our notes. Go ahead, Pam.

773  
774 Ms. Stump - Thank you, Jeff. You covered it very well. I can live with a  
775 grocery store, I can live without it, I can live with it but two 4-story apartment buildings.  
776 It's going to look alien. In the area I would say it would be more semi-rural bleeding into  
777 suburban. I'm in the house right next door down from the VFW so now our piece of  
778 property is 2.06 acres. These things are going to look like, however they place them; it's



779 going to look alien. It's not going to fit. In addition to everything Jeff said; it's just wrong  
780 for the area. There are not enough amenities to support the number of people that would  
781 live in those buildings. It's just a grocery store. That's it. If it's 55 and over, 55 is not old.  
782 People are still driving and doing a lot of stuff because it keeps sounding more like senior  
783 stuff they're talking about. I don't understand 4 stories for seniors. Anyway, thank you  
784 very much for the opportunity to speak. I appreciate your consideration.

785  
786 Mr. Mackey - Thank you. Anyone else?

787  
788 Ms. Montrose - Members of the Planning Commission, my name is Gray  
789 Montrose. I'm a resident of Varina. My address is 4300 Eanes Lane in Henrico. I would  
790 like to thank Mr. Mackey and Reverend Nelson for their line of questioning. I absolutely  
791 support this line of questioning and am thrilled we're making these considerations for  
792 these sorts of development. So, thank you I really appreciate that. I want to echo some  
793 of the concerns that some of my colleagues have made but really to point out that the  
794 design for this, while there are entrances onto other roads, we're really still funneling a lot  
795 of traffic through to East Williamsburg Road onto Rt. 60, which is a 4-lane divided  
796 highway. It would be very difficult for someone to access this property without a car. It  
797 would be very difficult to access basic amenities without a car and even the park across  
798 the road because there is no pedestrian infrastructure. It's really challenging especially  
799 when we're considering a 55 and up community. In Virginia about 750 people a year die  
800 because of interactions with 55 and ups in cars. So, that car fatality rate, it's about 750.  
801 Henrico is the sixth largest locality in Virginia so we're talking a few dozen people  
802 impacted every year quite literally by seniors who are the second most likely category of  
803 folks to cause traffic crashes and they are responsible for almost 50% of all car insurance  
804 payouts. It is a high-risk group of folks to make them completely car dependent and so  
805 just expressing the worry that making these kinds of environments completely car  
806 dependent creates challenges that I'm not sure Henrico is prepared to deal with. Thank  
807 you very much.

808  
809 Mr. Mackey - Thank you. Was there anyone on WebEx?

810  
811 Ms. Drash - Mr. Chairman, there is no one on WebEx.

812  
813 Mr. Mackey - Andy, if you would go back? We had two questions about the  
814 ownership? Was Godsey going to maintain ownership of the apartments? I think that was  
815 your question.

816  
817 Mr. Condlin - Jeff, he's been a real pleasure to work with. He's been giving  
818 me a hard time in a nice way a lot of times as we would discuss. It's been nice to meet  
819 him and even if we don't agree necessarily on everything. The anticipation and the  
820 expectation is certainly from the age-restricted it would continue to be owned by Mr.  
821 Godsey and controlled. He'll have a partner that he'll be discussing with to bring in to help  
822 that has the multi-family experience and senior age restricted experience as well from his  
823 construction experience. With the grocery store, those can take any difference as the  
824 same with a convenience store or restaurants they sometimes tend to want to ground

825 lease which he would. But, some require ownership and he's willing to do either one quite  
826 frankly but if there is a sale obviously, subject to restrictions because of the proximity not  
827 only to not just Landmark West but the rest of Landmark as well. I did want to make one  
828 correction or at least a clarification. I think you said, no sidewalks in the area. We are  
829 proffering sidewalks around our specific development on Whiteside and Williamsburg and  
830 Dry Bridge as well. We proffered those. I just wanted to clarify that from that standpoint. I  
831 didn't know Jeff if you were making that from a larger standpoint. Then, with respect to  
832 the driving, obviously, we're doing improvements as I said the parking, excuse me the  
833 light there at Williamsburg and Dry Bridge. At the end of the day, the question is even in  
834 a rural area, even in a suburban area maybe that doesn't have a lot of the bus service  
835 and public transportation also may have a need for senior apartments and senior living  
836 that a lot of people that live in the area want to be able to take advantage of. With that, I'll  
837 be happy to answer any other questions that you have. Thank you.

838  
839 Mr. Mackey - Do any of my colleagues have any questions? I don't have  
840 any other questions. I typically don't do this. I don't like to kill a project that shows some  
841 promise, but we've been unable to get where we need to be in the allotted time that we  
842 have. I appreciate all that staff has done. We've been talking quite a bit. I know that the  
843 community has been talking with Mr. Condlin, working and hashing out some stuff but this  
844 project is still quite a ways from where it needs to be if we were to approve it. We've spent  
845 a lot of time on it tonight. I want to apologize to my colleagues, but I really think this case  
846 needs to be deferred. Thirty days probably wouldn't be enough. You think 60 days?

847  
848 Mr. Condlin - I know there's a couple of issues. We talked about the 62,  
849 we've seen the balance between the commercial, and what the right uses are and trying  
850 to be respectful to the neighbors. Given the holidays, I have to be honest. You know, I  
851 always try to be upfront. We don't always agree but I try to be upfront. I just don't see how  
852 we're going to be able to accomplish, quite frankly, anything. I think our meetings is on  
853 January 12 or 14 for the Planning Commission. It's two weeks away for all intents and  
854 purposes. I don't have an objection but if we're going to defer it then I think its probably  
855 appropriate to look at this and for the neighbors too I mean they want to enjoy their  
856 holidays and not be messing around with this so I'm comfortable...

857  
858 Mr. Mackey - I was looking on there and I was going to ask Joe. I think it's  
859 February 13 if we go 60 days.

860  
861 Mr. Emerson - Let me look at my calendar. It would be February 13, yes, sir.

862  
863 Mr. Mackey - Again, I apologize. I move that REZ-2024-100833, Godsey  
864 Properties, Inc. be deferred to the February 13, 2025, meeting at the request of the  
865 Commission.

866  
867 Mr. Dandridge - Second.

868  
869 Mr. Mackey - We have a motion by Mr. Mackey and a second by Mr.  
870 Dandridge. All in favor, say aye.

871  
872 Commission - Aye.  
873  
874 Mr. Mackey - Any opposed? I move that PUP-2024-101660, Godsey  
875 Properties, Inc., be deferred to the February 13, 2025, meeting at the request of the  
876 Commission.  
877  
878 Mr. Witte - Second.  
879  
880 Mr. Mackey - I have a motion by Mr. Mackey, a second by Mr. Witte. All in  
881 favor, say aye.  
882  
883 Commission - Aye.  
884  
885 Mr. Mackey - I really want to thank you for coming out, taking the time to  
886 come out and speak on it and everything. Maybe we'll get together one more time. We'll  
887 see how it goes, okay? Thank you.  
888  
889 Mr. Emerson - Mr. Chairman, we now move on to the next items on your  
890 agenda which appear on Page 2. There are three items that will be presented together.  
891  
892 **COMPREHENSIVE PLAN AMENDMENT – DESIGN GUIDELINES FOR SMALL-LOT**  
893 **SINGLE FAMILY RESIDENTIAL DEVELOPMENTS:** The Planning Commission will hold  
894 a public hearing to receive public input and consider recommending to the Board of  
895 Supervisors an amendment to the 2026 Comprehensive Plan (the "Plan") to incorporate  
896 a document titled "Design Guidelines for Small-Lot Single Family Residential  
897 Developments" as an appendix to the Plan. The document would become part of the Plan  
898 and would be used to guide development standards for planned residential developments  
899 containing small residential lots. A copy of the full text of the proposed amendment is on  
900 file in the offices of the Planning Department.  
901  
902 **ORDINANCE — To Amend and Reordain Section 19-3403 Titled "Street Layout**  
903 **Standards" to Provide Standards for a New Zoning District to Be Known as the R-5B**  
904 **General Residence District.**  
905  
906 **ORDINANCE — To Amend and Reordain Section 24-2314 Titled "Plan of Development,"**  
907 **Section 24-3102 Titled "Districts Established," Section 24-3105 Titled "Superseding**  
908 **Dimensional Standards," Section 24-3302 Titled "Established Residential Districts,"**  
909 **Section 24-4205 Titled "Principal Use Table," Section 24-4306 Titled "Residential Uses:**  
910 **Household Living," Section 24-4315 Titled "All Commercial Uses," Section 4402 Titled**  
911 **"Accessory Use and Structure Table," Section 24-4423 Titled "Accessory Outdoor**  
912 **Seating and Food Preparation (as accessory to an Eating Establishments use)," Section**  
913 **24-4502 Titled "Temporary Use and Structure Table," Section 24-5103 Titled "Access and**  
914 **Circulation System," Section 24-5105 Titled "Off-Street Parking Surfacing and Marking,"**  
915 **Section 24-5308 Titled "Minimum Tree Cover," Section 24-5310 Titled "Transitional**  
916 **Buffers," Section 24-5503 Titled "General Standards," Section 24-5707 Titled "Signs**



917 Requiring Permits,” and Section 24-8501 Titled “Accessory Uses, Temporary Uses, and  
918 Other Terms,” To Add a New Section 24-3314 Titled “R-5B General Residence District,”  
919 and To Renumber Existing Section 24-3314 Titled “R-5 General Residence District,”  
920 Existing Section 24-3315 Titled “R-6 General Residence District,” and Existing Section  
921 24-3316 Titled “RTH Residential Townhouse District” of the Code of the County of  
922 Henrico To Create a New Zoning District to Be Known as the R-5B General Residence  
923 District and Establish Standards for Such District.

924  
925 Now, of course, once you hold your hearing these will require three separate motions.  
926 With that said, Mr. Chairman, the presentation will be made by Mr. Ben Sehl.

927  
928 Mr. Mackey - This is a public hearing. Do we have anyone in attendance  
929 who would like to speak?

930  
931 Ms. Drash - Mr. Chairman, there is no one on WebEx for this case.

932  
933 Mr. Mackey - Okay, after the presentation we'll let you speak.

934  
935 Mr. Sehl - Thank you, Mr. Chairman. I apologize to the Commission for  
936 the lengthy introduction that Mr. Emerson had to read. I appreciate your time. This is an  
937 item that was presented to the Board of Supervisors at the retreat in September and  
938 discussed with the Commission at your work session in October. As Mr. Emerson noted,  
939 what's before you this evening are three items: an amendment to the Comprehensive  
940 Plan to include a new appendix for small lots and a singular amendment to the subdivision  
941 ordinance and then a number of amendments to the zoning ordinance. With regards to  
942 the comprehensive plan amendment what staff is proposing is a document that was  
943 included in your packet and has been provided on the county's website that would provide  
944 design guidelines for Small Lots. This would be incorporated as an appendix to the 2026  
945 Comprehensive Plan and it is largely intended to relate to lots from 3,000 to 6,000 square  
946 feet. As we noted in your work session the goal of these design guidelines is to address  
947 the public realm with items such as street trees, streetlights, sidewalks, things of that  
948 nature, providing some specific open-space recommendations in addition to the open  
949 space requirements that are contained in your zoning ordinance. As well as provide  
950 proposed building standards. These would be for architectural variations on the facades,  
951 entry and parking standards, windows and doors, building and roofing materials. If  
952 adopted as an appendix to the comprehensive plan, this would serve as a guide for future  
953 developments proposing smaller lot residential developments. So, they could be taken,  
954 again they're intended to be guidelines so a development may not meet all of them but  
955 it's like looking at your comprehensive plan likewise as your guide. What the intent of  
956 those guidelines would be. With regards to the subdivision ordinance this would simply  
957 clarify that subdivisions must provide alleys when otherwise required by the zoning  
958 ordinance. This was noted in the subdivision ordinance currently but there would be one  
959 small amendment to kind of capture the totality of that requirement. The picture in front of  
960 you is nothing other than an alley elsewhere in the county that has been developed in a  
961 different zoning district. Then, getting into the bulk of the changes in front of you this  
962 evening. As Mr. Emerson noted the main purpose of this would be to add Section 3314

or recreate Section 3314 as the new R-5B General Residence District. The multiple other revisions are largely to create and ensure we have the appropriate cross references in the zoning district. So, you'll note multiple places in the zoning ordinance where you'll see a reference to a specific development standard. We want to make sure that that references back to the R-5B District. As he noted, we also renumbered some sections as appropriate. We would update the principal and accessory use tables to include the R-5B District. With regards to the specific standards for the R-5B District these are consistent with what was proposed and discussed with the Board in general terms at their retreat in September and in more specific terms with the Commission in October. They are as follows: it's a maximum density of 10 units per acre, we've noted previously a minimum of 3,000 square feet of lot area with a 30' lot width so a typical small lot would be 30'x100'. A 12' front yard setback, 5' interior yard setbacks, a 5' rear yard if you provide an alley and a 15' rear yard if you did not have an alley. That would be the setback requirements. A maximum height of 40'. There are some development standards in there that would require some of those elements so you have both the design guidelines which get a little bit more into detail but some of those big picture items such as sidewalks, street trees and streetlights would be required by the zoning ordinance. There are some modifications allowed by the language of the code so they could, through a modification process, request specific exceptions to some of those standards. In typical, they would require alley access for these new homes. There is a process, if there are environmental constraints that call for a different design, where the Director of Planning can go through a modification process to provide that exception. With regards to how one of these communities might come to be, the development process would require rezoning. We're not proposing to add the R-5B District to anywhere on your current zoning map. So, any of these projects would be coming in front of the Commission and the Board of Supervisors with the rezoning application. Those design guidelines if they were adopted and made a part of the comprehensive plan would be used to as a part of the review of that rezoning application so we would be looking at proffered elevations and design guidelines that might be proffered to ensure that they're upholding the recommendations of the comprehensive plan. Then similar to your R-5A District, both a plan of development and a subdivision would be required. The Plan of Development in those instances is helpful because it would be coming with elevations that are more detailed than you might see at the conceptual stage of the rezoning. That's the main, wide picture of this. Certainly, happy to answer specific questions that you might have about the amendments as they were presented to you in more specific detail. Our thoughts on the next steps are certainly to take input and make recommendations to the Board of Supervisors as appropriate as you might see fit this evening. We would look at a potential work session with the Board early next year. Obviously, these are all changes that would require approval by the Board of Supervisors and another public hearing with the Board as well. I'm happy to take any questions you might have and see if there's anything else that I can expand on.

Mr. Witte -

Is there a minimum square footage for these small lot homes?



1007 Mr. Sehl - For the homes themselves? No, sir, Mr. Witte. Consistent with  
 1008 what we did with zoning ordinance update in 2021 we have removed minimum home  
 1009 sizes for all of the residential districts so that's not a standard or a requirement.  
 1010

1011 Mr. Witte - So, you could put what they call a small house, a 200 square  
 1012 foot house on there?  
 1013

1014 Mr. Sehl - I think you could do a smaller home but again this would be  
 1015 something that would require a rezoning, so you'd have some idea of what would be  
 1016 proposed there. There are certain building code requirements they have to meet in order  
 1017 for it to meet the standards of a dwelling as well, I guess they could ,conceivably if they  
 1018 met the other standards of the ordinance, propose to the Planning Commission and the  
 1019 Board of Supervisors a development that had a home such as that, yes, sir.  
 1020

1021 Mr. Witte - Okay. I don't like it, but okay.  
 1022

1023 Mr. Mackey - Any other questions?  
 1024

1025 Mr. Sehl - The only thing I would add to that to respond to Mr. Witte's  
 1026 question there as well is that what we've tried to do as we explained in the work session  
 1027 is, this type of development can be done in Henrico at this time provided you do it as a  
 1028 condominium in either R-6 or RTH District so they could propose something like that as  
 1029 a condominium form of ownership currently. This would simply allow it on individual lots  
 1030 that can be owned by a homeowner versus a condominium association.  
 1031

1032 Mr. Emerson - It can also happen, Mr. Sehl within an Urban Mixed-Use  
 1033 development and then you could own it.  
 1034

1035 Mr. Sehl - ...or in one of our Planned Development Districts, yes, sir,  
 1036 thank you.  
 1037

1038 Mr. Emerson - That's a little more straightforward then going through some  
 1039 of those other hoops but as Mr. Sehl said you do have to remember that this zoning  
 1040 category does not exist. It's not placed on any property in the county so anyone who  
 1041 would propose to do this as an infill project or larger would have to come in front of this  
 1042 Commission and then to the Board for final approval.  
 1043

1044 Mr. Witte - There's no more minimum square footage on Residential, is  
 1045 that correct?  
 1046

1047 Mr. Sehl - That's correct, Mr. Witte.  
 1048

1049 Mr. Witte - So...  
 1050

1051 Mr. Emerson - We removed that.  
 1052



1053 Mr. Sehl - Unless it's proffered through the rezoning.  
 1054  
 1055 Mr. Witte - Will the county accept...I've been to North Carolina, I've been  
 1056 to Tennessee, these little 10'x20', they almost look like trailers. If they move in and put  
 1057 them on a foundation, there's a kitchen, a bathroom and a bed basically and a loft. They're  
 1058 about 12' high and they call that a house.  
 1059  
 1060 Mr. Sehl - What I would note, again those designs guidelines if they were  
 1061 made a part of the comprehensive plan would mean that staff will be paying particular  
 1062 attention to the design for these future neighborhoods which would mean that they would  
 1063 have to provide additional details about the proposed homes as part of the rezoning  
 1064 process. We'd need that in order to make sure that they're meeting the recommendations  
 1065 of the comprehensive plan in that instance. That would allow us an opportunity to discuss  
 1066 specifically what is being proposed.  
 1067  
 1068 Mr. Emerson - The short answer is, Mr. Witte, is, yes. It would have to meet  
 1069 the architectural design guidelines. It would be just like any other element of your  
 1070 comprehensive plan. You would use that as guidance and depending upon the particular  
 1071 situation you would use whichever section to gain those design details but if somebody  
 1072 proposed a tiny home development and wanted to utilize this zoning category, yes, they  
 1073 could but the final decision of whether that moved forward would be in front of this  
 1074 Commission and the Board of Supervisors.  
 1075  
 1076 Mr. Witte - But, if they owned the lot and they weren't going to subdivide  
 1077 they could put that little house on there.  
 1078  
 1079 Mr. Emerson - I believe you could possibly do that today if it's unrestricted.  
 1080 Yes, sir.  
 1081  
 1082 Mr. Witte - That's what I mean. It's just something that's been bothering  
 1083 me. Thank you.  
 1084  
 1085 Mr. Nelson - A question for Mr. Emerson. Sorry, for Mr. Sehl, since he's  
 1086 making the presentation. What's the Board of Supervisors schedule again? I see kind of  
 1087 vaguely up here. We haven't...there's been no work session on this yet, has it?  
 1088  
 1089 Mr. Emerson - No, sir, there hasn't been. I haven't discussed a work session  
 1090 yet with the Manager. You did hear this in your retreat.  
 1091  
 1092 Mr. Nelson - Right.  
 1093  
 1094 Mr. Emerson - You requested we bring it back. When we discussed the  
 1095 updates and essentially the total revision of this zoning code, we did have this in that  
 1096 zoning code and the Board removed it at that time, so we did discuss it in 2021 I guess.  
 1097  
 1098 Mr. Nelson - But the last time this Board talked about it...

1099  
 1100 Mr. Emerson - Was at the retreat. Yes, sir. I haven't discussed it yet with the  
 1101 Manager. Your potential schedule because it needs to get through this body first. So, I  
 1102 would think the earliest that the Board would see it would be February.  
 1103  
 1104 Mr. Nelson - Thank you.  
 1105  
 1106 Mr. Emerson - If you took action tonight.  
 1107  
 1108 Mr. Mackey - I have a question for clarification. Is this in addition or is it  
 1109 taking the place of some other...  
 1110  
 1111 Mr. Sehl - This would be a new district being created.  
 1112  
 1113 Mr. Mackey - I was just wondering if it was taking the place of something  
 1114 how long of a grandfathering period but if it's not...  
 1115  
 1116 Mr. Sehl - It will be completely new.  
 1117  
 1118 Mr. Mackey - Thank you. I'm sorry. Any other questions or comments? We'll  
 1119 hear from people in the audience.  
 1120  
 1121 Mr. Sherrod - Hello, I'm Jacob Sherrod. I live on 5040 Topping Lane which  
 1122 is near Glen Allen High School in the Brookland District. I wanted to speak in favor of this  
 1123 proposal today because as Mr. Nelson knows I came to the most recent Board of  
 1124 Supervisors meeting and supported more density. I didn't prepare any remarks tonight  
 1125 because there's a lot of stuff that this type of proposal would change in a positive sense.  
 1126 More density allows for better transit, it allows for less environmental impact when there's  
 1127 less development outwards like one of you guys said. More density allows for different  
 1128 things like togetherness. Living in a super spread-out development is a different  
 1129 experience than living in this kind of more dense development like you see pretty much  
 1130 everywhere else. We've been building for thousands of years as human beings so I just  
 1131 wanted to say that you're going to hear probably a lot of things, if you're looking at what  
 1132 kind of development this could look like but I just wanted to talk tonight about what it  
 1133 looked like for me as a young child growing up here in Henrico. I grew up, if you guys are  
 1134 familiar with the Oaks at Crossridge development. That's right next to Glen Allen High  
 1135 School. Like I said, it's really spread out and there's not a lot of homes there. What it  
 1136 means for families with children is that of 100 homes there were about 10 families with  
 1137 children, maybe 20. If you don't like playing sports like I did, if you care about local  
 1138 government and going to planning meetings, you might not meet your friend in 20 people.  
 1139 But, if you had in that same neighborhood, for example if it had say 200 homes in that  
 1140 same development there'd be a higher chance that I met somebody that I could really get  
 1141 along with. Just as a young child growing up in Henrico that's what I would have liked to  
 1142 see and I'm here tonight speaking now. I'm a camp counselor. I love working with kids.  
 1143 My mom's in the schools and we both see the impact of these kids being inside on their  
 1144 devices all the time and part of that is because of the way we've laid out our

1145 neighborhoods. You can't go outside very easily and you can't go in and see your friend  
1146 right down the street because if your house has to be on a certain lot size then the  
1147 development as has a maximum floor of houses so if we increase the floor of houses then  
1148 and said, "On this plot of land you can build more families with children have space to be,  
1149 that means there's more children in the neighborhood and they get to play together.  
1150 Density as we know, it carries with it all these positives. A lot of people might say that  
1151 they're negatives but really I think we have two options. We have the option of building  
1152 closer together and having better opportunity for transit and better opportunities for  
1153 walking outside and going to your amenities without the use of a car and saving your  
1154 family the costs or you can build like we've been building. You can build way spread out  
1155 and you have to start heading into Goochland and Hanover and New Kent. If we say no  
1156 to development right now that means that the market pressures that are being pushed for  
1157 way more housing than we currently have; they're going to find somewhere to be and if  
1158 that's not here in Henrico then it's going to be somewhere like Richmond City or  
1159 Goochland or Hanover or wherever. I think we need to ask ourselves tonight, what do we  
1160 want the future of our county to look like? For me as a young person who wants to come  
1161 back here and raise a family that doesn't look like one house every forty miles which it  
1162 seems like now. That looks like a dense neighborhood where I can just go walk and be  
1163 with my family. I can walk around my family. It's two different ideologies. If we ask  
1164 ourselves what do we really want to see in the county and I think this proposal is a step  
1165 in the right direction. I thank you for your time and I thank you for the effective local  
1166 government that we're lucky to have here in Henrico.

1167  
1168 Mr. Nelson - Can I ask a quick question? Were you online last time?  
1169  
1170 Mr. Sherrod - Yes, sir. I was. I was at Charlottesville at that time.  
1171  
1172 Mr. Nelson - What are you doing now?  
1173  
1174 Mr. Sherrod - I'm a politics major and urban planning minor as well.  
1175  
1176 Mr. Nelson - Undergrad or grad?  
1177  
1178 Mr. Sherrod - Undergraduate.  
1179  
1180 Mr. Nelson - What year are you if you don't mind me asking.  
1181  
1182 Mr. Sherrod - Sophomore.  
1183  
1184 Mr. Nelson - Anytime I hear UVA my sirens go off. I've got a third year at  
1185 UVA.  
1186  
1187 Mr. Sherrod - Really, what's her name?  
1188  
1189 Mr. Nelson - Her name is Sydney. She'll be home in five days. I can't wait.  
1190



1191 Mr. Sherrod - Mr. Witte? Did your daughters go to Tucker High School?  
 1192  
 1193 Mr. Witte - Who?  
 1194  
 1195 Mr. Sherrod - Mr. Witte.  
 1196  
 1197 Mr. Witte - Yes.  
 1198  
 1199 Mr. Sherrod - I went to Tucker. I knew two girls of the name Witte.  
 1200  
 1201 Mr. Witte - Yes. They're both in college now. They were both in the  
 1202 advanced program.  
 1203  
 1204 Mr. Sherrod - I was in the IB program over there.  
 1205  
 1206 Mr. Witte - They got their Associate Degree before they got their high  
 1207 school degree.  
 1208  
 1209 Mr. Nelson - Let him talk some more about them. He gets all excited.  
 1210  
 1211 Mr. Witte - They didn't get me anything big for Christmas.  
 1212  
 1213 Ms. Montrose - Well, Henrico is definitely a small world. We know that. Good  
 1214 to see everyone again. Gray Montrose, resident of Varina, 4300 Eanes Lane. I am also a  
 1215 member of the Board for Partnership for Smarter Growth. I know you will have received  
 1216 a comment from PSG, but I wanted to appear in person for this proposal and thank you  
 1217 all and express our support and my personal support. I'm very, very excited about seeing  
 1218 opportunities for this level of density and these kinds of homes. We think it will make great  
 1219 strides as my colleague said, increasing connectivity and making Henrico a more  
 1220 affordable and generally wonderful place to be. I wanted to point out in particular the  
 1221 alleys proposal. Big fan of alleys just mostly from a safety perspective because they make  
 1222 sure you don't have to cross sidewalks with a car from a driveway. Traditionally, you have  
 1223 a driveway in the front. Alleys give you an opportunity to have traffic like in the back so  
 1224 you're not interacting with those sidewalks. I think that's a huge safety measure and then  
 1225 also just to ask a question. I don't know if we can answer this now but wanting to make  
 1226 sure that the privacy fence ordinance that we recently considered I'm not sure it would be  
 1227 appropriate for a development of this size. So, just asking to make sure that that was a  
 1228 consideration. We had previously talked about privacy fences needing to have setbacks  
 1229 off of corner lots in particular. That may be something that maybe we can do without in a  
 1230 more dense area. Again, really, really appreciate this kind of proposal, really excited about  
 1231 it so thank you.  
 1232  
 1233 Mr. Mackey - Thank you.  
 1234  
 1235 Mr. Massie IV - My name is G. Edmund Massie IV. I live at 12283 Fieldcrest  
 1236 Lane in Ashland; however, I was here getting a zoning case deferred last month. I heard

about this, and I am in the same choir. I'm here to congratulate you. Allow me to tell you just a little bit about me. First of all, I just have to say, due to this young lady I've decided, I'm 75 I'm thinking maybe I need to go buy some bumpers to put on my car. Sounds like, if I don't hit someone, somebody's going to hit me. That was quite an eye opener. Thank you. I'm a believer in the wise use of land. How land is used determines whether a society succeeds or fails. For that reason, I spent 50 years as a land broker, retiring in October of '22. During that time, I also earned an MBA from the College of William & Mary. In talking with one of my finance professors, I told him I was interested in trying to predict the future and he said, it comes down to a study of demographics. I became a fan of demographics. I also spent 20 years teaching a land development course around these United States. In 20 years, I've taught at least 80 maybe 100 times. In the process, because of my focus on demographics, I became very intrigued by the type of land development called, Neotraditional Development, New Urbanism, Traditional Neighborhood Development, TND, all of those are basically the same which is a high density, walkable community. They're particularly appropriate, they're close to a town center that you can walk to. Thinking about Gen Y coming into the housing market, the largest generation of Americans ever and the need for additional housing. Pardon me, I'm recovering from a cold. I decided that when Gen Y came into the marketplace they were not going to be well received. It wouldn't be that people didn't want them to own homes just that they wouldn't be able to afford them. An awful lot of starter home communities put a new definition to the word "ugly" because they're built inexpensively. The focus is just on cost. In order to be successful, it has to be quality. The wise use of land demands that any development that's done is the highest quality because we're never going to change it back to agriculture. It's always going to be some other use. So, if you're going to do it let's do it well. Inexpensive development tends to get tired looking. Something that is done well and the focus is on quality matures. Huge difference. I have read the guidelines. Ben was kind enough to send them to me. I have a few concerns borne from the fact that I've spent the last several years I started in 2018 looking for a tract of land and I can do a small infill site in Metro Richmond that would allow me to test what I'd learned in terms of attractive streetscapes and so forth. But I didn't have the capital to do a true, very large traditional neighborhood development. So, my review of their guidelines is based upon my practical experience. In 2018 I put on a 23-acre site under contract, 68 lots, it's called Bethany Creek Park. We have now transferred all the lots. The least expensive home in there is \$434,000 the most expensive is \$550,000, higher than I wanted it to be but we also went through some rather dramatic inflation. I'm a big fan of alleys but when you're doing an infill there are times when the property is just too narrow. When you just can't literally fit an alley in. An alley, actually, you're creating a second road to service that house. In Bethany Creek Park we don't have any alleys. We have one area, about 18 lots we could have put in an alley but the county regulations - I'd fought so many battles with Chesterfield County to get my community approved - and I just didn't have enough testosterone left in my blood to fight another battle over an alley. We don't have alleys but most of the lots are 35' wide. Yours, minimum is 30'. Most of our lots are 35' wide and they have a 5' setback on the sideline so it's 25' building envelope for most of the houses. Most of the homes are one-car garage. Some of them are two-car garage. My caution about alleys is don't require them but where they're appropriate they're positive but there are some instances when you're doing infill when you just don't

1283 have enough room to put in a second road. Streetlights, I've done communities with  
1284 streetlights. The first one I did with streetlights, we put in the streetlights ahead of time.  
1285 Every subcontractor of every house cut that line and so we spent multiples of the cost of  
1286 putting it in to prepare it. The next community we did with streetlights we had Dominion  
1287 Power install them. Dominion Power at that point was limited by law that they could not  
1288 install streetlights until one year after the last certificate of occupancy was issued. I will  
1289 tell you there was an awful lot of agony as the developer when all of a sudden, a streetlight  
1290 appeared in front of a house and people weren't expecting it. They were upset about the  
1291 light and so forth and the pollution from it. I caution you that there may be a place where  
1292 streetlights are appropriate but there may be other places where ambient lighting is better.  
1293 Street trees, your 35' is amazingly close. In Bethany Creek Park we use 60' because  
1294 we're concerned about the canopy of the trees and not interconnecting. Open space, we  
1295 have trails in Bethany Creek Park. I would hate to light a trail. We try to position our trails  
1296 so that they don't come to the back of houses for security reasons. But in all of my travel  
1297 and in my travel teaching, I've probably walked 20 neotraditional homes with the  
1298 developer all along the country. I never saw a lighted trail. I know there's some in Henrico.  
1299 We had some people who were concerned that a lighted trail would encourage more  
1300 people at night. I'm almost finished, Mr. Mackey.

1301  
1302 Mr. Mackey - Yes, Mr. Massie. We have to be fair to everyone. We hold you  
1303 to the same time limits that we hold everybody else. You have about 15 seconds to wrap  
1304 up.

1305  
1306 Mr. Massie IV - Variety is critical. The streetscape depends upon several  
1307 factors. The sidewalk, the street trees, and the variety in the housing. Too many in  
1308 suburbia too often it's the same house all the time. So, we put in proffers in order to  
1309 encourage a variety so that when you drive into the community now and you see variety  
1310 and it will mature beautifully as the street trees grow. Again, I encourage you, I'm excited  
1311 about your proposed ordinance. I encourage you to do it. If there's any way that my  
1312 practical experience would be of benefit to you as you fashion your guidelines and so  
1313 forth. Joe and Ben know how to catch up with me. I'd welcome the opportunity of talking  
1314 with you.

1315  
1316 Mr. Mackey - Do we have anybody on WebEx?

1317  
1318 Ms. Drash - Mr. Chairman, there is no one on WebEx.

1319  
1320 Mr. Mackey - Any comments?

1321  
1322 Mr. Winterhoff - First, a quick moment of reflection. For the first year for many  
1323 of us being part of the Planning Commission and a few things that I've learned. Just  
1324 having wonderful community members and your involvement and willingness to come  
1325 out. This is new for me-being part of the County and so from the listening events to  
1326 hearing from people like yourselves tonight. It's very important, and I do this week after  
1327 week now, be part of this process. I want to thank the Planning Department, Mr. Sehl and  
1328 all the folks who have taken a big part in developing this and looking ahead for the County.



1329 To your credit, you see the possibilities, you see the future. You're really helping us set  
 1330 up and make sure that we're continuing to make this a great community for all of us to be  
 1331 part of. So, at this time I move that we recommend the Board of Supervisors amend the  
 1332 2026 Comprehensive Plan to incorporate a document titled, Design Guidelines for Small  
 1333 Lot Single Family Residential Developments.  
 1334  
 1335 Mr. Witte - Second.  
 1336  
 1337 Mr. Mackey - We have a motion by Mr. Winterhoff, a second by Mr. Witte.  
 1338 All in favor, say aye.  
 1339  
 1340 Commission - Aye.  
 1341  
 1342 Mr. Mackey - Any opposed? Motion is carried.  
 1343  
 1344 Mr. Winterhoff - I move that we recommend approval of the revisions to the  
 1345 Subdivision Ordinance as presented this evening.  
 1346  
 1347 Mr. Mackey - Second. We have a motion by Mr. Winterhoff, a second by Mr.  
 1348 Mackey. All in favor, say aye.  
 1349  
 1350 Commission - Aye.  
 1351  
 1352 Mr. Mackey - Any opposed? Motion is granted.  
 1353  
 1354 Mr. Winterhoff - I move that we recommend approval of the Revisions to the  
 1355 Zoning Ordinance to Create the R-5B District and other associated changes as presented  
 1356 this evening.  
 1357  
 1358 Mr. Witte - Second.  
 1359  
 1360 Mr. Mackey - We have a motion by Mr. Winterhoff, a second by Mr. Witte.  
 1361 All in favor, say aye.  
 1362  
 1363 Commission - Aye.  
 1364  
 1365 Mr. Witte - I do want to go on record and say I think these small lots are  
 1366 damaging the entrepreneurship of the younger generation. How much can they possibly  
 1367 charge to cut grass on a 5 yard back yard lot?  
 1368  
 1369 Mr. Emerson - Mr. Chairman, we now move on to a discussion item which  
 1370 the Commission will discuss the nomination of Officers for the 2025 calendar year. Per  
 1371 Article IV of your Rules and Regulations, it states, "The Commission shall annually  
 1372 nominate a slate of Officers for Chairman and Vice Chairman at its meeting in December  
 1373 and elect a Chairman and Vice Chairman at its meeting in January." So, this slate of

1374 Officers will preside over the meetings and business of the Commission through the year  
1375 2025.  
1376

1377 Mr. Mackey - Any discussion? Any questions? I believe a motion would be  
1378 in order. Should we start with the Chair first or should we start with the Vice Chair?  
1379

1380 Mr. Emerson - I think you can do both in one motion if you choose.  
1381

1382 Mr. Mackey - I move that we nominate Mr. Bob Witte to be Chairperson for  
1383 the 2025 calendar year and Mr. Jaron Dandridge as Vice Chair for the 2025 calendar  
1384 year.  
1385

1386 Mr. Winterhoff - Second.  
1387

1388 Mr. Mackey - We have a motion by Mr. Mackey, a second by Mr. Winterhoff.  
1389 All in favor, say aye.  
1390

1391 Commission - Aye.  
1392

1393 Mr. Mackey - Opposed? Motion is granted.  
1394

1395 Mr. Emerson - Gentlemen, congratulations on your nominations. The next  
1396 item Mr. Chairman is the consideration of approval of your minutes from the regular  
1397 meeting on November 14. I do not believe we have an errata sheet.  
1398

1399 Mr. Mackey - Any corrections? I move that the minutes be accepted as  
1400 presented.  
1401

1402 Mr. Witte - Second.  
1403

1404 Mr. Mackey - A motion by Mr. Mackey, a second by Mr. Witte. All in favor,  
1405 say aye.  
1406

1407 Commission - Aye.  
1408

1409 Mr. Mackey - Opposed?  
1410

1411 Mr. Emerson - Thank you, gentlemen and this is the last meeting of the year.  
1412 I wish each of you a happy holiday. I look forward to an exciting year next year. I think we  
1413 have a lot going on. Thank you for all your cooperation throughout the year and for all of  
1414 the new members it's been a pleasure working with you. I'm hoping you get settled into  
1415 your positions. I'm very excited about the next year.  
1416

1417 Mr. Mackey - It's been a pleasure meeting you. It's also been a pleasure  
1418 working with you. I've enjoyed it and look forward to working with you more in the future.

1419 Happy holidays to everyone. Hope you have a wonderful, safe holiday with your families  
1420 and enjoy yourself. Does anyone else have anything?

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1422 Mr. Witte - Ho, ho, ho.

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1424 Mr. Mackey - If not, the meeting adjourned.

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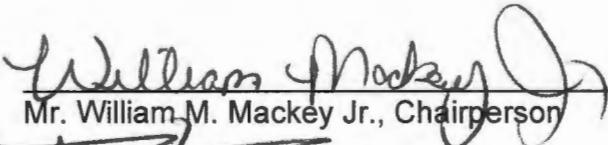
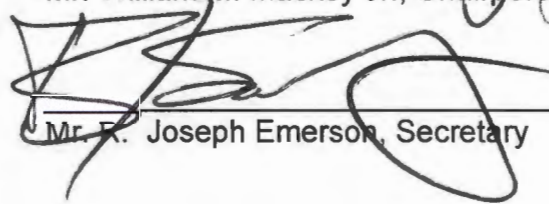
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Mr. William M. Mackey Jr., Chairperson  
  
Mr. R. Joseph Emerson, Secretary