

1 Minutes of a special work session on the Update of the 2026 Comprehensive Plan, held in the
2 County Manager's Board Room of the County Administration Building in the Government Center at
3 Parham and Hungary Springs Roads, Beginning at 5:45 p.m. Thursday, February 9, 2006, Display
4 Notice having been published in the Richmond Times-Dispatch on January 19 and January 26,
5 2006.
6

7 Members Present: Mr. C. W. Archer, C.P.C., Chairperson (Fairfield)
8 Mr. Tommy Branin, Vice Chairperson (Three Chopt)
9 Mr. Ernest B. Vanarsdall, C.P.C., (Brookland)
10 Mrs. Bonnie-Leigh Jones (Tuckahoe)
11 Mr. E. Ray Jernigan, C.P.C. (Varina)
12 Mrs. Patricia S. O'Bannon (Tuckahoe), Board of Supervisors
13 Representative
14 Mr. Randall R. Silber, Director of Planning, Secretary
15

16 Others Present: Mr. Ralph J. Emerson, Assistant Director of Planning
17 Ms. Jean Moore, Principal Planner
18 Mr. Lee Tyson, County Planner
19 Mr. Ronald L. Mastin, Chief, Division of Fire
20 Ms. Reta R. Busher, Director of Finance
21 Ms. Ann B. Cleary, Recording Secretary
22

23 **Ms. O'Bannon abstains from voting on all cases unless it is necessary to break a tie.**

24
25 **Update on the 2026 Comprehensive Plan**

26
27 Mr. Silber - We have a number of items on the agenda tonight and this is a
28 progressive meeting. This is the first phase of this meeting, which involves a work session with
29 the Planning Commission to update or brief you on where we are with the 2026 Comprehensive
30 Plan. We just want to try to regularly inform the Commission as to where we are. We have met
31 with each of you to go over the Land Use Plan components, the mapping components, and we
32 want to give you a bigger picture of where we are with the update. Jean is prepared with a short
33 Power Point presentation and she will give that and then follow up with any questions you might
34 have. Our need from a timing perspective is that we have a public hearing downstairs for the
35 CIP at 5:45, and so by 5:30 or 5:35 we should head downstairs.
36

37 Mr. Archer - All right. Thank you, sir.

38
39 Mr. Branin - Ms. Moore, before you start I'd like to make comment. In our review of
40 the Land Use 2026 and any problems that we found, we were told that they were due to you.
41 Just so you know.
42

43 Ms. Moore - OK. Duly noted. We have it on record for all eternity.
44

45 As Mr. Silber stated, the purpose of this work session is to give you a brief update of the status
46 of the 2026 Land Use Plan. As you are aware, we have been working with the firm, McBride Dale
47 Clarion in drafting this update to the Plan. The Plan will include the integration of the Land Use
48 Plan, Open Space and Recreation Plan as well as the Major Thoroughfare Plan. But in addition to
49 this, we have three new components, which will include a Community Facilities Plan, a Public
50 Utilities Plan and a Fiscal Impact Model. In addition to that, we will actually have a stand-alone
51 design manual to use Countywide.
52

53 There are eight major tasks in drafting the plan. They are Visioning, Validation of County Data,
54 Development of Trends and Alternative Scenario (s), Citizen Outreach, Development of the
55 Comprehensive Plan, Fiscal Impact Analysis Tool, Transportation Model and again, the Design
56 Manual. There will also be a Utilities Plan to address water and sewer which is also being
57 developed by the consultants Greeley and Hanson for Public Utilities. Even though these tasks
58 are listed A to G with the Design Manual, many of these tasks run concurrently and their
59 outcomes are closely entwined. We are in the process of updating the County traffic data and
60 developing the Traffic Fiscal Model. These models are preliminary, so we don't have anything to
61 show you as yet. However, the models will help us determine if revisions are required for the
62 scenarios for future land use maps.

63
64 Ms. O'Bannon - The Governor has said that his transportation planning is going to be
65 based on the transportation model that is built first, and then they are supposed to link the land
66 use to transportation. Don't we already do that?

67
68 Ms. Moore - We do do that, and this is actually taking that into account because we
69 are recommending or we are going to have new land use classifications. We need to look at that
70 Countywide. It is a broad base model. It won't preclude traffic impact analysis as individual
71 zoning cases come in.

72
73 Mr. Emerson - But your point is good. If legislation came through, we would do this.
74 We already do this and we'd rather not be required to do it. What other people do is as they
75 wish to, so we are simply opposing to requiring us to do it.

76
77 Ms. O'Bannon - And the State is telling the localities what they have to do. Are there
78 some other communities that do this, some other Counties that do this?

79
80 Mr. Emerson - No, because VDOT handles their own roads. You are going to find that
81 most counties are handled by VDOT and do not have a transportation model.

82
83 Ms. O'Bannon - OK. Thank you.

84
85 Ms. Moore - We hope to be one of the first on the map for this. Going back to land
86 use and developing the Land Use Plan for future uses, each of you met with your counterpart on
87 the Board of Supervisors recently and Planning staff to talk about your comments and discuss
88 and identify future land uses within your magisterial districts. Staff took your comments and we
89 are currently reviewing those and our goal is to forward those revisions to our consultants within
90 the next two weeks. The consultants will then input that land use data into the demand and
91 capacity scenarios as well as transportation, fiscal and public utilities models. With this
92 information, we will be able to anticipate future infrastructure and capital facility needs and then
93 from there, that may mean a second evaluation of the Land Use Plan. Soon you will be provided
94 the Foundations section of the Plan for your review. This includes Chapters 1 through 4, which
95 will provide the framework of the document by introducing an overall background of the County.
96 The overview includes the role, purpose, legal basis, and its development process of the plan.
97 The foundation section of the plan includes an inventory of topics of the County's land uses,
98 population, transportation, infrastructure, public services, and the natural, cultural and historic
99 resources. It would also state the vision and goals identified during the June visioning sessions
100 along with the strategies that have been formulated to help realize these visions and goals. After
101 that you will be receiving additional chapters of the Plan as they are completed for review. The
102 upcoming chapters will be more involved and staff is currently scheduling work sessions with the
103 Commission and the Board of Supervisors to review and discuss these chapters' components.
104 What is next, to keep you in the loop, the tentative dates for these work sessions is as follows:
105 Tuesday, February 14, April 19 or 20, June 21 and August 15 or 16, and we will notify you as

106 soon as these dates are confirmed. We are also preparing for two open houses for public
107 comment in the spring, tentatively late April or early May. They will be held at the Eastern and
108 Western Government Centers, and we will present a plan for public input, but the main
109 component will be public outreach. The overall tentative time line for adoption includes a public
110 hearing before the Planning Commission in September with a recommendation to the Board of
111 Supervisors in October, and adoption by the Board of Supervisors by the end of 2006 or early
112 2007. So, that really is our update in a nutshell, and I will be happy to try to answer any
113 questions you may have.

114
115 Mr. Archer - Ms. Moore, do the coordinates in the GIS ever change? You know, when
116 you update the map in the GIS, I understand that you would redraw some lines, but I am just
117 curious as to how that is done as far as the marking of coordinates.

118
119 Ms. Moore - The GPS itself or...

120
121 Mr. Archer - Yes, the GPS.

122
123 Ms. Moore - I don't think so.

124
125 Mr. Emerson - Periodically they will go in and make a benchmark and then adjust
126 alignment based on a fly over and new aerial photography, and adjust the maps correctly, but if
127 they are done on the coordinate system, the original setup of the system, everything should fall
128 into place.

129
130 Mr. Archer - There are some marking points in the ground somewhere. And you can't
131 move them.

132
133 Ms. Jones - The working paper on 2/14, what is the working paper?

134
135 Ms. Moore - That is the Foundation section I was just talking about, and that is going
136 to be the opening framework of the plan. It is Chapters 1 through 4.

137
138 Mr. Silber - That will be the first four chapters of the Plan. It will be sent to you all,
139 probably in about a week or two. I don't know if the 14th is a realistic hearing, but a target date.
140 We will be sending the first four chapters to you for your reading and input and it will be sent to
141 the Board of Supervisors prior to that.

142
143 Ms. Moore - Based on the content of that section of the plan, we did not feel like we
144 needed a full-blown work session. It really is just a review and making sure the framework is
145 right.

146
147 Ms. Jones - Will we have any time in the session to get back together as we did
148 earlier with the Supervisor and the Commissioner from each district to go over the plan again for
149 our particular district, based on the comments we made during the first work session? To go over
150 the things that came up during those sessions.

151
152 Mr. Emerson - We have not planned to do that, but if you would like, we can.

153
154 Mr. Silber - I think, Bonnie-Leigh, what we are hoping to do, is take your comments,
155 incorporate your comments into that draft, the next draft of the Land Use Plan map, and give
156 those comments to the consultant and have them begin to put that into the modeling process,
157 and the next time you see the map, they will have been incorporated. Your comments will have
158 been incorporated into those maps. If there are some areas you want to consider making some

159 more changes to, we could schedule a special time to sit down and review your thoughts. I think
160 everything that you all suggested will have been incorporated in the revision.

161
162 Mr. Emerson - You may want to be aware we have corrected the floodplains. The
163 floodplain map is created by other agencies. We kept pushing and pushing and asking a lot of
164 questions. We finally determined what Planning staff had been presented was a 500-year flood
165 plain and we have reduced it to the 100-year floodplain...

166
167 Ms. Jones - Oh, that makes me feel much better. Thank you.

168
169 Mr. Emerson - The 100-year floodplain is what we normally work with. So, that is going
170 to reduce the area in the floodplain considerably.

171
172 Ms. Jones - OK. Thank you. That is really where I was going with my comment. I
173 didn't want to leave that and go to the consultant and then have it a part of the big plan. Thank
174 you.

175
176 Mr. Archer - OK, any more questions? We are close to the time we need to depart.
177 Thank you, Ms. Moore. We appreciate it.

178
179 Ms. Moore - Thank you.

180
181 **THE MEETING CONVENED FROM THE COUNTY MANAGER'S CONFERENCE ROOM TO**
182 **THE BOARD ROOM AT THIS TIME.**

183
184 **AT 6:45 PM THE MEETING RECONVENED IN THE BOARD ROOM.**

185
186 **PUBLIC HEARING ON CAPITAL IMPROVEMENT PROGRAM:**

187
188 Mr. Hazelett - This is a public hearing on the Capital Improvement Program.

189
190 Mr. Archer - Nice to see you sir, and since it is 6:45, we may as well go ahead and
191 get started on this, Mr. Secretary. I'd like to introduce Mr. Tom Lappis from the *Henrico County*
192 *Citizen* and any other reporters that might be present that I don't know about. All right, Mr.
193 Secretary.

194
195 Mr. Silber - Thank you, Mr. Chairman. The first item on the agenda tonight is
196 consideration of the Capital Improvement Program. This is a public hearing on the CIP for the
197 years 2007-2011. State law, as you may recall, requires the Planning Commission to hold a
198 public hearing and to recommend to the governing body that the plan is in compliance with the
199 County's adopted Comprehensive Plan. Therefore, we have provided you, and you have in front
200 of you the Resolution, that we would ask that you consider, at the end of the public hearing.
201 Again, we have the County Manager here this afternoon, who is presenting the two components
202 to the CIP and he does have his distinguished staff here to answer questions and there may be
203 people here from the public that want to ask questions. That is a part of the process. This is a
204 public hearing. At this point, Mr. Manager, I will turn it over to you.

205
206 Mr. Vanarsdall - Each year I always say this, and I wasn't going to say it this year, but
207 Tommy Branin is new on the Commission and he said "Who are all of those people out there?" I
208 told him these are the officers of the County. We have everyone here, on this particular night,
209 every February. We are glad to have you back every year.

210

211 Mr. Hazelett - Mr. Chairman, members of the Planning Commission, Ms. O'Bannon and
212 Mr. Silber, we are here this evening to present to you two items. One is the County's five-year
213 Capital Improvement Program and then to highlight the proposed Capital Budget for the year
214 2006-2007. As you are aware, the Capital Budget represents those projects that are
215 recommended for funding in the first year of the five-year CIP and this is always the process in
216 which we strive to reach a balance between the many needs in the Capital Improvement efforts
217 and the importance of careful stewardship of the County's fiscal resources.

218
219 The highest project priorities in this plan are those which were approved by the County voters in
220 the General Obligation Bond Referendum in both November, 2000, which seems like a long time
221 ago, and in March of 2005. This year's proposed Capital Budget includes 23.8 million dollars for
222 Freeman High School renovation, which, believe it or not, is the last of the general obligation
223 bond projects funded from the 2000 referendum. The proposed Capital Budget also contains
224 projects funded by the March 2005 referendum, which amount to 24 million dollars for education
225 and 25.3 million dollars in general government. Now, in looking at the five-year CIP request,
226 again just the five-year CIP request and not the budget, but these are summary aspects, divided
227 by department of proposed expenditures over that five years. As you see, the top is Education,
228 281.6 million dollars. This includes funding for two new elementary schools, two new middle
229 schools, two new high schools, plus renovations and improvements in many schools throughout
230 Henrico County. It also includes funding for roof replacement and mechanical improvements so
231 many people forget about, as we move ahead and add buildings to all of our efforts, both on the
232 general government side and the education side. Buildings must be maintained. In addition,
233 Fire's five-year request is 60.2 million dollars and includes funding for three new fire stations,
234 rebuilding and relocating of six additional fire stations, a drill facility addition and a multipurpose
235 facility which is for physical fitness, which is now carried on, actually, in a warehouse in eastern
236 Henrico County, and a request for consideration of new administrative space for the Division of
237 Fire.

238
239 General Services, you see a very large number, 218.7 million, which is a request for roof repair,
240 mechanical improvements, pavement rehabilitation, plus continued renovation and upgrading of
241 all of the general County Government facilities across Henrico County. That is to enhance the
242 efforts we provide to our citizens when they are dealing with their local government. Also
243 included is a 98.4 million dollar figure for a new courts complex, which is one which is quite
244 honestly, giving me a headache as I look to the future in reference to how to fund that particular
245 small item, 98.4 million dollars. Also, 41.7 million dollars, which is for a new East End Depot,
246 which is where our maintenance activities occur in Eastern Henrico County, but as Eastern
247 Henrico County continues to grow, we are going to have to relocate those facilities, so that is
248 also included.

249
250 There have been discussions for a number of years when you see Human Resources up here
251 about a new system, if you will, a computerized system to replace our current 21 year old
252 system. This is not a glamorous effort. It is an absolute need for the future. That is we are
253 approaching over 600 million dollars in payroll efforts in an extremely complex arena of having to
254 administer and interpret law, and this is over 12,000 full-time County employees on both the
255 school and the general government side. It is becoming more and more complex. We know that
256 this is going to have to be done; hence you see it at this point, in the five-year proposed CIP.

257
258 As we move along, we see a small figure, 275,400 dollars, and a disaster recovery project. That
259 sounds a little funny, but it is to be sure that we do not lose any information in case of disaster
260 where the IT facilities may be destroyed, something that we have to look at more and more as
261 we go into the future.
262

263 There are other requests: Juvenile Detention Home to expand existing administrative space,
264 public libraries, a large request of 43.4 million dollars for renovation and expansion of four
265 libraries and the replacement of one library and land purchase related to one library.
266

267 Landfills, you also see in the area of Public Utilities, 2.5 million dollars for base construction of a
268 last landfill area, the Springfield Road Landfill. We are running out of space and that will
269 generate a lot of additional conversation in the future, but this would prepare us for that last
270 phase.
271

272 In the five-year program there is also 48.3 million dollars requested for 85 drainage projects
273 throughout Henrico County. That figure continues to mount simply because of inflation aspects
274 as we have not done any of these projects over the years. This is a continuation of the
275 implementation and maintenance and the upgrading of our geographical information system at a
276 request of 1.5 million dollars, again over a five-year period. Road projects which are always
277 needed in an ever expanding locality such as Henrico County, and that is at 47.7 million dollars
278 to alleviate traffic congestion and safety problems we have throughout Henrico County.
279 Recreation and Parks, as we grow more and become more urbanized, there is consideration of
280 requests, a large request, 155.7 million dollars for projects that include improvements to existing
281 facilities as well as development of new parks and facilities to improve the quality of life for all of
282 our citizens as we move ahead.
283

284 There are also some additional aspects with requests within the Enterprise Fund. That is a self-
285 contained fund, as you know and Public Utilities' effort totaled 252.3 million dollars and it
286 includes projects we 'see are extremely important to all of the citizens of the County, that is to
287 rehabilitate, to expand and to modernize the County's water and sewer system. These requests
288 are normally funded through revenue generated by the County's water and sewer pumps.
289

290 In addition, Belmont Golf Course has a request for 5 million dollars. All we say is it's to fill up the
291 holes that Mr. Archer creates out there, but it is to increase the number of parking spaces
292 available at the facility and to make improvements at the golf course. The total requests amount
293 to 1.13 billion over the next five years. Of that amount, obviously, due to funding constraints,
294 only the most pressing needs are recommended for consideration in the Capital Budget. The
295 following slides show you the Capital Budget that is being proposed to be presented to the Board
296 of Supervisors.
297

298 You will notice that in the area of education, it is 67 million dollars and that includes funding for
299 renovation and additions to three high schools, two middle schools, and one elementary school,
300 as well as construction of a new middle school. Funding was also included to support the
301 purchase of land for new school sites along with continued roof replacement and mechanical
302 improvements. Land is getting extremely difficult to acquire in the western portion of Henrico
303 County. We are looking even beyond bond referendum projects in the future in order to acquire
304 some land, and, quite frankly, it may not be available for a school that would have to be
305 constructed in the year 2012 or 2014.
306

307 Fire funding of 4.5 million dollars is for the relocation of Fire Station No. 3. This project was
308 funded in the March 2005 bond proceeds. General Services, 13.9 million dollars includes funding
309 for sanitary sewer improvements for the East Area Middle School. You will recall that there is a
310 large length of sanitary sewer that is necessary for that. We are proposing to do that through
311 the aspects of General Services to administer the project either there or in Public Utilities, but at
312 this point the expenditure is shown in General Services because it would be General Fund money.
313 Juvenile Court renovation expansion security addition to court facilities, additional holding cells
314 within the Circuit Court, simply because of the time in which we are going to remain in the
315 existing facilities are recommended, Tuckahoe Library retrofit is also recommended. That is the

316 existing Tuckahoe Library, heating improvements, and technology updates for our E-911 System,
317 which must be maintained and brought up to the latest standards for all of our citizens, and, of
318 course, continued efforts and maintenance, roof repair, mechanical improvements and so forth.
319 Also, the funding of \$250,000 for Information Technology that is to provide additional protection
320 in case a disaster was to occur to the Information Technology or Computer Center.

321
322 Public library funding of 14.5 million dollars is for the renovation of Gayton Library and renovation
323 and addition to the Glen Allen Library and land purchase for the new Varina area library. All of
324 these projects were included in the March, 2005 GO Referendum.

325
326 As we move to the next slide, you will see that \$200,000 is recommended to continue
327 implementing, maintaining and upgrading our GIS System. Henrico County has a large
328 reputation in reference to GIS efforts and we are well known for what we do, what we have
329 done, and it is a system that is becoming absolutely necessary for day to day operations in all of
330 our departments. 4.1 million dollars for Public Works roadway improvements. This will fund
331 additional efforts for John Rolfe Parkway, Charles City Road and Cedar Fork Road Bridge, which
332 are projects that have been in the CIP for Public Works for a number of years, and this money is
333 requested for that particular aspect, and, of course, you will see, in just a few slides later, that
334 most of this money comes from General Obligation Bonds or from gas tax revenue from the State
335 of Virginia.

336
337 Recreation funding of 9.1 million dollars includes three projects, which were all in the 2005
338 Referendum and include a new eastern Henrico Recreation Center, renovations to Henrico
339 Theater and land acquisition for a park in western Henrico County. Funding is also proposed for
340 a maintenance shop and improvements to the Cross-Palmore House, which has been with us for
341 a while, and rehabilitation at existing County facilities.

342
343 In the area of utilities, the water and sewer effort, 39.6 million dollars. That is for the continued
344 expansion and continued rehabilitation of all of our water and sewer efforts.

345
346 These next slides give you the same figures, but it depicts it in a different way. This is the way
347 that we provide to the Board of Supervisors, so that they can see the different types of
348 improvements, new buildings at 36.4 million, building additions, building improvements, land
349 acquisitions and of course, park acquisitions, as you can see. If you move ahead, roadway
350 improvements, site improvements, technology improvements, the sewer, the water, all coming
351 back to the very same figure, 153.13 million dollars. Some of these efforts that you might be
352 aware of, that you might like to know about are our sewer projects include Four Mile Creek Trunk
353 Sewer Rehabilitation, something that is extremely critical to the operation of our sewer system in
354 the eastern part of this County. North Run sewer line, Meredith Branch sewer improvements, all
355 are needed for continuation of their efforts. Water projects include the following: Pouncey Tract
356 road area water line that is necessary due to the large amount of development that is occurring,
357 reduction in pressure that is in this particular area. Also, Three Chopt Road improvements, the
358 current reduction in pressure that is in this particular area. There are also Three Chopt Road
359 improvements, the water extensions in this area, the supply lines, of course, to Goochland
360 County, actually consideration for the replacement and rehabilitation of a number of our water
361 lines and even consideration for improving our water meter reading services. You will recall I
362 indicated that funding from the 2000, November 2000 Referendum, we have one project
363 remaining, that is the Freeman High School renovation at 23.8 million dollars. I would pause
364 here and tell you, as I must tell the Board of Supervisors, that I am concerned about the increase
365 in cost of all of these projects as we move forward. These projects, of course, were indicated as
366 a need by the citizens. We are morally committed to them, but we must be very, very careful for
367 the cost of these projects as we move forward. Currently, we are seeing costs going up probably
368 20 to 25% over our estimates. We will have to make critical decisions as we move to the future

369 as to whether we continue and pay that addition in surcharges, that 20 to 25% of additional cost
370 over the anticipated estimate, and, of course, that has to be funded from somewhere, which is a
371 problem that the Board of Supervisors will face, and we are working on ways in this budget and
372 future budgets to take care of them.

373
374 Funded within 2005 GO Bond proceeds, you see education, you see the West Area Middle School
375 construction, you see the Varina High School cafeteria and six classroom additions, which totals
376 24 million dollars in that particular area.

377
378 On the General Government side, I have mentioned the location of Fire Station No. 3 and most of
379 these projects, actually, the Gayton Road Library renovation, the Glen Allen Library, the Varina
380 area library, the other three. The western Henrico park land acquisition at 1.4 million would be
381 combined with funding that still remains from the 2000 Bond Referendum that would accumulate
382 to an amount of 2.6 million dollars.

383
384 This is the first funding that we are proposing and looking to, as you see, gas tax, which, of
385 course, funds gas projects, General Fund, which the Board of Supervisors will be considering.
386 Again, General Fund money going to Public Works. You then see the General Obligation Bonds
387 proceeds, the 2000, the one remaining project. Education and general government for 2005.
388 Money received from the State, while it is E-911 funding, lottery and state construction, which is
389 on the school side, goes to actual education construction and other local revenue. That is a
390 figure that will come from the General Fund and that is actually for the sewer at the Eastern Area
391 Middle School that we have been discussing.

392
393 Additional State Revenue figures are 11 million dollars, which is going toward land acquisition
394 again on the school side, and the water and sewer revenues, which I have indicated would be
395 generated by water and sewer rates within the Department of Public Utilities.

396
397 Mr. Chairman, and members of the Planning Commission, myself and staff are here to answer
398 any questions you have. This is the presentation of the Capital Improvement Program and the
399 Proposed Capital Budget. Should the Planning Commission approve this, and, of course, it will be
400 presented as a part of the overall budget to the Board of Supervisors, and those deliberations
401 would begin in March and hopefully they would be finished by the second Board meeting in April,
402 at which time we would adopt the budget. Staff is here to answer any questions you might have
403 and I always indicate, we brought them all by bus and the bus is running. If they can't answer
404 the question, they immediately get on the back of the bus, because we are leaving.

405
406 Mr. Archer - Thank you so much for your presentation. First of all, I am happy to see
407 that there is an allocation being made for a museum. I think we have a very rich history and we
408 need to be thinking about a place to preserve it. I only had one question about the funds for the
409 Cedar Fork Road Bridge project. Any idea when that is coming to fruition?

410
411 Mr. Hazelett - Cedar Fork Road Bridge, Mr. Thompson.

412
413 Mr. Archer - Mr. Thompson, how are you, sir?

414
415 Mr. Thompson - I am just fine, sir. The time frame for that project would be in 2008 for
416 completion, sir.

417
418 Mr. Archer - Very good.

419
420 Mr. Thompson - And that is the section that connects the two pieces of Cedar Fork Road.

421

422 Mr. Branin - I have one question that will pertain to Three Chopt Road. Do you know
423 when Three Chopt Road is proposed to have its improvements done?
424

425 Mr. Thompson - They are under design right now and fortunately that project is using
426 Metropolitan Planning Organization Regional funds. It is going to take approximately eight years
427 to get the construction completed on that project. Eight years.
428

429 Mr. Branin - Eight years. And the second one is Broad Street.
430

431 Mr. Thompson - We are through the right of way piece for Phase 1. We have started
432 authorization for utility location on Phase 1 and hope to advertise shortly in the spring for Phase
433 1 of the project.
434

435 Mr. Branin - You are saying Phase 1 would be from Broad...
436

437 Mr. Thompson - From Broad to Three Chopt Road and then down to Church Road would
438 be the next phase.
439

440 Mr. Branin - And then John Rolfe between Broad and Three Chopt (unintelligible).
441

442 Mr. Thompson - Yes.
443

444 Mr. Archer - Thank you, Mr. Thompson. Does anyone else have something?
445

446 Mr. Jernigan - Mr. Manager, I have a question on the east end. Do you want to
447 relocate that to another area?
448

449 Mr. Hazelett - We are, Mr. Jernigan, going to relocate that further into the Varina area
450 simply because of the anticipated development in the Varina area. We don't feel that the present
451 location will serve that, so we will be moving further in into eastern Henrico County. We have
452 looked at several sites and it would be a complete move and it would take an approximately 50-
453 acre site in order to move everything we have.
454

455 Mr. Branin - Mr. Hazelett, the land fill. How many years do we have left on that?
456

457 Mr. Hazelett - It depends upon the amount going into that, Mr. Branin. I would say
458 2010, 2011, 2012, is probably when we will be out of there and having to look elsewhere.
459

460 Mr. Branin - That was my next question. Have we actively been looking for 2012?
461 That is quite a ways.
462

463 Mr. Hazelett - We have not, Mr. Branin. We will have to make a decision into what we
464 do, whether we go into transfer stations with movement to landfills outside of Henrico County.
465 We can, of course, revisit other aspects of landfills within Henrico County where we have
466 arrangements with the private sectors now. We have not made that actual decision and would
467 not do so until probably two years before we actually close the last phase.
468

469 Mr. Branin - Now is the quarry adjacent to the landfill? Could we borrow from that
470 quarry?
471

472 Mr. Hazelett - Probably, Mr. Branin, but again we have a question that we have to
473 answer as to whether Henrico County should remain in the landfill business. There are a large
474 number of environmental constraints and newer environmental constraints constantly placed on

475 local government, and we are going to have to answer the question of whether we should
476 continue this or whether we should seek to do it through the private sector through contract
477 arrangements and transfer stations, which, of course, many localities have gone to and are
478 turning to, quite frankly, because of these concerns.

479
480 (Unintelligible):

481
482 Mr. Hazelett - It is actually a private company in Charles City County where Charles
483 City County receives a lot of revenue from the operation of that private effort and that is one
484 alternative. There are several in the area from the private sector standpoint that would require
485 us to create transfer stations where our citizens could off-load trash and debris, which, of course,
486 would then be transferred to that point, and that is where the charge would come in at that
487 point.

488
489 Ms. O'Bannon - I have one question and that is why would (unintelligible) and the
490 present technology. Can you just go into a little bit detail about that or...

491
492 Mr. Hazelett - I am sure it is. It is constant upgrade of the computers and the
493 necessary aspects available for E-911. Mr. Proto.

494
495 Mr. Proto - Actually, Mr. Hazelett pretty well answered the question, Ms. O'Bannon.
496 It would provide for replacement of the existing computers for the systems within the
497 communication center. What we are trying to do is phase it in a program much like the
498 computer replacement program, so that we can keep up with technology.

499
500 Ms. O'Bannon - Where does that money come from?

501
502 Mr. Proto - From the State (unintelligible) that comes back to the jurisdictions and
503 that is in essence paid by the citizens that pay their tax.

504
505 Ms. O'Bannon - Have we put in more than we have gotten back?

506
507 Mr. Proto - Yes, ma'am. I don't know the numbers. Maybe John does, but certainly
508 we have put in more than we get back.

509
510 Mr. Vithoukaskas - It is a 75 cent per month charge on each bill and for the past four or five
511 years, our return on investment is between 63 and 65 cents. We just ran that recently in the
512 Budget Office, for every dollar that we put in.

513
514 Ms. O'Bannon - For every dollar you put in.

515
516 Mr. Vithoukaskas - Yes, ma'am.

517
518 Ms. O'Bannon - How much was it, 60....

519
520 Mr. Vithoukaskas - It is about two-thirds.

521
522 Ms. O'Bannon - I think they were going to rearrange that or close that down. What is
523 going on with that? Do you know?

524
525 Mr. Hazelett - No, ma'am, that money is available to us. If you recall, there is
526 consideration by the General Assembly to bundle all of these types of taxes, communication taxes
527 together. It is supposed to be revenue neutral to the localities. I will wait to see that. I am not

528 sure how far it is going to get this year, but this money is safe from that standpoint. We are
529 aware of that.

530
531 Mr. Jernigan - Mr. Manager, I have two questions on Fire. You said earlier that you are
532 looking for another facility for administration of Fire?

533
534 Mr. Hazelett - As we move ahead, over five years, Mr. Jernigan, there is a possibility
535 that we will have to relocate the administrative offices of Fire for a couple of reasons. No. 1,
536 they are running out of space, and No. 2, the Division of Police is also running out of space, not
537 only for personnel but for actual storage and so forth, which is needed. Those are two different
538 things and you have to look at what you can keep together and what you can move, which we
539 are currently doing.

540
541 Mr. Jernigan - In looking through here, I see that we have Rocketts Landing for Fire
542 Station No. 20, land acquisition, \$524,000?

543
544 Mr. Hazelett - Yes, that was an estimate that was put in by the Division of Fire for
545 consideration of what our needs might be in the future. That doesn't say where the revenue is
546 coming from or where the land would come from. As you are aware, we are in negotiations and
547 there is a possibility that between development or several pieces of development in the Varina
548 area, that location could be provided, but you all, obviously, have to construct the station once it
549 is there. But this simply puts it in process, if you would. It puts a bookmark in there that that is
550 a need that we have to consider for the future.

551
552 Mr. Jernigan - I don't know how I missed that. We should have that done.

553
554 Mr. Hazelett - We have been talking to them about it, the Division of Fire has, the
555 Planning office has. They are not adverse to that at all. It is a question of where we locate it
556 and whether it is shared between them and Wilton Farm or exactly what we do. That is an
557 active conversation. That is not an issue.

558
559 Mr. Jernigan - We have people looking at Tree Hill, too. That has got plenty of
560 property.

561
562 Mr. Hazelett - Yes, sir. We are aware of that. We put a bookmark in to make sure,
563 because we are not sure it would fund the operational aspects and so forth, and again, that is
564 not funded. That is simply a request for consideration over the next five years.

565
566 Mr. Jernigan - Thank you.

567
568 Mr. Vanarsdall - Mr. Manager, I have a question about schools. The central west area,
569 which is going to share Brookland and Blue Top, is the far reaching goal to replace a high school?

570
571 Mr. Hazelett - There is one high school that was approved on the referendum, which is
572 actively seeking a location for the school system and general government and have looked at a
573 number of locations, none of which have actually been accepted yet. That is still under active
574 review, Mr. Vanarsdall. I don't know when we will do that. I received a letter from the
575 Superintendent requesting consideration of additional property, which is actually east of
576 Interstate 95, the Hall of Fame site. There are a number of issues in reference to location of the
577 schools, what it is supposed to do for the total school system. Would there be redistricting
578 efforts? Obviously, some of the questions that we have asked on the general government side
579 is, where is it going, what is the infrastructure to serve it, how long is it going to take to get it
580 there, when do you need the schools. It is all active at this point in time. That is one school.

581 That high school I would like to see sooner than later in reference to the commitment we made
582 to the citizens. I am not sure.
583

584 Mr. Vanarsdall - I notice it is earmarked for 07 or later.
585

586 Mr. Hazelett - I am not sure we are going to get there unless we move very quickly in
587 reference to location.
588

589 Mr. Vanarsdall - The other question I have is the library. I know that we have waited for
590 a while to replace the Dumbarton area library. It has outgrown itself and there is not enough
591 property where it is to build a new one, and I don't know where you'd find a temporary location
592 if you do build a new one.
593

594 Mr. Hazelett - Well, you are correct, Mr. Vanarsdall. We have looked at it.
595 Unfortunately, due to the funding aspect we had in reference to the Bond Referendum, that
596 project has been pushed all the way out to the year 2010-2011, but it is obviously in the CIP, and
597 yes, we will probably address a new location for that library.
598

599 Mr. Vanarsdall - OK. Thank you. That is all of the questions I have.
600

601 Mr. Archer - I had one more question. Given that we are running out of space for
602 disposable waste, and I suppose everybody else is, too. I do know that Virginia does have some
603 intrastate importation done. How does this process work? If we were to do some intrastate
604 garbage disposal, would that be a process that you would have to bid on, on whether or not you
605 are able to dispose of your waste in a certain area? Is that how it works?
606

607 Mr. Hazelett - It could be from the standpoint of some larger localities, which, of
608 course, you see in the news, such as New York City, and so forth. From our standpoint, being
609 Henrico County, while it is tonnage, it is not a lot of tonnage in comparison and we would simply
610 go to the private sector and, therefore, the private sector would make that choice as to where
611 they would put it. We are fortunate in the aspect, as Ms. O'Bannon says, that we have Charles
612 City County. There are other locations. They are near us and this could go on for a number of
613 years without impacting us. The General Assembly, of course, is going to provide those rules in
614 reference to transport of trash and debris into Henrico County and into the Commonwealth of
615 Virginia, as well as any other state in reference to that being transferred into them, but at this
616 point, I won't say it is not critical. I would say it is not critical to the overall plan, and I think we
617 have availability of areas around Henrico County that we could go to.
618

619 Mr. Archer - For sometime to come?
620

621 Mr. Hazelett - Oh, yes, sir.
622

623 Mr. Archer - It is a quite a process when you think about eventually we will just have
624 to run out of space.
625

626 Mr. Hazelett - Yes, sir, you do. It is very difficult, of course, for the northeastern cities,
627 such as New York and so forth, that simply do not have any space. It is literally placed on
628 barges and as you may have read, in many instances, it is barged around for quite a while,
629 seeking a location in order to put it.
630

631 Mr. Archer - Thank you. I appreciate it. Any more questions?
632

633 Ms. O'Bannon - Just one more. What exactly (unintelligible) offices at Tuckahoe Library...
634 (Unintelligible)

635
636 Mr. Hazelett - Actually, Ms. O'Bannon, it is in limbo. I was discussing that yesterday.
637 We have in there about 1.8 million dollars, which I think would be the first phase. There have
638 been requests for a number of efforts to use the old Tuckahoe Library. I have several in mind
639 which I will be presenting to the Board of Supervisors, but at this point I am finishing up on that.
640 But I do need some storage space. I do need to relocate some office space, and that is what I
641 am looking at. I have to be very, very careful with the Tuckahoe Library, the existing Tuckahoe
642 Library. There are environmental issues in reference to the use of that building and how much
643 we are going to use it and how much it is going to cost to bring it back up to standards. There is
644 asbestos in that building that we all know about. It is extremely expensive, and so we are looking
645 at different alternatives, and how to use the building for the best possible use at the least
646 possible cost.

647
648 Mr. Vanarsdall - Are you talking about the existing library? I thought I read that they
649 were going to use that for administrative offices.

650
651 Mr. Hazelett - There was a request from the library system to use it for administrative
652 offices. Yes. Again, what you are seeing, Mr. Vanarsdall, is the five year request of each of the
653 departments. I get the joyful task of trying to make all of that work in a smaller box, and that is
654 the point. That is one request. There have been a number of requests to use that square
655 footage, and we were meeting as late as 6:00 last night on a proposal, and I am, quite frankly,
656 just not ready to present that at this point in time.

657
658 Ms. O'Bannon - I guess my question really originally was there was a possibility of selling
659 the property, but I know and I have also heard requests from many different departments, also,
660 and different folks about a County use for it, and it is in the general area the Board had
661 discussed before of Government buildings. Also, generally in that area was the Post Office, now
662 the library and (unintelligible) kind of close by, that the (unintelligible) not sell it.

663
664 Mr. Hazelett - The proposal that is before the Board of Supervisors is to use it for
665 governmental use. Yes, ma'am.

666
667 Ms. O'Bannon - And that is where I was going with my question. Knowing that it is not
668 ADA necessarily in compliance, you would need an elevator and things like that, and that means
669 the bottom line is it won't be for sale, but used for governmental uses.

670
671 Mr. Hazelett - At this point, my proposal to the Board of Supervisors would not consider
672 selling that building.

673
674 Ms. O'Bannon - That is enough for me right now. That puts it pretty much in perspective.

675
676 Mr. Silber - I notice that each year the CIP costs continue to grow, and I know that
677 you are aware that your Planning Commission makes decisions relative to land use matters and
678 recommend to the Board of Supervisors land use plans and zoning procedures. I didn't know if
679 you wanted to comment or add any information that you could share with the Planning
680 Commission as to the decisions that they make that may have impact on your ability to provide
681 for these capital needs. Is there anything from a global perspective that we are doing that we
682 can look at differently to help you deal with some of these problems?

683
684 Mr. Hazelett - It is a two-edged sword, Mr. Silber, Mr. Chairman, and members of the
685 Planning Commission. That is Henrico is a developing community. We need development in

686 order to provide additional revenue and to provide additional services that are needed by the
687 new development. Where do you stop that circle? I am really not sure. As long as we keep our
688 ratios the way we have been, at less than 70% residential, more than 30% commercial and
689 industrial development, we have I think one of the least intrusive and heavy tax burden on our
690 citizens in Henrico County. That is an obligation. That is where we are proposing to go, and so I
691 would simply say if development occurs in Henrico County, from an administrative standpoint, I
692 am always looking for commercial, industrial, or office development. It is the least usage of our
693 services and it generates a large amount of taxation. As you well know, residential development
694 does not pay for itself. It does need the services that we provide. Education, obviously, is
695 critical and is the highest priority in Henrico County. Public safety is, but those things are not
696 paid by the tax revenue generated by residential development. That is the reason for that 70/30
697 position, so we do encourage commercial/industrial development, but as you get that, the
698 residential development is attracted to it and it keeps going around and around. From my
699 standpoint, Henrico County has done extremely well over the years in that balance. As long as
700 we continue that balance, I think that we are going to be very, very well off in the future. That
701 is, I think we will be able to provide it. One of my greatest concerns is the capital needs of
702 Henrico County, that we will be able to continue our operational services. The capital needs, I
703 think, are going to have to take a different turn, and that is, there is going to have to be a
704 different revenue source, or an additional revenue source in the future. As members of the
705 Planning Commission and Ms. O'Bannon will recall, we tried this with the meals tax. It did not
706 pass. We stretched out the project in order to accommodate the citizens. I don't think there is a
707 way to do it again. We are getting very close to the aspect of having to consider additional
708 revenue for capital improvements that may come to us in the future, and, obviously, when you
709 see a picture of 1.1, 1.2 or 1.3 billion dollars, that is very difficult and I can't do that under the
710 existing revenue sources, and yet a lot of those are going to have to be done. I, for one, will be
711 looking for alternative revenue sources, as well as continued development in Henrico County in
712 the future.

713
714 Mr. Archer - Are there further questions from Commission members? If not, I'd like to
715 remind you that this is a public hearing, so if there are members of the public present who would
716 like to ask questions, please feel free to come up and do so. Well, are there any members of the
717 staff who want to add a voice?

718
719 Mr. Branin - I'd like to make some, and I think you all do a fantastic job and with Mr.
720 Hazelett's last comments, and looking at our taxing and our financial situation and compare it to
721 all of the other counties around us, that is a reflection of what it is you all do.

722
723 Mr. Archer - Thank you. All right, we have, unless there are other comments, we
724 have a resolution to be read into the record and then this Commission has to make a
725 recommendation on that resolution.

726
727 Mr. Silber - Yes, sir, Mr. Chairman. There is a resolution. It is short if you will allow
728 me to read it. It reads, "Whereas the County Manager has requested the Planning Commission
729 to review the Capital Budget for the Fiscal Year 2006-2007, and according to Chapter 15.2. 2239,
730 the Capital Improvements Program for Fiscal Years 2006-07 through 2010-11, and make
731 appropriate comments and recommendations to the Board of Supervisors, and whereas the
732 Planning Commission has completed its review of the Capital Budget, together with the five year
733 Capital Improvements Program, now therefore, be it resolved, that Henrico County Planning
734 Commission finds the Capital Budget for Fiscal Years 2006-07 is generally consistent with the
735 County's Comprehensive Plan and recommends approval."

736
737 Mr. Vanarsdall - I move we adopt that.
738

739 Mr. Jernigan - Second, Mr. Chairman.
740
741 Mr. Archer - Motion by Mr. Vanarsdall and seconded by Mr. Jernigan that the
742 Resolution be adopted. All in favor say aye. All opposed say no. The ayes have it. The
743 Resolution is passed.
744

745 **THE PLANNING COMMISSION RECESSED UNTIL 7:00 P.M.**

746
747 **THE PLANNING COMMISSION RECONVENED AT 7:00 P.M.**

748
749 Mr. Archer - The Planning Commission will come to order. Good evening ladies and
750 gentlemen. Welcome to the February 9, 2006 Planning Commission meeting. Before we begin, I
751 would like to introduce some people here. Ms. Dena Sloan from *The Richmond Times-Dispatch*.
752 Thank you for being here, and Mr. Tom Lappas from *The Henrico Citizen*, and if there are any
753 other media persons here, we welcome you and thank you for being here.
754

755 I'd also like to welcome tonight several Boy Scout Troops here tonight and I understand they are
756 working on their communication badges, and if you would, we'd like for you to stand so we can
757 acknowledge you, and maybe have one person from each group tell us where your group is from
758 and the name of your group. Go ahead.
759

760 (At this time the troop members gave their names and troop numbers. Voices were
761 unintelligible.)
762

763 Mr. Archer - We welcome you all here. We have got a lengthy agenda tonight and I
764 will turn the proceedings over to our Secretary, Mr. Randall Silber.
765

766 Mr. Silber - Yes, sir. Thank you, Mr. Chairman. This is part three of the evening.
767 We have already had one work session talking about the County's Comprehensive Plan that we
768 are working on and then we had a public hearing on the County's proposed Capital Improvement
769 Program. Now this is a portion of the Planning Commission at the 7:00 p.m. agenda where we
770 are talking about requests for rezoning. We do have several on the agenda tonight that have
771 requested deferral and several for the expedited agenda. Ms. Moore, if you can tell us about
772 those that may be withdrawn or have requested deferral.
773

774 Ms. Moore - Yes, Mr. Secretary. The first item would be a request for withdrawal.
775

776 **C-9C-06 Gloria L. Freye, Esq. for Doswell Properties, Inc.:** Doswell Properties, Inc.:
777 Request to conditionally rezone from B-2C Business District (Conditional) to B-3C Business District
778 (Conditional), part of Parcel 804-736-0481, containing 1.67 acres, located at the northeast
779 intersection of Mechanicsville Turnpike (U. S. Route 360) and Neale Street. The applicant proposed
780 a fleet fueling facility. The Land Use Plan recommends Commercial Concentration. The site is in the
781 Airport Safety Overlay District.
782

783 Ms. Moore - The applicant has withdrawn this and no action is needed from the
784 Planning Commission tonight.
785

786 Mr. Silber - Case C-9C-06 on page 2 is withdrawn and does not require any action by
787 the Planning Commission.
788

789 **Deferred from the December 8, 2005 Meeting**

790 **C-69C-05 LIM Properties, LLC:** Request to amend proffered conditions accepted with
791 Rezoning Case C-8C-82 on Parcel 755-759-3886, containing 1.35 acres, located at the southeast

792 intersection of Springfield and Meadowgreen Roads. The applicant proposes to amend the
793 proffers for access and maximum square footage for office space, and delete the proffer related
794 to the 35-foot buffer area. The existing zoning is O-1C Office District (Conditional). The Land
795 Use Plan recommends Office.

796
797 Ms. Moore - The deferral is requested to the April 13, 2006 meeting.

798
799 Mr. Archer - Thank you, Ms. Moore. Is there anyone present who is in opposition to
800 the deferral of Case C-69C-05? No opposition. Mr. Vanarsdall.

801
802 Mr. Vanarsdall - I move Case C-69C-05 be deferred to April 13, 2006, at the applicant's
803 request.

804
805 Mr. Jernigan - Second.

806
807 Mr. Archer - Motion made by Mr. Vanarsdall and seconded by Mr. Jernigan. All in
808 favor of the motion say aye. Those opposed say no. The ayes have it. The motion carries.

809
810 At the applicant's request, the Planning Commission deferred Case C-69C-05, LIM Properties,
811 LLC, to its meeting on April 13, 2006.

812
813 Ms. Moore - On page 2 of your agenda, moving into the Fairfield District is C-2-06 for
814 Hay Lam.

815
816 **Deferred from the January 12, 2006 Meeting**

817 **C-2-06 Hay Lam:** Request to rezone from B-2, Business District to B-3, Business District, Parcel
818 802-735-5020, containing 0.805 acre, located on the west line of Mechanicsville Turnpike at
819 Rescue Ave. The applicant proposes an on-site dry cleaning business. The Land Use Plan
820 proposes Commercial Arterial. The site is in the Airport Safety Overlay District.

821
822 Ms. Moore - The deferral is requested to the April 13, 2006 meeting.

823
824 Mr. Archer - Is there anyone present who is opposed to this deferral, C-2-06, Hay
825 Lam? Since there is no opposition, I move deferral of Case C-2-06, Hay Lam, to the April 13,
826 2006 meeting, at the applicant's request.

827
828 Mr. Vanarsdall - Second.

829
830 Mr. Archer - Motion by Archer and second by Vanarsdall. All in favor of the motion
831 say aye. All opposed say no. The motion passes.

832
833 At the applicant's request, the Planning Commission deferred Case C-2-06, Hay Lam, to its
834 meeting on April 13, 2006.

835
836 **Deferred from the January 12, 2006 Meeting**

837 **C-6C-06 James W. Theobald, Esq. for Bon Secours-St. Mary's Hospital of**
838 **Richmond, Inc.:** Request to conditionally rezone from O-3 Office District and R-3 One Family
839 Residence District to O-3C Office District (Conditional), Parcels 768-738-2447, -1142, -0646 and
840 part of Parcel 768-738-1260, containing approximately 1.762 acres, located at the southwest
841 intersection of Monument and Maple Avenues. The applicant proposes additional surface parking
842 for St. Mary's Hospital. The use will be controlled by proffered conditions and zoning ordinance
843 regulations. The Land Use Plan recommends Suburban Residential 2, 2.4 - 3.4 units net density
844 per acre, and Semi-Public uses.

845
846 Ms. Moore - The deferral is requested to the March 9, 2006 meeting.
847
848 Mr. Archer - Is there anyone present in opposition to this deferral, Case C-6C-06?
849 Mr. Branin.
850
851 Mr. Branin - Mr. Chairman, I move that Case C-6C-06 be deferred until the March 9,
852 2006, Planning Commission meeting, at the request of the applicant.
853
854 Mr. Vanarsdall - Second.
855
856 Mr. Archer - Motion made by Mr. Branin and seconded by Mr. Vanarsdall. All in favor
857 say aye. All opposed say no. The ayes have it. The motion passes.
858
859 At the request of the applicant, the Planning Commission deferred Case C-6C-06, James W.
860 Theobald, Esq. for Bon Secours-St. Mary's Hospital of Richmond, Inc. to its meeting on March 9,
861 2006.
862
863 **C-11-06 R & R Development, LC.:** Request to rezone from [R-5C] General Residence
864 District (Conditional) to B-2 Business District, Parcels 739-761-2693 and 739-762-0100,
865 containing 2.441 acres, located on the south line of West Broad Street (U. S. Route 250)
866 approximately 195 feet east of Spring Oak Drive. The applicant proposes a retail development.
867 The use will be controlled by zoning ordinance regulations. The Land Use Plan recommends
868 Mixed Use. The site is in the West Broad Street Overlay District.
869
870 Ms. Moore - The deferral is requested to the March 9, 2006 meeting at the request of
871 the applicant.
872
873 Mr. Archer - Is there opposition present for Case C-11-06? No opposition. Mr. Branin.
874
875 Mr. Branin - Mr. Chairman, I move that Case C-11-06 be deferred until the March 9,
876 2006 Planning Commission meeting.
877
878 Mr. Vanarsdall - Second.
879
880 Mr. Archer - Motion by Mr. Branin and seconded by Mr. Vanarsdall. All in favor say
881 aye. All opposed say no. The ayes have it. The motion passes.
882
883 At the request of the applicant, Case C-11-06, R & R Development, LC, was deferred to the
884 March 9, 2006 Planning Commission meeting.
885
886 Ms. Moore - Mr. Chairman, Mr. Secretary, that concludes our requests that we have
887 received from applicants for deferrals.
888
889 Mr. Archer - All right. Is there anyone on the Commission who has a deferral?
890
891 Mr. Branin - Mr. Chairman, I have a deferral, on page 4.
892
893 **AMENDMENT TO THE MAJOR THOROUGHFARE PLAN: MTP-2-05** Proposed Addition of a
894 Three Chopt Road Extension and West Broad Street Connector between Lauderdale Drive and
895 North Gayton Road.
896

897 Mr. Silber - This is the proposed Amendment to the Major Thoroughfare Plan that
898 would extend Three Chopt Road from Lauderdale to North Gayton Road.
899
900 Mr. Archer - Is there anyone opposed to deferring this public hearing to March 9,
901 2006? Mr. Branin.
902
903 Mr. Branin - I make a motion to defer this public hearing.
904
905 Ms. Jones - Second.
906
907 Mr. Archer - OK. Motion by Mr. Branin and seconded by Ms. Jones. All in favor of
908 the motion say aye. All opposed say no. The ayes have it. The motion passes.
909
910 The Planning Commission deferred the proposed hearing of the Amendment to the Major
911 Thoroughfare Plan: MTP-2-05 until March 9, 2006.
912
913 Mr. Branin - Mr. Chairman, I have one more.
914
915 **PUBLIC HEARING: AMENDMENT TO THE HENRICO 2010 LAND USE PLAN MAP:** The
916 Planning Commission will consider an amendment to the 2010 Land Use Plan in the form of a
917 new Land Use Plan for the Three Chopt Road Extension Study Area. The study area is generally
918 comprised of the area bordered by West Broad Street, Lauderdale Drive, North Gayton Road, and
919 the Wellesley and Sedgemoor communities.
920
921 Mr. Branin - I would like to defer this to March 9, 2006 also.
922
923 Mr. Archer - Is there opposition to the deferment of this Land Use Plan Amendment?
924 Mr. Branin.
925
926 Mr. Branin - Mr. Chairman, I make a motion to defer the Public Hearing: Amendment
927 to the Henrico 2010 Land Use Plan Map to March 9, 2006.
928
929 Mr. Vanarsdall - Second.
930
931 Mr. Archer - Motion by Mr. Branin and second by Mr. Vanarsdall. All in favor say aye.
932 All opposed say no. The motion passes.
933
934 The Planning Commission deferred Public Hearing: Amendment to the Henrico 2010 Land Use
935 Plan Map to its meeting on March 9, 2006.
936
937 Mr. Silber - Are there any other deferrals by Commission members? Hearing none,
938 we will move on to the request for expedited items. These are rezoning requests that we placed
939 on the expedited agenda. These are rezoning requests that are somewhat minor in nature. We
940 are not aware of any issues that exist and staff is recommending approval, and the Commission
941 member from that district is satisfied with requests, so they are placed on expedited agenda to
942 be heard without public hearing. If there is opposition to these on the expedited agenda, it will
943 be moved and heard in the order of the full agenda, and we have two.
944
945 Ms. Moore - That is correct. The first is on page 2 of your agenda in the Three Chopt
946 District.
947
948 **C-10C-06 Henry L. Wilton for Wilton Development Corp.:** Request to amend proffered
949 conditions accepted with Rezoning Case C-3C-05, on Parcels 737-771-5614 and 737-770-2642,

950 containing approximately 47.8 acres, located on the west line of Pouncey Tract Road approximately
951 500 feet north of Shady Grove Road. The applicant proposes to delete Proffer 19 related to cash
952 proffers. The existing zoning is R-2AC One Family Residence District (Conditional). The Land Use
953 Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre.

954
955 Mr. Archer - Is there anyone present who is opposed to Case C-10C-06, Henry Wilton
956 for Wilton Development for Wilton Development Corp.? No opposition. Mr. Branin.

957
958 Mr. Branin - Mr. Chairman, I move that Case C-10C-06 be forwarded to the Board of
959 Supervisors with a recommendation for approval.

960
961 Mr. Vanarsdall - Second.

962
963 Mr. Archer - Motion by Mr. Branin and seconded by Mr. Vanarsdall. All in favor of the
964 motion say aye. All opposed say no. The motion passes.

965
966 REASON: The Planning Commission voted 5-0 to recommend the Board of
967 Supervisors **grant** the request because it is reasonable and it would not be expected to adversely
968 affect the pattern of zoning and land use in the area.

969
970 Ms. Moore - The second is in the Tuckahoe District on page 4 of your agenda. It is C-
971 13C-06.

972
973 **C-13C-06 Henry L. Wilton for Wilton Development Corp:** Request to amend
974 proffered conditions accepted with Rezoning Case C-73C-03, on part of Parcel 743-742-7194,
975 containing 22.60 acres, located on the north line of Patterson Avenue (State Route 6)
976 approximately 1,500 west of Gaskins Road. The applicant proposes to delete Proffer 20 related to
977 cash proffers. The existing zoning is R-2C One Family Residence District (Conditional). The Land
978 Use Plan recommends Semi-Public uses.

979
980 Mr. Archer - Is there anyone present that is in opposition to this case, C-13C-06? No
981 opposition. Ms. Jones.

982
983 Ms. Jones - I recommend that Case C-13C-06, Henry L. Wilton for Wilton
984 Development Corp. be recommended to the Board of Supervisors for approval.

985
986 Mr. Vanarsdall - Second.

987
988 Mr. Archer - Motion made by Ms. Jones and seconded by Mr. Vanarsdall. All in favor
989 say aye. All opposed say no. The motion passes.

990
991 REASON: The Planning Commission voted 5-0 to recommend the Board of
992 Supervisors **grant** the request because it is reasonable and it would not be expected to adversely
993 affect the pattern of zoning and land use in the area.

994
995 Mr. Silber - Moving on to the regular agenda, on page 2.

996
997 **Deferred from the January 12, 2006 Meeting**

998 **C-3C-06 Eric Walker for Attack-Walker Construction, LLC:** Request to
999 conditionally rezone from A-1, Agricultural District to R-3C, One Family Residence District
1000 (Conditional), Parcel 777-764-7772, containing 0.96 acre, located on the west line of Mountain
1001 Road approximately 335 feet south of Francis Road. The applicant proposes a single-family
1002 residence. The R-3 District allows a minimum lot size of 11,000 square feet with a maximum

1003 gross density of 3.96 units per acre. The use will be controlled by proffered conditions and zoning
1004 ordinance regulations. The Land Use Plan recommends Open Space/Recreation.

1005
1006 Ms. O'Bannon - I've got a lot of people that the County landlocked, and the Boy Scouts
1007 are about to leave. If you want to pick up one of these before you leave I will come over there if
1008 you wave at me. OK. Wave at me before you leave and I will give you a copy of one of the
1009 cases to give you a full view of the case. OK?

1010
1011 Mr. Archer - Ms. Neaves.

1012
1013 Ms. Neaves - Thank you Mr. Chairman, members of the Commission, Ms. O'Bannon,
1014 Mr. Secretary.

1015
1016 This request is to rezone .96 acres from A-1 Agricultural District to R-3C, One-Family Residence
1017 District (Conditional) to permit the construction of a single-family dwelling. The subject property
1018 is currently vacant. To the north and east are single-family dwellings. To the south and the
1019 west, the parcel is bounded by the proposed Spring Lake Subdivision. A driveway, which is
1020 currently used by the residents of the home to the north is secondary access, and does exist on
1021 the subject property. The applicant is requesting to rezone property in order to construct one
1022 single-family dwelling. Currently the parcel is not developable as such, based on the lot area.
1023 The A-1 District requires a minimum of one acre for a single-family dwelling, and the subject site
1024 contains only .96 acre. The site also does not meet the requirements to be considered
1025 grandfathered or nonconforming.

1026
1027 Revised proffers dated January 10, 2006, are somewhat in keeping with the rezoning of Spring
1028 Lake. These proffers relate to minimum finished floor area, foundation materials, exterior
1029 materials, fireplaces, garages, steps and stoops, driveways, and crawlspace foundations.

1030
1031 The 2010 Land Use Plan designates this parcel as Open Space/Recreation. This designation
1032 relates to the former Spring Lake Golf Club. Again, this Spring Lake which was recently rezoned
1033 to permit a residential subdivision.

1034
1035 Staff strongly believes this property should be incorporated into the Spring Lake subdivision or
1036 with the property to the north as a cohesive unified development. The request as proposed
1037 would result in piecemeal development and would create very close ingress/egress points on a
1038 major collector road.

1039
1040 However, because development of another larger scale residential subdivision is unlikely due to
1041 the County-owned property further north, developing the property for a single-family residence
1042 may be warranted.

1043
1044 As proposed, the development would not be consistent with recent and planned development in
1045 the area. Proffers accepted with the development of Spring Lake subdivision immediately to the
1046 south, include: The installation of landscaping equivalent to Transitional Buffer 25 ft. along
1047 Mountain Road; dedication of right-of-way along Mountain Road; and a 4 foot wide sidewalk built
1048 to Henrico County standards along Mountain Road.

1049
1050 To provide continuity among the proposed and planned developments approved in the immediate
1051 area, the above proffers are relevant to this development as well. In addition, the front yard
1052 setback should not greatly deviate from the planned homes facing Mountain Road to the south
1053 and the existing residences to the north. The exclusion of these site design elements in this
1054 proposal could be disruptive to the intended streetscape along this portion of Mountain Road.
1055

1056 Staff also notes these proffers could be strengthened by committing to a side or rear-loaded
1057 garage. Due to these unresolved issues, staff recommends deferral of this request.

1058
1059 This concludes my presentation, I would be happy to try to answer any questions that you may
1060 have. The applicant is also present to answer questions. Thank you.

1061
1062 Mr. Archer - Ms. Neaves, what recommendations are missing there that you think are
1063 solvable tonight?

1064
1065 Ms. Neaves - Well, I think the issues are whether there is a sidewalk built along
1066 Mountain Road, which is a major collector road near a County-owned park. A softball field is
1067 directly to the north. Possibly, also, the dedication of right-of-way along Mountain Road. Again,
1068 it is a major collector road and perhaps, if the applicant would go with a Transitional Buffer 25, it
1069 would be consistent with what was approved to the south.

1070
1071 Mr. Archer - So you are saying if we could achieve those things, you could endorse a
1072 recommendation?

1073
1074 Ms. Neaves - I believe so. Those are our three outstanding issues tonight.

1075
1076 Mr. Archer - Thank you, ma'am.

1077
1078 Mr. Walker - Good evening. My name is Eric Walker. I am here this evening
1079 requesting your recommendation to approve this R-3C case. As Ms. Neaves previously stated,
1080 the property, without this particular zoning or any residential zoning, would be a property that is
1081 unbuildable. It has approximately 82 feet of road frontage and it is approximately 830 feet deep,
1082 I believe. I have proffered two elements as mentioned earlier that are consistent with the recent
1083 development south of it in Spring Lake. Ms. Neaves mentioned three issues that are outstanding,
1084 the first being the 25 or similar to the 25 Transitional Buffer. I guess my opinion on that is
1085 simply a couple of things. If I understand it correctly, the plantings that would be necessary for
1086 that buffer will potentially be a hindrance on any one home owner pulling out. That is one issue.
1087 The continued maintenance of that particular – of those plantings, potentially is a hindrance to
1088 the potential homebuyer and the other outstanding issues, I guess, would be the sidewalk, and,
1089 Transitional Buffer, Sidewalk and road dedication.

1090
1091 Please forgive me. I am a little nervous. I am not used to talking in front of a bunch of people.
1092 The road dedication I don't have an issue with. The only issue I have is currently the
1093 requirements of setback off of that major collector is 25 feet. That front yard setback based on
1094 the zoning is 40 feet, so that is essentially 65 feet that I will have to set the house back. Based
1095 on my research, if I set the house back, what is proposed, which will potentially be 90 feet, I
1096 believe that would hinder me from being able to connect to sewer, which is currently on
1097 Mountain Road, based on the gravity. So, that is my only objection with putting that proffer in
1098 there. So that is my case. I will be happy to answer any questions.

1099
1100 Mr. Archer - Mr. Walker, we are trying to get to the point where, and I understand
1101 your difficulty, but we are trying to get you to the point where we can make a recommendation.

1102
1103 Mr. Walker - Sure.

1104
1105 Mr. Archer - The problem is staff doesn't have it to a point where they can make a
1106 recommendation, and I think if we could see that, then it would be possible for us to move this
1107 on to the Board. It appears you are willing to do the things that we need to do, and one that
1108 you might have an issue with is worth discussing. We are not in a position that we can ask for

1109 proffers. Proffers must be made voluntarily, and so I can't ask you to proffer anything, but I do
1110 believe that we could work this to the point where I would be able to make a recommendation to
1111 the Board. I know we deferred this one time, and staff has recommended you defer it again
1112 tonight because they think we can achieve this if we can get some cooperation, and I am willing
1113 to take that into consideration, so if you are willing to do these things and think you can find it in
1114 yourself to volunteer these proffers or at least work them out with staff, then I wouldn't mind
1115 deferring this at the Commission's request to give you time to do that, and I don't think it would
1116 take too long to get this achieved if you are willing to work towards it.

1117
1118 Mr. Walker - I am definitely willing to work towards it. It is a mutual goal and, as
1119 stated, the opposition that I have, I am wondering if any flexibility is in the staff request,
1120 specifically to the Transitional Buffer and specifically to the setback. Again, I think if I dedicate
1121 that 25 feet, there will still be an additional, if I am not mistaken, there will still be an additional
1122 25' over my front yard setback, and that would place me about 90 feet off of the proposed right-
1123 of-way, whenever Mountain Road gets widened, which again, you know, putting the house back
1124 there would limit me from being able to tie into the current sewer line on Mountain Road. That is
1125 my opposition with that, with that proffer. And, again, in regards to the Transitional Buffer, I
1126 think it is a potential maintenance issue for the homeowner. A plant dies or something of that
1127 nature. That continues maintenance that otherwise the homeowner wouldn't be burdened with,
1128 and, at this point, I would consider the sidewalk and including that in the case.

1129
1130 Mr. Archer - Well, now the planting, that is not an unusual requirement. We do that
1131 quite a bit with all cases and yes, they do have to be maintained. That is not an item that I think
1132 would be that extensive.

1133
1134 Mr. Walker - I understand.

1135
1136 Mr. Archer - Plants also live instead of dying. The issue that you have with being
1137 something that might hinder sight is something that we would have to deal with. We can't build
1138 anything that creates a dangerous condition and we wouldn't, but I think you need to work with
1139 staff and overcome these problems. I shouldn't say problems, but suggestions. And I
1140 understand that we have had since last month to try and get this resolved and I understand you
1141 weren't able to contact him, but instead of just leaving it, and I think we could have gotten this
1142 worked out, but I am still willing to try and work with you in doing so, and in lieu of that non-
1143 recommendation tonight, then my suggestion would be to defer this at the request of the
1144 Commission to our next meeting and hopefully between now and then the ones that you are
1145 willing to do, and the ones that need some discussion can be worked out. I really think they can.

1146
1147 Mr. Walker - Well, let me ask you this. When is the next meeting?

1148
1149 Mr. Archer - I think it will be a month from now which will be March 9. I suppose if
1150 you were able to do this within the next couple of weeks, we could hear this at our POD meeting,
1151 which is two weeks from now, the 22nd.

1152
1153 Mr. Walker - That would be preferable to the 30 days. The property owners are not
1154 currently here, but he is looking forward to get closure to this, because I did have to do the one
1155 deferral.

1156
1157 Mr. Archer - We can do that, but you've got to start to work on this right away.

1158
1159 Mr. Walker - I have been available and I am willing to work with staff. I have had
1160 some good dialogue with Ms. Neaves, and I think these key issues that we can't seem at this
1161 point to resolve, based on my reservations, and again, just to speak briefly to the Transitional

1162 Buffer, I don't do this a lot, but what I have seen a lot is that request is generally put on a
1163 subdivision with a number of lots, and this is a single lot situation, with road frontage on
1164 Mountain Road. What I am proposing is consistent with what Spring Lake has gotten approved
1165 in terms of setbacks. You know, the houses that they have faced on Mountain Road are
1166 consistent with the 65 feet, opposed to the 90 feet, which I think would fall under my situation, if
1167 I dedicate the right-of-way, so there is definitely these three issues that, without more
1168 clarification, I don't know that a resolution, at least on my behalf, could be had, but I am willing
1169 to work at it.

1170
1171 Mr. Archer - We are willing to work at it, too, and the thing about it is that we have
1172 to start immediately if we are going to do this within the next two weeks. It is awfully quick, and
1173 it would have to also consider what you just mentioned. The subdivision that has been
1174 approved, Spring Lake, is going to be a nice subdivision, and we want to keep this as congruent
1175 as we possibly can, so that they sort of match up together, and it doesn't look like you are in two
1176 different places and one yard apart. Anyway, go ahead.

1177
1178 Mr. Silber - Mr. Walker, you had mentioned the dedication and widening of Mountain
1179 Road. Do you know how much dedication would be necessary?

1180
1181 Mr. Walker - From what I understand, and I spoke with, I believe the gentleman's
1182 name is Mike Jennings. We talked about 25 feet would be needed, and because Mountain Road
1183 is a major collector, there is an additional 25 foot setback and in addition to that would be the
1184 front yard setback, so we are at 90 feet.

1185
1186 Mr. Silber - So the dedication would be 25 feet?

1187
1188 Mr. Walker - From what I understand, yes, sir.

1189
1190 Mr. Silber - The setback would be 25 feet and 40, so that would be 65. The reason I
1191 asked is because I wasn't sure that those in Spring Lake have met those requirements. When
1192 they subdivide the property, they have to dedicate the right-of-way, too. It is normal procedure
1193 for a subdivision to dedicate right of way, so all we are asking you to do is dedicate the right-of-
1194 way. It is a normal subdivision requirement, and in this case, you are not having to subdivide, so
1195 we are expecting you to follow through, since as you are developing in a similar pattern.

1196
1197 Mr. Walker - Sure. And again, I don't have an issue with that. It is solely if I am
1198 placed in that position, my research tells me that I can't sewer the property, based on the sewer
1199 in Mountain Road.

1200
1201 Mr. Silber - I don't know whether that is true or not. Your property is very deep,
1202 and there is plenty of room to move the house. That is a gravity flow situation, I understand. I
1203 think Mr. Archer and you will continue to work on it.

1204
1205 Mr. Archer - And I think we can, Mr. Walker. I think we can resolve this. With that, I
1206 will move deferral of this case at the request of the Commission to this month's POD meeting,
1207 which is February 22 at 9:00 in the morning.

1208
1209 Mr. Branin - Second.

1210
1211 Mr. Archer - Motion by Archer and second by Mr. Branin to defer this case until the
1212 February 22, 2006 meeting. All in favor of the motion say aye. All opposed say no. The motion
1213 passes.

1214

1215 The Planning Commission deferred Case C-3C-06, Eric Walker for Atack-Walker Construction,
1216 LLC, to its meeting on February 22, 2006.

1217
1218 Mr. Silber - I think it might be appropriate to call all three of these cases at the same
1219 time. They are companion cases.

1220
1221 **PUBLIC HEARING: AMENDMENT TO THE HENRICO 2010 LAND USE PLAN MAP:** The
1222 Planning Commission will consider an amendment to the Henrico County 2010 Land Use Plan
1223 Map to designate portions of Liesfeld Farm and surrounding property to an Urban Mixed Use
1224 Development Area (UMU). The site is generally comprised of the area bordered by West Broad
1225 Street, Three Chopt Road, proposed John Rolfe Parkway extension, and Dominion West End
1226 Apartments.

1227
1228 **C-12C-06 Andrew M. Condlin, Esq. for Unicorp National Developments,**
1229 **Inc.:** Request to rezone from O-2C Office (Conditional), O-3C Office (Conditional), and B-2C
1230 Business (Conditional) Districts to UMUC Urban Mixed Use (Conditional), Parcels 741-760-6979,
1231 744-759-2099, 742-760-7866, 742-760-1598, 742-761-5510, 743-759-3484, 743-760-9645, 743-
1232 760-5660, 744-760-8832, and parts of Parcels 741-760-8628, 741-759-0697, 741-760-5792, and
1233 741-761-4704 containing 115.044 acres, located on the south line of West Broad Street (U.S.
1234 Route 250), north of Three Chopt Road, at the I-64 Interchange. The applicant proposes a
1235 mixed-use development of commercial and residential uses. The uses will be controlled by zoning
1236 ordinance regulations and proffered conditions. The Land Use Plan recommends Office,
1237 Commercial Concentration, Urban Residential, Environmental Protection Area, Multi-family
1238 Residential, and Government land uses for the properties. The site is in the West Broad Street
1239 Overlay District.

1240
1241 **P-2-06 Andrew M. Condlin, Esq. for Unicorp National Developments, Inc.:** Request a
1242 Provisional Use Permit under Sections 24-32.1 (a), (e), (j), (l), (m), and (u), 24-34.1(c), and 24-
1243 122.1 of Chapter 24 of the County Code, for outdoor vending; retail, recreation, and office uses
1244 without limitation to floor area; department stores without limitation to floor area; drive-through
1245 service windows for permitted uses; grocery or convenience food stores without limitation to floor
1246 area; buildings and structures exceeding 60 feet in height; and for a Master Plan for the West
1247 Broad Village UMU, on Parcels 741-760-6979, 744-759-2099, 742-760-7866, 742-760-1598, 742-
1248 761-5510, 743-759-3484, 743-760-9645, 743-760-5660, 744-760-8832, and parts of Parcels 741-
1249 760-8628, 741-759-0697, 741-760-5792, and 741-761-4704 containing 115.044 acres, located on
1250 the south line of West Broad Street (U.S. Route 250), north of Three Chopt Road, at the 1-64
1251 Interchange. The existing zoning is O-2C Office (Conditional), O-3C Office (Conditional) and B-2C
1252 Business (Conditional). The Land Use Plan recommends Office, Commercial Concentration, Urban
1253 Residential, Environmental Protection Area, Multi-family Residential, and Government land uses
1254 for the properties. The site is in the West Broad Street Overlay District.

1255
1256 Mr. Silber - So, there are three components. I call each of these together. Staff will
1257 report on these together, but they will require separate actions by the Planning Commission on
1258 the Land Use Plan Amendment, the rezoning request, and the Provisional Use Permit.

1259
1260 Mr. Archer - Thank you, Mr. Silber. Is there anyone here who is opposed the Land
1261 Use Plan Amendment? No opposition. Good evening, sir.

1262
1263 Mr. Tyson - Thank you, Mr. Chairman, Ms. O'Bannon, members of the Commission,
1264 Mr. Secretary.

1265
1266 This request consists of three applications: A request to amend the 2010 Land Use Plan to
1267 designate portions of the Liesfeld Farm and surrounding area for Urban Mixed Use development;

1268 a request to rezone the property to the Urban Mixed Use designation to permit the development
1269 of the West Broad Village UMU, and an application for Master Plan approval for the project.
1270

1271 The subject property is currently designated for Office, Government, Commercial Concentration,
1272 Environmental Protection Area, Multi-Family Residential at a density range of 6.8-19.8 units per
1273 acre, and Urban Residential at a density range 3.4-6.4 units per acre. The property is currently
1274 zoned for office and business uses. In order to be considered for the requested UMU zoning, the
1275 applicant has filed a request to amend the 2010 Land Use Plan designations for the properties to
1276 UMU.
1277

1278 In order to be considered for the UMU designation, the applicant must demonstrate the project
1279 meets the following criteria: It meets the design standards set forth in the Urban Mixed Use
1280 District zoning ordinance regulations, it is compatible with existing land uses, it has adequate
1281 infrastructure and cannot contain uses that will stress the County's ability to provide service, it
1282 has sufficient public facilities and public services, it is served by necessary transportation
1283 facilities, it provides sufficient design criteria demonstrating a high level of quality and it
1284 demonstrates a desirable mix and balance of various land uses.
1285

1286 The applications submitted by Unicorp National Developments contain elements that meet many
1287 of these criteria; however, review of the Traffic Impact Study is ongoing and staff and the
1288 developer continue to meet to resolve this issue. The staff report that was forwarded to you also
1289 identified public utilities as a remaining concern; however, the Department of Public Utilities and
1290 the developer have determined adequate water and sewer capacity exists, but some line
1291 improvements will have to be implemented by the developer as the project is built.
1292

1293 The proposed development is divided into 12 "land bays" and the applicant has provided the
1294 following Land Bay Summary: The total size of the project is approximately 113 acres, 115 would
1295 be rezoned with a dedication of land for the widening of Three Chopt Road. A maximum of
1296 526,400 sq. ft. of commercial space, depending on the land bay option, would be presented, a
1297 maximum of 688,000 sq. ft. of office space, again depending on the land bay option, would be
1298 constructed. There would be a minimum of 1,000 units, consisting of 518 townhome-style
1299 condos, 250 mid-rise condo units, 116 residential over retail units, and 116 optional units
1300 constructed.
1301

1302 A community clubhouse containing approximately 6,000 sq. ft. is proposed, a 300 room hotel is
1303 proposed, and 7,286 parking spaces would be provided, including approximately 4,000 structured
1304 parking spaces.
1305

1306 The applicant has proffered that a minimum of 25% of the building square footage on the site
1307 would be developed for commercial space. The UMU district regulations require a minimum of
1308 25% of the floor area be devoted to such uses unless otherwise approved by the Board of
1309 Supervisors, and this is the first proposed UMU that has met that target. According to the Fiscal
1310 Impact Study, the applicant is proposing an investment of approximately \$400 million. For a
1311 point of comparison, the Rocketts Landing investment was estimated at approximately \$240
1312 million. The project, at build-out, is expected to have a positive net financial impact.
1313

1314 The applicant is proposing to develop the site in two phases. Phase 1 consists of the retail core
1315 and the majority of the residential uses. Phase 2 consists of the remaining residential uses on the
1316 western fringe and the office and hotel development on the eastern edge of the site.
1317

1318 The retail core is contained in Parcels F, G, and H. This core would be primarily accessed via five
1319 proposed entrances on West Broad Street. Uses range from retail spaces of 4,000 square feet to
1320 single-user spaces containing up to 80,000 square feet. The proposed uses include a mixture of

1321 retail spaces with opportunities for “living above the store.” A linear park 65 feet in width is also
1322 provided as a place for residents and visitors to linger and interact.

1323
1324 One of the aims of the UMU district regulations is to promote civic spaces and interaction, and
1325 this space provides an opportunity for this activity that is integral to UMU development.
1326

1327 The applicant is proposing three commercial spaces along West Broad Street that include drive-
1328 thru aisles, and has requested approval of these uses through a Provisional Use Permit condition.
1329 If drive-thru aisles are deemed appropriate, staff believes it appropriate that the PUP condition
1330 specifically limit the uses to bank drive-thrus, and limit the number of such uses to three. Staff
1331 also believes that there are further opportunities to enhance the site design along this corridor,
1332 limiting the number of total out-parcel pad sites along West Broad Street, increasing the
1333 landscaping, or through refinement of the architectural designs. Staff and the developer are
1334 continuing to refine the vision of this frontage.
1335

1336 The design concept for the urban core is similar to traditional downtown areas. Buildings will be
1337 one or two stories in height with two-story residential uses above and will be built to the
1338 sidewalk, which will be a minimum of 10 feet in width. Facade treatments will vary in order to
1339 provide interest and a sense of place. The street cross-sections provide a perspective on the
1340 elements that will go into this streetscape.
1341

1342 The proposed site design, architecture, and streetscapes all support the intent of the UMU district
1343 regulations, and add to the well-defined sense of place that is an element of a successful
1344 downtown.
1345

1346 The residential component is contained in Parcels A, B, C, D, and E. Residential spaces will be
1347 provided in a mixture of attached “brownstone” style units, units contained in 5-story mid-rise
1348 buildings, and “living above the store” spaces. The maximum height permitted in the district
1349 under UMU district regulations is 35 feet. The applicant has requested a maximum height of 50
1350 feet for the brownstone units, and a maximum height of 90 feet for the mid-rise units. Parking
1351 would be provided by attached garages, structured parking, and parking courts that are interior
1352 to the individual land bays.
1353

1354 The applicant proffers the residential units would be constructed in keeping with the following
1355 conceptual images, the brownstones, the town-home linear units, and the residential over retail
1356 conceptual images. These proposed uses, too, support the intent of the UMU district regulations.
1357

1358 At the eastern edge of the site, the applicant is proposing 600,000 square feet of office space
1359 and a 300-room hotel for Parcel I. Structured parking would be provided for each of these uses.
1360

1361 The applicant has proffered the office and hotel buildings would be constructed in keeping with
1362 these conceptual images. These proposed uses support the intent of the UMU district with
1363 respect to the vertical orientation of the structures. They also make a bold statement identifying
1364 the development and creating a sense of place. Through their PUP application, the applicant has
1365 requested a maximum height of 260 feet for the proposed office building, and a maximum height
1366 of 150 feet for the proposed hotel use.
1367

1368 The applicant provided a view-shed analysis on Three Chopt Road. According to the view shed
1369 analysis, both the office building and the hotel will be shielded from view at Three Chopt Road by
1370 the landscaping proposed and the change in topography on the site.
1371

1372 The applicant has proffered that a coordinated landscaping, lighting, and signage package,
1373 consistent with the renderings that are being presented, will be used throughout the

1374 development. These elements serve to create green-spaces and buffers and also serve as
1375 cohesive elements that help create the unique sense of place that is intended for an Urban Mixed
1376 Use District.

1377
1378 Urban Mixed Use Districts are intended to be urban in character, containing a mixture of uses,
1379 and a well-defined sense of place that is designed around pedestrian movement, walkability, and
1380 interaction among residents and visitors. These goals can be accomplished by having well-
1381 identified and carefully placed public spaces, buildings that are close to the street and which
1382 encourage foot traffic, and buildings which are vertical in orientation. The applicant has provided
1383 these elements, particularly in the core of the property; however, issues remain to be discussed.

1384
1385 Staff recognizes the difficulty in providing a transition between the existing, suburban-style
1386 developments that currently exists along the north line of West Broad Street and the new form of
1387 development that is being proposed to the south. This very visible frontage should exemplify the
1388 UMU design concepts that are so well displayed throughout the other areas of the site. Staff
1389 believes it appropriate to pay particular attention to this edge in the POD process and restrict the
1390 proposed drive-thru uses to banks only.

1391
1392 The UMU district regulations require a Traffic Impact Study in order to assess the traffic impacts
1393 of the project. Staff and VDOT are still reviewing the Traffic Impact Study and this review must
1394 be completed and adequate assurances in place prior to the March 9th Board of Supervisors'
1395 meeting.

1396
1397 Unicorp and the DPU must discuss the needed improvements to the downstream utility
1398 infrastructure and provide appropriate assurances that these improvements can be made prior to
1399 consideration of the case at the March 9th Board of Supervisors' meeting.

1400
1401 Staff believes the applications meet the criteria of the Urban Mixed Use District designation of the
1402 2010 Land Use Plan and the intent of the UMU district regulations. Staff can recommend
1403 approval of the applications with the explicit understanding that the remaining issues are
1404 resolved before consideration of this case by the Board of Supervisors. Additionally, staff
1405 recommends proposed Condition #3 of P-2-06 be amended to read:

1406
1407 3. Bank drive-thru service – Drive-thru service windows for banks shall be the only drive-
1408 thru service permitted on-site. No more than three such service windows shall be
1409 permitted on-site.

1410
1411 Staff further recommends that an additional condition be added to P-2-06 to ensure adequate
1412 emergency communication in and between the office and hotel buildings. Suggested language
1413 follows:

1414
1415 4. Emergency Communication Systems – The owner will install a fire command center and
1416 emergency radio communication equipment within any hotel, office or mid-rise
1417 condominium being covered by Condition #1 above to allow for adequate public safety
1418 and radio coverage within and between such building. A communications consultant
1419 shall certify such equipment as compatible with the County's emergency communication
1420 system within 90 days of the owner or tenant obtaining a Certificate of Occupancy for
1421 any such building. The County shall be permitted to perform communications testings in
1422 the buildings at any time.

1423
1424 5. A three-inch standpipe for fire protection will be provided within all structured parking at
1425 approximate 200 foot intervals. The applicant will work with the Division of Fire to
1426 determine exact locations for these improvements during Plan of Development process.

1426 6. All structures will be fully sprinkled for fire protection.

1427
1428 That concludes my presentation. I will be happy to answer any questions you may have.
1429 Representatives from the Traffic Engineer, the Division of Fire and Department of Finance are
1430 also available for specific questions.
1431
1432 Mr. Archer - Thank you, Mr. Tyson. I had one question. You indicated in your report
1433 that a Traffic Study must be completed by the March 9 Board Meeting. Is that on track as far as
1434 you know?
1435
1436 Mr. Tyson - I believe an amendment was recently filed. The Traffic Engineering
1437 Department is still reviewing that, as is VDOT. I know VDOT has 45 days, I believe, from the
1438 date they receive it. What the status of their review is I am not sure, but Mr. Foster can
1439 probably give you more detailed information about that.
1440
1441 Mr. Silber - Mr. Archer, that is correct. The Revised Traffic Impact Study has been
1442 submitted and our Traffic Engineer has been working with their Traffic Engineers diligently for
1443 the last several weeks, perhaps months, and that review will be completed. I did want to share
1444 with you that the Traffic Engineer is here this evening if you have questions. We also have the
1445 Fire Chief and his staff here for questions that relate to Fire, and we also have the Director of
1446 Finance if questions come up about the fiscal impact of this development. So, I think we are
1447 prepared to answer any questions you may have.
1448
1449 Mr. Tyson - The Board meeting in March is actually the 14, I believe.
1450
1451 Mr. Vanarsdall - The goal for this is the next Board Meeting, right, for the Traffic Study?
1452
1453 Mr. Archer - All right. Are there other questions for Mr. Tyson from the Commission?
1454
1455 Ms. O'Bannon - Are we going to hear from the Fire Department?
1456
1457 Mr. Branin - I was planning to call both Fire and Traffic up.
1458
1459 Mr. Archer - Mr. Branin, do you want to hear from the applicant at this point?
1460
1461 Mr. Condlin - Good evening, Mr. Chairman, members of the Commission and Ms.
1462 O'Bannon, Mr. Secretary, Andy Condlin with Williams Mullen. I am here on behalf of Unicorp
1463 Development. This is quite an honor to put this case on before you this evening, both in terms
1464 of the quality of the development and the submission that is being requested. Quite frankly, I
1465 also think it is an honor to have worked with the staff and thank the staff and not only the
1466 Planning office, but all of the departments that have gone through a number of revisions and
1467 comments. Also, as in the previous case, the neighbors probably went over what they needed to
1468 do as far as continuing, the dedicated few that would come out, and continued to help us revise
1469 the plan based on their comments. There is still no access to Three Chopt Road and I think I will
1470 mention that 10 or 15 times as we go through this project and I go through the summary.
1471
1472 We have with me a cast of thousands with both local and national. Given the sheer amount of
1473 information that we've got here and I describe to you the application with the file, because a lot
1474 of the information, I am not going through this page by page for you. I know you will appreciate
1475 that and so does my client who is paying my fees on an hourly basis. We also have a number of
1476 folks here that I don't need to introduce, Higgins-Gerstenmaier, Timmons, Wilbur Smith and
1477 Associates, Antunovich Associates and Ryan Boggs is here from my office, as well, from Williams
1478 Mullen. I did want to provide for, let me make sure I've got this working. Unicorp National
1479 Developments is the applicant and the contract purchaser for the Liesfeld property. We have

1480 with us Chuck Whittall, Jodi Ruttman, and Lisa Ernhardt. They have an incredible amount of
1481 experience in true mixed use lifestyle centers, including Baldwin Park, the Altamonte, Dellagio,
1482 and Celebration at Disney. The developer worked closely and reviewed other projects to
1483 understand the experience with these types of projects and having experience is probably the
1484 most critical item for developments of this nature. They are really only one of a handful
1485 nationally, developers with experience to take on these types of projects. Unicorp went on a
1486 national search for architects and they swear to me that it was truly a national search, and after
1487 having flown to Chicago, I agree with them that they have gotten the best architect that was
1488 available to provide for this type of development and has the experience to be able to bring this
1489 to fruition both from the design standpoint, but also the construction standpoint. Antunovich and
1490 Associates, we have Joe Antunovich here from Chicago and he has a great amount of experience
1491 and you can see the Clarendon in Arlington, which I think a lot of folks are familiar with and he
1492 helped design the true mixed use with residential over retail, quality architecture and planning in
1493 stand alone residential. He has great experience in condominium development as well as row
1494 house development in an urban setting with a courtyard setting. Lee has already described in
1495 great detail the property and the rezoning request of the provisional use permit that we set forth.
1496 I believe everyone knows the property pretty well, particularly given its history. This truly is an
1497 infill development, surrounded by some of the best homes, retail opportunities, office product to
1498 be found, I truly believe, on the East Coast. There is no question why Unicorp found this
1499 property desirable. When they are asked the question they say, "Why wouldn't we want to be
1500 here. Look at the demographics in this area alone, not only in the retail, but also for the type of
1501 residential that we are providing, that is not in competition with, but actually complementing a
1502 specific type of retail or specific type of residential that is currently developed in a single-family
1503 detached house in a subdivision that we are use to." The other interesting thing about this
1504 project is that it is really two sides of a coin. Lee had mentioned, in part, with I-64, Broad Street,
1505 John Rolfe Parkway and even Three Chopt Road has significant traffic covering each of those
1506 areas. We also have, of course, the uses that surround it with heavy retail along Broad Street,
1507 with the apartments, the multi-family, the school, Short Pump Park, and, of course, very high end
1508 quality residential on the south side of Three Chopt. That is why we wanted to be careful in
1509 crafting our plan and having it well thought out. We took a look at and talked with the current
1510 landowner, and Unicorp as the developer, obviously had a say in the team we assembled. The
1511 parameters of the property itself are defined by the traffic light and what was surrounding it, the
1512 builders, the end users, the surrounding residents and, of course, the public had a comment or
1513 two as we went through the process. Based on this input, I know the Unicorp folks got a little
1514 nervous, because this is not the plan. This is the existing plan that sits on the property
1515 currently, and I think it is significant to show the difference in the quality that we are trying to
1516 provide for to create our vision in what we are going through, and discussions, with all of these
1517 different points of view, sometimes contrasting and sometimes having different ideas, the other
1518 folks didn't that we talked to. We wanted to be able to create a walkable community, create
1519 pedestrian-friendly streets with a mixed use community having effective and usable open, civic
1520 space, and parks, create urban neighborhoods with a setting for a real community, not just a
1521 series of houses. With that vision we were able to put together a preliminary concept plan that
1522 provided for, again, no access to Three Chopt Road, but switching off the office along Three
1523 Chopt Road to a residential, an urban type of development, also on John Rolfe Parkway to
1524 surround the school and middle school. You can see the anchor of the site really as a village
1525 community and town center that sits in the middle along Broad Street with a retail transitional
1526 residential, and, of course, the office and hotel. The master plan we have developed has gone
1527 through a number of iterations with a number of comments from many, many people. This is
1528 what is brought forth to you tonight, which we think is the best product. That is not only in the
1529 Richmond area, but I think in the entire State of Virginia, and certainly within the East Coast.
1530

1531 The village center, and I will describe in very broad strokes, some of the components. As I have
1532 said, we've got Jodi Ruttman, who is the land planner at Unicorp, and also Joe Antunovich in
1533 case you have any specific questions on the details.

1534
1535 The village center, as I said, is really the anchor of the site. We have stayed true to our concept
1536 and our initial intent with respect to the village center. The buildings are situated to create
1537 pedestrian orientation, to create a Main Street style, with two-story retail elevations and to the
1538 extent that we can provide residential over the retail are in the center of the village center.

1539
1540 Parking decks are used, as you can see, throughout the site to avoid the surface parking that you
1541 get in a lot of typical retail developments. This is not a cheap or inexpensive endeavor and does
1542 provide for a great benefit, as you surround the parking areas and hide the parking areas, but
1543 you need to park cars. That is the reality of the situation. This is also, as we have described, the
1544 urban park in the middle of the village center that provides for a true mixed use, as you can see
1545 with the residential over the retail and the retail store fronts going on to wide sidewalks. This is
1546 the rendering of some of that concept that we are providing for, for the village center.

1547
1548 There are also numerous opportunities for a variety of upscale urban residential, and I say
1549 opportunities, really a number of choices that can be made between the mid-rise condominiums,
1550 the town home linear units, the residential over the stores and the brownstones. Again, these
1551 are intended to create an urban feel with providing for pedestrian opportunities throughout the
1552 site and also not to be in competition with existing residential but to complement the market. As
1553 someone termed it for us, it is the Fan without the crime or the parking problems. I think that is
1554 probably the best way we could say it to be able to provide for that.

1555
1556 The specifics within this site versus the brownstone, which is the place within an integrated
1557 residential block, alley access that provides the rear of the site as you go through for the garages
1558 placed on the rear of the site. The front door is being able to be located along the street front,
1559 not interrupted by driveways and parking garage doors, also providing for a front door along an
1560 interior landscaped courtyard, as you can see, sharing semi-public among this community right
1561 here in this block, the interior courtyard. We also have a number of elevations and things that
1562 inspired the architect as they went through with the specific provisions for the brownstones, as
1563 we go through. We opened up linear units, which I think are very unique, something I had never
1564 seen, and I am going to take full credit for it, since I am standing up here, and no one else can
1565 deny it, is the linear units really are made to hide, as you can see, the parking structures, and
1566 provide for a better face, and really you are living in these units, as you look over you are seeing
1567 the units and their access through the alleyway, an alley system to provide access to the rear of
1568 the site and parking within the building structure itself, very similar architecture, attempting to
1569 achieve a Richmond look. I have been asked many, many times, "What is the Richmond look?"
1570 and you know it when you see it, and I think you have seen it tonight. That is what we are
1571 trying to choose in this case.

1572
1573 The residential over retail is really what I think will create a lot of energy and a lot of activity in
1574 the village center. It really is the key component, I think, to the overall concept of what we are
1575 trying to achieve, and this residential over retail has provided for, again, a different concept in
1576 Henrico, to be able to create that community feel and activity. And then finally, among the
1577 residential, we have the mid-rise condominiums, 125 units on five lots, and you can see, in
1578 between those, are two levels of parking. They've got two towers that go there and two levels of
1579 parking with a community space with a pool. That would be specific and exclusive to those units
1580 alone. Obviously, that is one of the things that you will notice, and while I am butchering Mr.
1581 Antunovich's work here, but you can see on the exterior we've tried to provide for, again, an
1582 urban city block look with different components of the look on the exterior, but on the interior it
1583 will be a seamless transition of the building within that, but on the exterior it would look like a

1584 series of buildings that you would get in a typical urban setting. So, you really get the
1585 convenience of the amenities, but the look that you are looking for an urban setting.
1586

1587 Finally, the office and hotel components that we placed in here along I-64, which is, quite
1588 frankly, where it should be. There is a lot of discussion as to how much office would be
1589 available, and there is, obviously, a large corporate conceptual culture in Henrico County trying to
1590 provide for a corporate headquarters, and we have tried to provide for that. We have been told
1591 by the hotel industry that this area is still underserved and will continue to be underserved, and
1592 that this will provide for a great benefit, as you can see, with 600,000 square feet of office, but
1593 also 300 hotel rooms, with the ability to have a conference center for up to 150 people and a ball
1594 room as well, and, again, this is a very handsome building that is going to make a statement as
1595 far as the facility goes, as well. Finally, mixed use development relies heavily on the landscaping
1596 and amenities that are provided. Landscaping is the key to everything that is done here. It
1597 makes the retail, the residential, and the office more desirable. Landscaping and the amenities
1598 include not just the plantings, but also monuments, hardscapes, pedestrian gathering areas,
1599 benches and streetscape areas. Higgins-Gerstenmaier has worked overtime as we continue to
1600 twist arms and change our plan and add more things as we go through, and has provided, I
1601 think, a pretty significant open space plan that benefits the entire community within the site, but
1602 also outside the site. The open space plan includes, as has already been discussed, a Main
1603 Street Park, and I don't know exactly what a human size chess board is, but it sounds like fun,
1604 and I've got four kids, so gosh knows how many times we will be down there.
1605

1606 We have also got community recreation centers, a residential courtyard with fully enclosed
1607 entrance areas with a garden wall, open space and trail systems, and a trail running around the
1608 entire project. Of course, we've got a picture on here (referring to rendering), but you can see a
1609 trail running along Three Chopt Road, but also along the entire project, to be able to access the
1610 office and the office to access with sidewalks on both sides of the road throughout the site.
1611 Again, the master plan shows that in a little more detail. We also have tot lots and pocket parks
1612 throughout this community that we are trying to provide for. The Three Chopt Road where this
1613 is a little more detail provides for a bike and pedestrian path up to 12 feet in width to be able to
1614 provide for access outside this community on this side of our project.
1615

1616 Our entrance features include those on West Broad Street, which are both the main entrance and
1617 secondary entrances, but also the landscaping and streetscapes that was provided for, as you
1618 can see, very consistent with the West Broad Street Overlay District, of course, but, also, not only
1619 on Broad but on John Rolfe Parkway, from the main entrance that comes in, there will be two
1620 entrances off of John Rolfe Parkway. Again, with the landscaping and streetscaping and then
1621 finally, of course, particular attention is paid to Three Chopt Road. The greatest thing that came
1622 out of the last zoning and going into this one in discussing it was the concern by folks of the view
1623 from Three Chopt Road, uses on the other side of the Three Chopt buffer, but also the view from
1624 the streetscape and also along decks to the school. There is no vehicular access to Three Chopt
1625 Road for any concern. That was made clear by the neighbors and the existing landowner that
1626 that should not occur. We have tried to protect the view sheds from Three Chopt. We have
1627 provided, as you can see, this is a pedestrian access at two points along Three Chopt, and it is
1628 our hope that the County will, obviously, not have to put a sidewalk on the north side. We have
1629 also provided, as consistent with the last case, a dedication necessary to make Three Chopt Road
1630 80 feet in width. On the south side of Three Chopt Road and in the residential homes on this
1631 side a well, we are trying to provide for and work with the County on the design of Three Chopt
1632 to be able to provide this pedestrian access into our trail system and through the buffer. This is a
1633 rendering that was done by Higgins. It was an attempt to show from the extent of the
1634 landscaping the view of the brownstones, which I think, as you travel along Three Chopt, and
1635 ultimately will be widened to four lanes of road, but certainly folks walk across there. This is
1636 something that they will be able to see. We have also provided, based on comments from the

1637 Fire Department, emergency access, and we are trying to provide it integrated into the overall
1638 concept, so that it is less intrusive and you don't really see it. That would be available and we
1639 will continue to work with the Fire Department. They might prefer a gate and details, and we will
1640 have to work that detail out, because, quite frankly, we will have an emergency access and make
1641 it look at least of good quality.

1642
1643 The final master plan that we put together. As you can see (referring to rendering) the
1644 commitments that they have made range from the very broadest concept to the smallest details.
1645 As we have pointed out, the plan does meet the goals and objectives of the Comprehensive Plan
1646 and also this request is consistent with surrounding uses and zoning as I have already described.
1647 This is not only a unique property but it is in a unique position, not only from a timing standpoint
1648 but also from a location. I referenced the variety of roads, uses and zoning categories. It really
1649 and truly is a transitional property from two sides of a coin and the question then comes in,
1650 "What is appropriate for this property?" I think the urban mixed use designation is a perfect
1651 designation for the zoning for this property, given its varied uses and what can be achieved on
1652 this property. This zoning request is appropriate, and beneficial to the County. We are looking
1653 for something different and the County has designated this site for something different. Our
1654 proposal will raise the bar to a level not yet seen in Henrico, the Richmond area, and probably in
1655 all of Virginia. Beyond the fiscal impact benefits to the County, West Broad Village represents a
1656 project that is effective for the continued growth of the County that is desirable because of its
1657 quality and mixed uses. That is smart using the principal of traditional neighborhood design that
1658 is sensitive to the environment, providing usable and effective open space available not only to
1659 the community within its borders, but also to the community at large. I think it is very unique
1660 property and it's now an opportunity to meld often conflicting uses by creating a unique
1661 sustainable community that will not be seen for years to come, and providing a depth of services
1662 and options for residential that complement surrounding uses. With that acknowledgment, we
1663 believe it fits within the Land Use Plan, is consistent with surrounding zoning and uses. It meets
1664 all other jurisdictional prerequisites and I recommend and ask that you recommend the
1665 designation for urban mixed use in the Land Use Plan, recommend the rezoning and the
1666 provisional use permit. With that, I will be happy to any questions. I have one caveat with the
1667 provisional use permit comments that were made about the conditions. It was something we
1668 just found out about, the sprinkling of all buildings this afternoon. We went back and hurriedly
1669 talked to many of our builders, a number of them. Each one of them expressed great concern
1670 among the brownstones. We would like to amend the condition that we will sprinkle all
1671 buildings, including residential, the mid-rise condos and the residential with the retail, but we
1672 would ask that that condition not be imposed on the brownstones. That may be something that
1673 is up for discussion. Otherwise, we can discuss it with the Fire Department to see what we can
1674 come up with after the Planning Commission meeting, as well. With that, I will be happy any
1675 questions.

1676
1677 Mr. Archer - I had one question. You said there will be no vehicular access to Three
1678 Chopt Road?

1679
1680 Mr. Condlin - Other than emergency, yes, sir.

1681
1682 Mr. Archer - Is that both ways, ingress and egress?

1683
1684 Mr. Condlin - Absolutely, yes, sir. We believe it would create a lot better traffic to
1685 come off of that, but it was clear for the overall community that we should exit south of Three
1686 Chopt and we are willing to make it work, and that is why we needed the emergency access,
1687 because there is no access otherwise.

1688
1689 Mr. Archer - All right. Thank you, sir. Any questions?

1690
1691 Mrs. Jones - I appreciate your patience and we talked about an hour's worth or so,
1692 and it is an exciting project and an absolutely beautiful plan. I keep coming back after my other
1693 questions have been answered and what I expect doesn't have an answer. I am certainly hoping
1694 that you, we have the opportunity to create a very special place with thousands of residential
1695 units of unlimited square feet for retail, commercial. This is going to be a stunning environment
1696 that has been planned, I am sure. However, having been somewhat (unintelligible), you will find
1697 that some here in Richmond with a rallying cry, "We don't want to be Northern Virginia." And it
1698 all comes down to traffic. As I look at the, well, certainly, as I travel West Broad Street in my
1699 comings and goings to shop, and it (traffic) is a problem now. We have five entrances, only two
1700 of which will allow us to egress the project, and one of them will only allow access to I-64, and
1701 we have two entrances on John Rolfe, which doesn't exist yet. This project is going to put a
1702 tremendous number of restaurants and activities and special events, inside of it. You need to be
1703 able to come and go without living a nightmare. Please tell me that it will work out.
1704

1705 Mr. Condlin - It will work out. It will be fine. Let me try again. I do agree with
1706 Northern Virginia, and you know, part of the problem was the benefits of the mixed use
1707 development is that if we had created a million square feet of commercial space along Broad
1708 Street and created the thousand residential units in separate zoning cases in developments along
1709 Broad Street, they would create traffic as you travel from one space to another along Broad
1710 Street. That is one of the great benefits of mixed use development. As you come home from
1711 work, you can stop at the grocery store, as has already been announced, or you can go home
1712 and walk there, particularly if you work on site. The idea is not to have to come off if you are
1713 living there or if you are working in the office building. You can take care of your necessary
1714 business and then leave at that point. That is a simple answer. That is not going to suffice and I
1715 know that is not going to suffice, but there are a number, I believe, and our Traffic Engineer is
1716 here as well, and from Wilbur Smith, (unintelligible). There can be improvements necessary to
1717 accommodate our development. The problem is, quite frankly, without ever putting a shovel in
1718 the dirt, without ever building one square foot of building, traffic is an issue on Broad Street right
1719 now. The question is not only can it be accommodated but can improvements be made to help
1720 alleviate that background traffic. Is it (unintelligible)? That is a traffic engineer term and I don't
1721 know whether I would be allowed to say one way or the other, but it is a problem and we
1722 recognize that. With that, I know the County has a number of plans in place to provide, for
1723 example, I will mention Three Chopt Road. It will be widened to four lanes. John Rolfe Parkway.
1724 Most of our traffic, as we have described it, we have tried to come with empirical evidence again,
1725 both with the Traffic Engineer and Unicorp National Development. It is going to come from the
1726 south side. That is where most of our traffic, particularly once John Rolfe Parkway goes in, will
1727 come from south of our project and come in that way. Certainly, there will be a lot of traffic
1728 coming from the interstate. With that, we think, and we didn't get credit for our traffic report as
1729 we went through, for any improvement with the County, planning related to the Gayton Road
1730 flyover or the potential interchange that is still pursued by the County or 288, which also, that
1731 has influenced the changes and that will influence greatly the pattern of traffic as it comes
1732 through there. Some of the improvements that are planned by the County, they are a part of the
1733 process. We went through this thing with Englewood, the previous zoning, with respect to going
1734 to the Planning Commission. We are down, I believe, two issues. I think the water and sewer,
1735 and in talking with the engineers they are in agreement with improvements. I can define those,
1736 and that will be easily defined. We are really down to two issues. One is the sprinkling system
1737 and then the traffic, and the same way with the Englewood zoning. We were able to provide
1738 before the Board of Supervisors. We all know the Board will not accommodate the case unless
1739 traffic has been worked out, and traffic worked out means VDOT and Tim Foster and the Traffic
1740 Engineers are satisfied with the improvements. We feel that all improvements that are necessary
1741 can be accommodated, can be made and can accommodate traffic, not just from our site but also
1742 help with background traffic, particularly when you combine it with improvements that are being

1743 made by the County. I didn't mention the Thoroughfare Plan Amendment that you are looking at
1744 that has been deferred. That is a further hope. It is a constant struggle where we are, and all of
1745 the residents, of course, Three Chopt Road is supposed to be a service road, helping relieve
1746 Broad Street. It is also supposed to be on the north side as it continues further west, and we
1747 think all of these combined will accommodate our traffic, but also will help with the background
1748 traffic and make it easier. Traffic is not going to go away. The devil is in the details, but it is also
1749 why people like to come here, because the numbers they have for the demographics, not only
1750 the number of people, but the quality of their homes, the homes that are there, as well. When
1751 you put it all together, I think we can solve that and we'll just have to convince Mr. Foster and
1752 whatever improvements are required, we will also accommodate those.

1753
1754 Ms. O'Bannon - It appears that this 1,000 residential units and a hotel with room for
1755 2,700 cars. That is a lot of traffic. I think that is what...

1756
1757 Mr. Condlin - We are comparing it to...Mr. Foster is here. He can come up and stop
1758 me when I say something wrong, and I eventually will here. We feel that, quite frankly, our
1759 traffic produced from this site is comparable, very comparable, maybe even exactly the same
1760 reason the zoning case with the office park and the retail that goes out there, and that is
1761 because of the mixed use nature. Mr. Foster is very well qualified and sets the parameters of our
1762 study, not only the roads we study, but the assumptions you can get and what the benefits are.
1763 I believe, and, of course, we've got our own traffic, but Mr. Foster can speak to this. We do not
1764 get any benefit for having office and residential on the same site. For example, I think there is
1765 obviously going to be some mix of that. People that work in the office are going to be able to
1766 stay on site and never go to exterior roads. The other benefit is the fact that we are transferring
1767 trips that otherwise might go to other places. People that might be going down to Short Pump
1768 Town Center that live south of Three Chopt Road will, instead, go to this location, not off of
1769 Three Chopt, but off of John Rolfe Parkway, and they will come up and they can use Broad Street
1770 to access 64 if they had to head west. That is some of the numbers. The Traffic Engineers are
1771 the professionals. You have to rely on Mr. Foster, and that is the right one to do it, and we feel
1772 that based on his assumptions, which are very conservative. Unicorp, with their experience, and
1773 some of their Traffic Engineers, with them nationally, that have done this work, have evidence
1774 where they went back and studied the mix of uses, for example, the peak hour traffic, and
1775 substantially less than that was shown in the general ITE guidelines. The Institute of Traffic
1776 Engineers has actually come out with a manual with respect to mixed use that we did not use in
1777 this case. So, the very conservative effort that Mr. Foster is looking at, the most conservative, we
1778 feel practically that we will find empirical evidence that would be much better than even that,
1779 which is the worse case scenario. It is very comparable. I think it is an 8% difference from what
1780 was provided for in the Englewood case and the previous Liesfeld case.

1781
1782 Ms. O'Bannon - (Unintelligible) really difficult, depending on the traffic study coming up
1783 (unintelligible) something like that.

1784
1785 Mr. Condlin - It could happen and I think we've got the, the question is, can the
1786 improvements that are being required by the County and VDOT be made, and if they can be
1787 made, then certainly one way we would resolve that is providing for a phasing plan in
1788 Englewood, which we don't want to, because you want to have the ability to know what is going
1789 to happen in the future to finance it. You know, potentially to reduce that. One of the different
1790 tugs that we have is that the County has continually said, "More office. Let's have more office
1791 space," which is a great idea, and we like the more office space, but it kills our traffic numbers,
1792 particular when we don't get that benefit of the mix of uses. Would we take off the office as
1793 opposed to the residential? I think the County would have an objection to that, but that is some
1794 of the things that would happen. I think it is easy to sit it down once Mr. Foster is able to view it
1795 and analyze the full report, but the second report that we have submitted, we can roll up our

1796 sleeves and come up with a resolution. We have done it before, and we are not going to bring it
1797 before the Board of Supervisors until there is a resolution. You and I both know that.
1798
1799 Mr. Vanarsdall - Along the same line, I guess what we are saying is, will the roads arrive
1800 at the same time as the project?
1801
1802 Mr. Condlin - Do you mean Three Chopt and John Rolfe Parkway in particular?
1803
1804 Mr. Vanarsdall - Will the roads be in place – will the roads arrive at the same time as the
1805 project?
1806
1807 Mr. Condlin - Well, certainly any improvements along West Broad and the 64 area will
1808 have to be done as part of, and that will be the commitment that is made with Mr. Foster, as to
1809 whether he needs to have. The grocery store is going to be the first one that goes in, in and of
1810 itself. They are asking us to start as soon as this thing gets approved and we can get a POD for
1811 it. They want the dirt to start moving for that grocery store. In that respect, that may not
1812 require all of the improvements, but as we work with Mr. Foster, we will come up with that. John
1813 Rolfe Parkway is, right now it is supposed to open. I think a while ago, it was certainly by this
1814 time, and it is now going to be the third quarter of next year. Of course, as you know, Old Three
1815 Chopt goes through here up to Broad Street. The answer is until John Rolfe is put in, Old Three
1816 Chopt is not going away, and that is certainly the significant portion of our development. That is
1817 one example. Three Chopt Road we can't access anyway. It does provide some more
1818 background and provides relief on Broad Street. We are not accessing it, so I am not sure. So,
1819 that will be a statement I am not sure the County is going to require us to have those Three
1820 Chopt improvements made before we begin, because it is really not affecting specifically our
1821 property.
1822
1823 Mr. Vanarsdall - That is, how we get the traffic jam, if the roads are not there.....what
1824 they are doing?
1825
1826 Mr. Condlin - Right. That is certainly the case. That is why I believe Broad Street and
1827 64 will be in place, John Rolfe and most of the facilities. Otherwise, we have to access off of
1828 Broad, but if John Rolfe isn't there, we will have to access off of Broad which is going to
1829 significantly limit the amount of development which Mr. Foster will sign off, based on the Traffic
1830 Impact Analysis.
1831
1832 Mr. Jernigan - What is the build out date on this?
1833
1834 Mr. Condlin - The anticipated build out for The Village Center which would include the
1835 retail here is two years. We believe that, beginning immediately, that the brownstones, obviously
1836 it is a new product in Henrico County, that will start taking a hold and will probably be completed
1837 in five years. The mid-rise condominiums, I am convinced, that would be in about five years,
1838 2011, 2012. Then the mid-rise condos, I think there is going to be a great market for that once
1839 The Village Center goes up. Obviously, that is the second phase between that and the office and
1840 the hotel, depending on what we end up having through this facility. Excuse me, what we end
1841 up having for the users, and when they want to go in. The hotels are excited about this. We
1842 may have to reconfigure this. This is a master plan concept with the hotels going on 64 in that
1843 area up there, so that would move the offices down, but it depends on the wetlands analysis and
1844 I don't know exactly what the details are, but that is kind of a progression of where we anticipate
1845 development.
1846
1847 Ms. O'Bannon - Mr. Condlin, you said something about, I know the Fire Department is
1848 probably the one who recommended all structures be fully sprinkled.

1849
1850 Mr. Condlin - Correct. Yes, ma'am.
1851
1852 Ms. O'Bannon - I am sure they had a really good rationale.
1853
1854 Mr. Condlin - No. They are agreeable and I am not going to discount them. They all
1855 agree. I know it is not required by the building code...
1856
1857 Ms. O'Bannon - At least for the residential units...
1858
1859 Mr. Condlin - Right. Certainly, one of the benefits, obviously, is the sprinkling is
1860 necessary for the commercial component and then the residential above the retail mid-rise
1861 condominiums. Brownstones, the idea was that the connected units, that they would like to have
1862 them sprinkled, and they can certainly speak to it themselves. It does increase the cost to the
1863 extent that our builders that we have been talking about, that we will be under contract within
1864 the week. I say that is an unnecessary expense. It is not required by any other County for
1865 development, and that is why we are asking for an exception. It is not required by building code.
1866 It was requested by the Fire Department.
1867
1868 Ms. O'Bannon - Are there any elevators in the.....
1869
1870 Mr. Condlin - No, ma'am. Not that I know of. In the mid-rise condominiums,
1871 obviously, in the other building, unless they placed them in the.....for health reasons.
1872
1873 Ms. O'Bannon - I have one more for Mr. Condlin. Are there any cemeteries in this area?
1874
1875 Mr. Condlin - Not on this property. We've done a title search and a survey and there
1876 are no cemeteries. I know this site has been walked a lot, by a lot of people, to investigate the
1877 site.
1878
1879 Ms. O'Bannon - There was some historic book they are reading.
1880
1881 Mr. Condlin - One of my favorite parts of this project has been to sit down with Mr.
1882 Chuck Peple, who went through the history of this area, and as you see in the staff report, there
1883 are no historical sites, that the County has, and we've done some other investigation. We looked
1884 all through the other farms, back in the Civil War, and there is nothing designated. One of the
1885 things that we did provide for in our application is that the State Department of Historic
1886 Resources would designate any home that is over 50 years old for investigation. We will have to
1887 accommodate for that, as part of our wetlands analysis and we'll have to satisfy them that the
1888 homes don't have any historical value, but they label that no matter what the home is, if it is
1889 over 50 years of age. It gets that label and investigated, so we will have to accommodate that,
1890 but Chuck had said there wasn't any significant structure or feature on this property otherwise.
1891
1892 Mr. Archer - Mr. Condlin, I don't know if you can answer this or not. I know this is
1893 relatively a new concept, but looking at some other areas that you may have studied, is there
1894 any statistical data that can determine what the rate of turnover might be within the component?
1895
1896 Mr. Whittall - I am Chuck Whittall, Troop 614. I was an Eagle Scout in 1978, so it is
1897 good to see you guys out there. I attended a hearing like this myself, I guess, 25 years ago, but
1898 I will address the turnover. But I would also like to say thanks for working with everybody
1899 tonight. The staff has been great. Lee did a fantastic job of doing the presentation portion and
1900 so did Andy, to the point where we don't really need to say anything, but we have assembled
1901 and our goal for the project was to assemble the best team we could, and that is our goal with

1902 any project, and we were fortunate enough to come across the great folks you have here, Wilbur
1903 Smith with Timmons and Andy and everybody, and we are really pleased with the project that is
1904 coming out. Our goal as a company is to develop the projects, and we've done those all over the
1905 country. We were selected by Disney as the only developer they ever had to do a project, and
1906 we did a great job for them, and if anybody knows about Disney, they are tough to work with,
1907 but we are really excited to be here and do this project, and I know we've got to talk about
1908 traffic a little, but the project is going to be a great project and something we are really going to
1909 be proud of, and it is going to be something that Henrico County will be proud of. As far as the
1910 turnover of the residences, the place that we are going to create is probably going to create
1911 more of a turnover in the other neighborhoods. We think people are probably going to want to
1912 sell their homes to live here. It is going to be a great place to live. The product that we are
1913 building is a for-sale product, not a for rent product. Maybe, initially, when we build these
1914 projects, the retail in the town center, I believe those would go for rent, originally, but the design
1915 of the project is that a for sale unit, condominium units. Rental units, especially with living costs
1916 in a project like this, we don't make a profit on that. So our intent and our goal is to sell those as
1917 for-sale units. The townhouses, brownstones, fan homes, they are all called different names,
1918 and the condominiums are all for-sale units. So, typically, they are going to run about the same
1919 turnover you would find in any residential area. It is going to be a couple of years, two to three
1920 years, and before your average person sells that. It is going to be a great environment that
1921 doesn't exist here, where people can go to the grocery store. They can walk to the grocery store
1922 from their unit, and go to the health club. They can go shopping. They can go to the jogging
1923 path, and once people move to these environments, they find out, gee, they really like it. They
1924 don't have to get on the road, and Andy mentioned that we didn't use the conservative study,
1925 which is actually used all over the country, and all of these other projects that we are doing do
1926 use the conservative traffic study, because it is the truth. When people live there, they will walk,
1927 or they will take little buggies or bikes and they will go up to Hopa's. I found out with our project
1928 in Baldwin Park that people walked their dogs to the grocery store and buy their groceries, and
1929 the project is really used like that. The project that was previously approved here, where Andy
1930 said we are comparable, and we really think we are going to generate less trips. There is an 8%
1931 variation right now, using the non-conservative study. If you use the conservative study, we
1932 confidently believe we will do better than that, but there is an 8% difference in the two studies
1933 right now. But the reality is, these projects, they do stay within the projects. You have the
1934 residential around you. You have people who leave the office buildings and they will go to the
1935 grocery store and go shopping before they go home. So when you use a 5:00 peak-hour trip,
1936 say at 5:00 people are leaving the office, but nobody leaves at 5 anymore. If they do leave at 5,
1937 a good percentage of them will stay around the community. They will use the facilities here.
1938 They will live here. People who work in office buildings will live in the community. There are a lot
1939 of assets. We have studies that absolutely prove that, and those studies haven't been, they
1940 haven't been totally acknowledged that, but it is factual and it is backed up empirical data just
1941 like Andy said. It is all over the nation. We really think we've got a great project and we are
1942 making a lot of efforts to put in turn lanes, and we have been talking to staff a lot, and doing
1943 other things that help negate current traffic situations that are there. We really believe that this
1944 is going to be a much better project than previously approved. It will be a much less hit of traffic
1945 than what you previously had, and we think it is a great project for the County and we are really,
1946 really glad to be here. The last thing I will say is when we came across the property, we saw the
1947 field sitting in the middle of Henrico County, and I met Tommy Liesfeld over at his house, and we
1948 sat in his dining room and talked about it, I think our vision for what we wanted to do for the
1949 property, and he had a lot of people approaching him. He had office users, because that is what
1950 it was zoned for, big retail users, and Tommy and I sat and talked across the dining room table,
1951 and we said we have a great vision for this property to do something really special, and we
1952 literally shook hands and made a deal, and we are delivering on what we said we were going to
1953 do, and so we really wish you'd approve this tonight and forward this on. Thank you.
1954

1955 Mr. Archer - Thank you, too.
1956
1957 Mr. Silber - Well, we do have staff here.
1958
1959 Mr. Branin - I would like to start with Fire, unless you want to go to Traffic.
1960
1961 Mr. Silber - While the Chief is coming forward, Ms. O'Bannon, we met as recently as
1962 today with Fire and the applicant at length, and talked about some fire issues and that is where
1963 some of the conditions came from. Lee addressed some of those, but I think many of the original
1964 concerns have been addressed.
1965
1966 Ms. O'Bannon - My question, and my questions don't (unintelligible), this is a town in
1967 itself. This is a mini-city that is providing things for folks who live there, and, of course, and then
1968 the County does provide fire protection and so on, and the safety of the road (unintelligible). And
1969 the building code provides the same things from the hotel, even though it is sprinkled, and I am
1970 interested also to find out what he said about all structures. I am really interested because it
1971 concerns me. I also just want to hear what you have to say. The entire project, I think, is very
1972 important and the important issue is safety related, not the way it looks. It is beautiful, style...
1973
1974 Mr. Mastin - Thank you, Ms. O'Bannon, and I will address this sprinkler issue. I think
1975 as Andy and the others have pointed out, this is a very unique development, and a very top of
1976 the line development, setting a trend here in Henrico County, and we think that the sprinkler,
1977 part of that is also setting a trend and it does provide the maximum protection for our residents.
1978 As you may recall, Rocketts Landing is also a UMU new project, and they are also sprinkling all of
1979 the residences there. We do have some other developments embracing this sprinkler concept.
1980 We do realize that it is an additional cost to the developers or the builders, however, our studies
1981 would indicate that the sprinklers are far more worth the money, and the life-saving efforts that
1982 they bring to the residents that will live there, than will just enhance the development, so we
1983 would ask that that remain one of the proffered conditions as part of the provisional use permit.
1984
1985 Mr. Branin - Chief, I have a question for you, as well. Because of the scope of this
1986 project and the height of the buildings, it is forging new ground in Henrico County. Is Henrico
1987 County Fire trained in fighting fires with this height of structures?
1988
1989 Mr. Mastin - Yes, sir. We do train in high-rise fire fighting. We do have equipment for
1990 high-rise fire fighting. We do have other buildings in the County that certainly stretch our
1991 limitations for equipment and our staffing, but that is not a new concept for us in the way of
1992 training. The equipment that we have, and let me clarify that, to say our apparatus. We
1993 currently have what I'd say is top of the line, state of the art apparatus. We have aerial ladders
1994 that reach 100 feet. There are some other devices on the market. They go higher; quite frankly
1995 I wouldn't anticipate us embarking upon trying to procure those. The leverage that they give you
1996 is only several more stories. The other equipment that I am speaking of is our hose lines and the
1997 deployment of the equipment that we have to the fire floor. We do have that equipment today,
1998 because we do have on Monument Avenue that also stretches our limitations. We have Rocketts
1999 Landing, so this may be the larger and taller of any building in Henrico County, but it is certainly
2000 not a new concept for us.
2001
2002 Mr. Vanarsdall - Do any of the surrounding counties, our neighbors, do they have any
2003 kind of equipment, high-rise equipment?
2004
2005 Mr. Mastin - Again, Mr. Vanarsdall, if you are talking apparatus, we have...
2006

2007 Mr. Vanarsdall - If we had a big fire in a 15-story building, would the City of Richmond
2008 aid us in helping with that?
2009
2010 Mr. Mastin - The biggest thing for us fire fighters is it is labor intensive. They would
2011 provide staffing to us. They do have some aerial equipment, but none of us have equipment to
2012 reach 15 floors. There is not equipment out there that reaches 15 floors.
2013
2014 Mr. Vanarsdall - The city doesn't have 15?
2015
2016 Mr. Mastin - No, sir. It is just not available in the market. There is a point where you
2017 can't build a piece of equipment to reach those things.
2018
2019 Mr. Branin - Then, Chief, how does New York City or Baltimore or, I know in the City
2020 of Richmond, how do they fight fires in those areas?
2021
2022 Mr. Mastin - It goes back to what I said earlier. It is labor intensive. It is a matter of
2023 getting staff in there, to get the equipment, either through use of the elevators or up the
2024 stairwells to wherever the fire floor is. One of the key components dealing with that is dealing
2025 with it up front as we discussed with these folks earlier today. It is fire protection systems; it is
2026 buildings, and in-building solutions, communications, compartmentalization of their floors. All of
2027 those things are fire protective measures that help to minimize the problem you have when you
2028 do have a high-rise fire.
2029
2030 Mr. Branin - I've got two more. The second to last would be you all requested an
2031 entrance onto Three Chopt. Would you touch on that?
2032
2033 Mr. Mastin - Yes, we did discuss that earlier today and the developers have been very
2034 accommodating with that. We feel that is extremely important for us. You give us a timely
2035 access to part of that development which will enhance our response time to be able to provide a
2036 safe response to any type of incident in there, so we would request that. We think that is very
2037 important and as you saw from them tonight, they have offered that.
2038
2039 Mr. Branin - This is the last question from me, and then you are off the hook with
2040 me, but you have got a bunch of others...when you heard "Absolutely, we are going to put
2041 sprinklers in those brownstones, which I know they will." When they do that, and they are all
2042 looking, when they say yes, they are going to do that, is Henrico County Fire comfortable with
2043 this project?
2044
2045 Mr. Mastin - Overall, we are very comfortable with the conceptual layout of the
2046 project. You know that there are other things that we ask to be involved as development takes
2047 place in the design of the fire control room, for example. You heard about the stand pipes in the
2048 parking garages today. We had those discussions today, and we feel very comfortable that they
2049 will work with us on fire suppression needs as the project moves forward.
2050
2051 Mr. Branin - Chief, I am sure that I will make them do that.
2052
2053 Mr. Mastin - I entrust that from you, Mr. Branin.
2054
2055 Mr. Archer - OK. Any other questions of the Chief? Thank you, sir. Mr. Boston.
2056
2057 Mr. Boston - It seems like the sprinklers are kind of important to you and we will
2058 move forward and agree to do the sprinklers, because I know you guys are really seriously
2059 thinking about using that more conservative traffic report and we need a little help on that one, if

2060 you look at that report, because I think that report makes a difference and everything, and this is
2061 the place where we can get where we want to get to, so we will.

2062 Mr. Foster - I am Tim Foster, Traffic Engineer, for the County of Henrico. We have
2063 reviewed this traffic study, and we really look at it as a revision. This is the fourth traffic study
2064 we have received on this piece of property, the first beginning two and a half years ago, and
2065 when we received this traffic study, it really was a revision. Obviously, the traffic is a concern of
2066 everyone. It is a concern of ours. We don't want this to become Northern Virginia either. This
2067 is an exciting development. It is one that we traffic engineers actually like, because of the things
2068 that it brings, but we also want to make sure that we can get our citizens around the area. We
2069 have not completed our review of the study. We have committed to VDOT and we will be done
2070 with the study and recommendations by the end of this month, which is before the Board of
2071 Supervisors meeting, and we are moving that process up so that we can also have time for
2072 comments once everyone can review it. Our goal with the traffic study is to come up with the
2073 best traffic we can, but also let you all know what is going to happen, regardless of what is
2074 approved.
2075

2076 I would like to split this talk up into two sections. One, the traffic study very quickly, but I also
2077 want to go a little more detailed of what is going on besides this development out in the area.
2078 We have a lot of things going on here traffic wise and I want to go over those real quickly, just
2079 so that it is not only this development that is causing some of these improvements, but we do
2080 have improvements. The traffic study itself, to go through a traffic study report, also includes
2081 background traffic. We are assuming things that are happening to the west and east that are not
2082 even built or even proposed or even zoned yet. By virtue of looking at growth rates over the
2083 years, the traffic impact study does include potential growth areas. It also includes a little bit of
2084 square footage from the mall. So, even things that are in Goochland, we do take all of that into
2085 consideration so that our projections aren't just what this is going to be, but the projected traffic
2086 in the future. The traffic study also differs from the standpoint of a different type of
2087 development. We do recognize the internal captures, as we call it, but these are the people that
2088 won't have to exit onto the public road system. If you are living there, you can walk to the
2089 grocery store. You may choose to live and work there at the offices. Also, the office people
2090 wanting to use at lunch time. They won't have to go out to restaurants in the area. We do take
2091 those into consideration. We are conservative. Ten years from now I hope I am still the traffic
2092 engineer. This will be built and we hope to have a good system out here. Also, from our
2093 standpoint, it is not all going to be plopped down at once, so we have a chance to fine tune this
2094 as we go along and it is being built. As far as the big change, that is the residential component
2095 added to it, whereas the previous zoning had more office, we take that into consideration
2096 because this is residential. Those people who don't work there, they will be leaving the site in
2097 the mornings and coming in in the afternoons. The office, they are actually coming in to the site
2098 in the morning and leaving in the afternoon. It is just the reverse, and if you know that area out
2099 there, the heavy movement in the morning is eastbound and in the afternoon westbound. By
2100 having the residential leaving and going eastbound in that direction and heading south, you
2101 actually go to lower traffic. That means we don't have a lot of traffic opposing that movement
2102 and so that actually helps us. We are using the capacity there for that. The same thing with the
2103 retail. Anyone you know who is familiar with Short Pump Town Center, if you go out there at the
2104 rush hour, the rush hour traffic in the morning isn't caused by the mall. There is hardly anyone
2105 in there. There will be some shops here that will get some traffic that will come in, but a lot of
2106 these we see in the morning in the Starbucks, those kinds of things, are used by the residents
2107 coming in. So, we have taken all of that into consideration, and when we looked at the review of
2108 this, also. As far as other things in the area that is going on, Mr. Condlin and some others
2109 touched on some of the projects going on, John Rolfe Parkway being the big one. We actually
2110 have a board paper at the next board meeting coming up to begin the relocation of the Verizon
2111 Utilities. We think we might be able to get construction on this project or at least out to bid
2112

2113 possibly by the summer, late this year, if we can obtain the properties that we still have to
2114 purchase, actually easements for that matter. John Rolfe Parkway is going to be split into three
2115 phases, and the last phase is one that people forget about, when we think about John Rolfe
2116 Parkway. The first phase will be from Broad Street to Church Road, widening, and all new
2117 alignment. There will be a new four-lane road. We may have a 1A that gets us from Three
2118 Chopt to Broad. We are still working on the details of that, depending on how the administration
2119 will let us do it. That is Phase 1.

2120
2121 Phase 2 will begin, hopefully, in 2007, and that will be from Church Road to Ridgefield Parkway.
2122 When we get that phase done, we will have a completed road from Lauderdale Drive all the way
2123 to Broad Street.

2124
2125 Then, Phase 3, which is the one most people don't realize is, once we get Phase 1 done and put
2126 traffic on it, we are actually going to widen the road as well. It will be widened to four lanes
2127 from Church Road up the existing four lanes now, and that is one, when people talk about John
2128 Rolfe, a lot of people don't realize we are widening Pump Road. So, we are going from a two-
2129 lane road to a four-lane road on one and a completely new four-lane road on the other. The
2130 advantage, if you think about the traffic out there, we have, thankfully, we do have a rush hour.
2131 If you think of DC and Northern Virginia it is a rush four hours or rush five hours, and if you think
2132 about here, and I have the advantage of living out in this area so I get to see it a lot, we have
2133 two hot spots in this area, the intersection of Pump Road and Pouncey Tract Road. That is hot
2134 spot No. 1. Hot spot No. 2 is this interchange up here where people have to merge. John Rolfe
2135 Parkway takes the traffic from Pump Road out of that intersection at Pump and Pouncey Tract.
2136 That automatically will make that intersection work a lot better than it is now. That helps us split
2137 up that hot spot, so I think we've got some solutions to fix that intersection. We are working
2138 with VDOT on the ramp, and you are getting this ramp extended under the bridge. We think
2139 that is a lot of bang for the buck. We have been talking about it with them for years. They are
2140 looking for funding, I should say, because it is a State project and extending that ramp so that
2141 when you come around off the interstate, you don't have to merge. It is free flow and I think
2142 you will see a lot of congestion at that intersection go away from a background standpoint when
2143 that is done.

2144
2145 Another project that begins in May is the I-64/295 widening project. That is to redo the
2146 interchange at 295 and 64 (referring to plan) and this, I wanted this map because it is a little bit
2147 easier, and I know I am going through this pretty quickly. This ramp will disappear. This
2148 construction begins in May of this year, and there will be a directional ramp into 295 from 64,
2149 this direction. This also includes the widening of 64 all the way to 288, adding a lane. That is
2150 important to us from Broad Street. It is one of the things we saw at Broad Street with 288 built,
2151 we saw an increase in traffic on Broad Street, mainly because of two lanes and it gets congested
2152 in there, and the interchange gets congested. As long as we fix the interchange, we get a third
2153 lane, another lane in each direction on 64, so I think we are going to see a little bit of a decrease
2154 in traffic on Broad Street because of it, and that helps us out a lot. That project again will be
2155 starting again in May of this year. The other benefit to this project, it includes the widening of
2156 Pouncey Tract Road to four lanes all the way up to Twin Hickory, to this point. That is actually
2157 the first phase of the project, because they've got to redo this bridge here. There will be a four-
2158 lane bridge and two 2-lane bridges built, so we get the benefit of getting Pouncey Tract Road
2159 widened, as well as 64 widened, and that is definitely going forward in May.

2160
2161 Other projects we have is the Three Chopt Road widening. That is under design now. We hope
2162 to have that design completed by the end of the year. That is from Three Chopt Lane all the way
2163 to Pemberton and we will be going through the public hearing process with that I am hoping in
2164 2007 we will begin that process, with possible construction in 2010, 2011 for Three Chopt Road.
2165 Added to that our Bond Referendum last year approved the North Gayton Road Extension, only

2166 the extension over to Shady Grove Road. That we hope to begin design this year, with again,
2167 construction beginning in 2010. That is a bond project, so we do have funding in place to do the
2168 project. We are setting aside right-of way for a possible future interchange at this location of 64
2169 in the future. That is not part of the Bond Referendum Project, but we are setting up and even
2170 the apartments here have them set up right away, so we can provide an interchange possibly
2171 there in the future.
2172

2173 So, we have a lot of projects going on in the area that is above and beyond this development.
2174 Whether this development goes forward or not, those projects are ongoing in this area. We are
2175 looking at their site and the frontage of lanes that we may need to add to Broad Street, and it is
2176 good that they have a lot of frontage and we can really ask them to put some lanes on there. I
2177 am not in a position to say what our final recommendation is going to be until we can get to
2178 review the study. Broad Street, 64, 295 all of those are VDOT roads, so they have a big say in
2179 how that would be effected, but we are working together to have this completed before the end
2180 of the month, and give everyone time to do that before the Board of Supervisors meeting.
2181

2182 Ms. Jones - Mr. Foster, you say they will have the VDOT recommendation by the end
2183 of the month?
2184

2185 Mr. Foster - Yes. We plan on having this completely done and recommendations by
2186 the end of this month, by the end of February, so in three weeks we will have it completed. But,
2187 again, we have been working on this for quite a while.
2188

2189 Ms. Jones - You have raised a tremendous amount of hope that actually we can
2190 move people in and out of there in a hurry, and I just think it is going to be a fabulous project.
2191 The build out time, if I understand from the applicant for this particular project will be five or six
2192 years. If that is true, not all of these projects will be completed by then. Maybe 50% of them
2193 will be?
2194

2195 Mr. Foster - Well, if it 2010 or 2011, we should have – the interchange should be
2196 done. The 295/Pouncey Tract Road should be done. We should be under construction in 2010
2197 or 11 on Gayton Road, and we possibly will be under construction on Three Chopt Road and John
2198 Rolfe Parkway should be completed by then, so the only one that I would say may not be
2199 completed yet will be the Three Chopt Road Corridor. I say that because we have funding in the
2200 Bond Referendum for Gayton Road, so I feel more confident that can happen since that is a Bond
2201 Referendum issue.
2202

2203 Ms. Jones - My only concern with this project, which I went over, is the traffic and
2204 not to allow the egress of traffic onto Three Chopt Road comes with a corollary price, and that is
2205 if you have the literal corollary price, you have to take care of it somewhere else. I am hearing
2206 from you that you feel that the facts will be in, the assessments will be made, the County will
2207 have enough time to work with VDOT and this can be accommodated satisfactorily between now
2208 and the next Board meeting.
2209

2210 Mr. Foster - What I am saying is we will be complete with the study and
2211 recommendations by the Board meeting. I don't want to use the word accommodated, because I
2212 don't know what you mean, if all of the traffic will be accommodated by then. I can't really tell
2213 you that now because we have not completed that portion of the study. What I can say, based
2214 on lots of traffic impacts presented to the Board, is our recommendations will be what we feel is
2215 the best thing for traffic out here, but I am not in a position to say what that is right now,
2216 because we just don't know yet.
2217

2218 Ms. O'Bannon - I know you know this, from having done studies from prior possible uses
2219 (unintelligible), how does this compare directly to something like that, in trips per day and things
2220 like that that I know you figured out what was generated with other zonings that were here?
2221

2222 Mr. Branin - Well, actually I think you can compare it to the zoning that was
2223 previously done in a traffic phase.
2224

2225 Ms. O'Bannon - Well, that is what I am asking. Do you know what that was,
2226 approximately?
2227

2228 Mr. Foster - Yes, ma'am. I can give you the raw trips, and when I say raw, that is
2229 without going through and looking at what we can discount. A raw trip does show an increase in
2230 what was done previously, but I want to clarify that, because it does show an increase. It is
2231 about, I want to say a 20% increase, but it is the difference in traffic entry. The difference in
2232 traffic means in the mornings, as I said earlier, traffic coming into the site in the morning with
2233 residential that is going out of the site, there are some directions. For example, on Broad Street
2234 in the mornings, that westbound direction can get heavy, but if you are going eastbound, it is a
2235 piece of cake. There are no problems or traffic issues. What that means is we have plenty of
2236 capacity eastbound to do that, so when we look at the difference between office and residential,
2237 we are turning the traffic around and there are places there is office and we wouldn't have the
2238 capacity to accommodate the traffic. We may now have the capacity because it is going against
2239 the grain of traffic, so those are the things we have to look at, just saying that (unintelligible)
2240 generates more traffic, does not necessarily mean that our intersections are at a worse level of
2241 service. Depending on which way it is going, it could be a better level of service or a comparable
2242 level of service.
2243

2244 Ms. O'Bannon - (Unintelligible)
2245

2246 Mr. Foster - Yes, ma'am, but we do plan on having that before the Board of
2247 Supervisors, we will have that completed.
2248

2249 Mr. Branin - Mr. Foster, I know there are a couple of people in the room this evening
2250 that live on the other side of Three Chopt. At the neighborhood meeting we had, while there
2251 was no entrance on to Three Chopt, what Mr. Condlin has repeatedly said, the neighbors were
2252 still very interested in knowing what impact this development would have on Three Chopt Road,
2253 meaning people turning around on Cox or John Rolfe and still using Three Chopt. Can you
2254 address that at all?
2255

2256 Mr. Foster - I can address it somewhat again without having a complete review. We
2257 do expect some traffic to use Three Chopt Road. To have a road there and say no one is actually
2258 going to use it would not be accurate. We think it is probably going to be about 10% of the
2259 people that will use, 10 to 11% of the people that will choose to use Three Chopt Road. By the
2260 time this is developed, we hope that Three Chopt Road will be a four-lane divided road. It is
2261 widened in some places, such as Cox Road, it is widened in front of Pocahontas Middle School,
2262 and we are going to connect that piece. We do expect some people to use it, use that road
2263 there, but the main access, we still think is going to be on Broad Street. When you look at the
2264 capacity of Three Chopt Road when we get it widened to a four-lane divided road, adding even
2265 10% or 11% to that, the capacity is going to be there. It should not be a problem. I don't see
2266 Three Chopt Road being a major traffic issue at all, quite frankly.
2267

2268 Mr. Branin - When we have the Three Chopt Road grade in place, compared to now
2269 with no development there and Three Chopt the way it is situated now, and we have the

2270 upgrades in place and this development is approved, can you compare what the residents would
2271 see?

2272
2273 Mr. Foster - Even with this development with what we are projecting on Three Chopt
2274 Road, we will probably see what looks like less traffic. One reason is because we have more
2275 capacity. The one thing I have said at many, many public meetings and I get looked at and
2276 scorned, it is actually easier to pull out on a four-lane road than a two-lane road when you have
2277 the same amount of traffic. Most people look at me like I am crazy when I say that, but it is
2278 because we have more gaps, we have more capacity. We have more gaps in the traffic, and,
2279 therefore, the capacity just rises for that. When we get the widened Three Chopt Road, not only
2280 are we going to have another through lane, but we will also have turn lanes. Right now on
2281 Three Chopt, if someone wants to turn into Church Run or any of the other subdivisions there,
2282 they are blocking everybody. That one left-turner, everyone has to wait. You won't have those
2283 issues any more. That, by nature, gives us a better capacity getting traffic through there and a
2284 lot more efficiently than what we have now.

2285
2286 Mr. Archer - All right. Thank you. Do we have any other staff members we need to
2287 call?

2288
2289 Mr. Silber - We have the Director of Finance here.

2290
2291 Ms. Jones - I would like to say one thing if you don't mind. I have been so zeroed in
2292 on traffic because it is such a concern of mine. I don't think I have asked that we compliment
2293 Unicorp for the work they have done on the extensive beautiful project that they have created.
2294 My only hope is that I can somehow get there to enjoy it and get home again. And my only
2295 objection to moving ahead in a very simple way is that I'd like to see that traffic study be
2296 complete and I'd like to see all of the restrictions and challenges that it may bring up be solved
2297 prior to going to the Board of Supervisors.

2298
2299 Mr. Branin - Boy, you are taking all of my power away from me. That is what I was
2300 going to say.

2301
2302 Ms. Jones - It is a beautiful project.

2303
2304 Mr. Archer - Mr. Branin, anyone else you want to call on?

2305
2306 Mr. Branin - No.

2307
2308 Mr. Archer - When I was presenting this, I did ask if there was opposition to the Land
2309 Use Plan Amendment and I think protocol demands that I also ask if there is opposition to the
2310 other parts of the presentation that Mr. Condlin presented, C-12C-06 and P-2-06. Is there
2311 opposition to those parts?

2312
2313 Mr. Funk - Good evening. My name is Casey Funk. I am a resident at 3766
2314 Churchwood Place in Church Run. We have, over the last few weeks, after the neighborhood
2315 meeting at Pocahontas Middle School, organized a variety of neighborhoods in the area and are
2316 currently planning for a more official declaration of our take on this development at the Board of
2317 Supervisors meeting, but I come here unofficially speaking for the neighborhoods not limited to
2318 Church Run, Windsor Place, Barrington, Barrington Valley, Barrington West, Wellesley, etc., quite
2319 a conglomeration of neighborhoods that, I think in essence, share many of the same concerns
2320 about this development and many of same concerns that you have addressed this evening, and I
2321 would agree with you that it is obvious the amount of preparation and planning and thought that
2322 has gone into this development. It is very pretty. There are some folks that don't want to see

2323 this area become Northern Virginia, which it inevitably will look like, with its development, but
2324 there are some that understand the benefits of having a development of this nature versus
2325 simple vanilla office buildings, for example. That being said, we do have real concerns about the
2326 development, and they really fall into three general areas, #1, the traffic concerns that we have
2327 talked about, #2, something that really hasn't been discussed this evening and that is scholastic
2328 concerns, and finally, aesthetic concerns. The traffic concerns fall into the areas that have been
2329 discussed and I think you have to look at traffic studies in two ways: No. 1, empirical manner in
2330 which Mr. Foster has discussed, and No. 2, the real world kind of issues. We know, as residents
2331 along the Three Chopt Road corridor, that people are already using Three Chopt to avoid what
2332 can be extremely frustrating levels of traffic along Broad Street, and that will only increase, which
2333 not only hampers the ingress and egress to Three Chopt Road from our neighborhoods, but also
2334 the safety of that road, and how our children get to Pocahontas Middle School, how we are able
2335 to cross that road to access the development, etc., so we would like to see, as you brought up, a
2336 full traffic study prior to the rezoning of that area. I think that it makes sense for you folks to be
2337 able to look at it and have a very concise understanding of all of the effects from a traffic
2338 perspective before you go and approve urban mixed use zoning. It seems like maybe we are a
2339 couple of months ahead of ourselves here. Why do we necessarily have to approve this tonight
2340 from a traffic perspective without seeing any of the data? The neighborhoods, for example, have
2341 not been privy to or given access to any of the preliminary traffic information regarding this
2342 development. I know I speak for many people when I say that I would love to be able to see
2343 that before the neighborhoods offer any support for the development.

2344
2345 The other issue that I have, and it was interesting. I was in the CIP meeting earlier this evening
2346 that funding for Three Chopt Road is eight years out, and in a bureaucratic environment, that is a
2347 best case scenario. I would say that why shouldn't there be improvements at Three Chopt Road
2348 and surrounding area from a traffic perspective not be done in parallel to this development.
2349 Having to wait for the development to be finished in a three to five-year plan, which by the way,
2350 we heard three or four different scenarios when this development is going to be finished, based
2351 on how long the construction impact is going to be or how long each of the phases is going to be
2352 pending what people are looking for in an answer, mind you. I would wonder why we wouldn't
2353 look to expand Three Chopt Road to four lanes, put sidewalks and traffic calming devices in
2354 parallel with this development, instead of waiting until 2010 to even start that. I think that what
2355 that would do is put a tremendous, even more amount of pressure, on that Three Chopt Road
2356 Corridor if you have got Phase 1 of the development and then start the construction process. So,
2357 that is really the main issues from a traffic perspective. We feel very threatened by the amount
2358 of volume that this will build 1,000 residences, 500,000 sq. ft. of retail, 600,000 sq. ft. of office
2359 space on Three Chopt Road.

2360
2361 Secondly, scholastic, this is an area that was just rezoned a couple of years ago. While the
2362 developer stated that a thousand residences in this type of use will appeal to an older crowd, it is
2363 inevitably going to have impact on an already very crowded school environment. In talking to
2364 the school organizations, we have heard wildly different philosophies on whether or not the
2365 schools are at capacity or not, and it looks like while we don't even have land picked out for the
2366 next high school, Deep Run is already coming close to capacity. I would love to understand what
2367 effect this is going to have on the schools, planning for the schools, etc. Not one question was
2368 brought up on that matter, and the neighborhoods really haven't been made privy to that
2369 information. Finally, aesthetics. With a 250 foot building as an office building and 150 foot
2370 hotel, the tallest hotel in that area is the Amerisuites or the Marriott, which I think is six or seven
2371 stories. It is a massively larger building than anything that is in existence and one of the criteria
2372 of the urban mixed use development is that it fits in with the existing development, right? And
2373 that it doesn't have any burden on the infrastructure, but that it fits in with the existing
2374 development and it is so wildly different than anything that is there today. Now, obviously a
2375 development of this type is going to push the boundaries of the architectural environment, but

2376 that seems like a massive jump, a 250-foot building. One of the elevations showed that a few
2377 30-foot trees are going to block any vision of the 250-foot building from Three Chopt, and I find
2378 that to be almost comical in that you don't think you are going to see a 250-foot building from
2379 that neighborhood area. It is one thing to understand the rationale and the goal to have that
2380 along 64 right with some signage and what not to really announce the grandeur of this project,
2381 but it is absolutely going to have a detrimental effect from light pollution and noise pollution and
2382 environmental aspect to the neighborhoods that line Three Chopt Road being able to see that,
2383 especially in the winter time. So, those are just a few of the concerns that the neighborhood
2384 has, and we will be documenting for the Board of Supervisors, and I understand that a lot of
2385 what we are talking about tonight, a lot of what I am talking about tonight is really better aired
2386 out in front of the Board of Supervisors. I just wanted to impress upon you the fact that maybe
2387 we should defer this until we get some more information, specifically around traffic, so that you
2388 folks feel absolutely comfortable going to the Board of Supervisors, when it is a much more open
2389 forum to say we 100% unequivocally support this, or we still have some concerns. And I would
2390 also love to be made privy to that information, as I know the rest of the neighborhood would as
2391 well, to that information while you guys are making that decision. So, that's my thoughts on the
2392 matter. I realize I was a bit verbose, but we have been thinking a lot about this and appreciate
2393 your willingness to provide responsible development to the area. Development is inevitable, but
2394 we hope you will provide responsible development to the constituents of the County. Thank you.

2395
2396 Mr. Archer - Are there questions or comments from the Commission?
2397

2398 Ms. O'Bannon - I just have two things I wrote down. Do you have concerns about the
2399 schools, and I think we have a staff person here to address that, and then you said something
2400 about you organized a group that wanted a community meeting.
2401

2402 Mr. Funk - What I was making reference to is after the Pocahontas Middle School
2403 Meeting where the developers asked the neighborhoods to come out and discuss some of the
2404 issues we had, we aired some of the same concerns that I have had and what we have met with
2405 is "Don't worry. There is no ingress/egress on Three Chopt Road" and "Don't worry, the schools
2406 can handle it, etc." and we really weren't, we didn't feel as though our concerns were met. We
2407 have since gotten the Boards and some of the Presidents of a variety of the neighborhood
2408 associations together. We will be having a meeting prior to the March 14 meeting of the Board
2409 of Supervisors, to which we will draft a letter that lays out specific conditions for the support of
2410 the development, and will be signed by said Presidents of each of those neighborhoods.
2411

2412 Ms. O'Bannon - And you are going to get that to Mr. Kaechele, I assume.
2413

2414 Mr. Funk - Yes. It is actually addressed to Mr. Kaechele.
2415

2416 Ms. O'Bannon - I would say that, because we would want that definitely way before the
2417 Board meeting.
2418

2419 Mr. Funk - Yes, ma'am. We are trying to move pretty quickly and I am actually glad
2420 that we are here tonight, and this meeting was presented to us, "Don't worry about it. They are
2421 not going to really be looking at too much of the impact of the development. It is more about
2422 the zoning and what not" and I am so happy that I am here because I think that we all share a
2423 lot of the same concerns.
2424

2425 Ms. O'Bannon - And then the third issue, you were requesting that the Planning
2426 Commission defer it until the traffic study has been complete.
2427

2428 Mr. Funk - Yes, ma'am. I think that that probably is the most responsible way to go
2429 forward with this. I don't know how you, as a Planning Commission, can grant urban mixed use
2430 zoning changes. I mean there's a ton of different zoning changes that are in front of you this
2431 evening without really understanding the impact of that development on the area as a whole and
2432 the constituents that live in that area. So, I would hope that you would wait until all of the data
2433 has been captured and all the data can be reviewed and considered prior to making that decision
2434 as to whether or not to grant.
2435

2436 Mr. Silber - I don't know if the term "grant the rezoning" is appropriate or not. This
2437 body simply makes a recommendation to the Board of Supervisors, and will not be granting the
2438 rezoning.
2439

2440 Mr. Funk - And I understand that, so what I would say then is before you are able
2441 to make a recommendation for the rezoning, understand all of the data and all of the impact and
2442 all of the impact of that zoning.
2443

2444 Mr. Jernigan - Well, Mr. Funk, you realize right now with the existing zoning, it is all
2445 office in B now, that they can start immediately.
2446

2447 Mr. Funk - Yes, and I appreciate that, and that was something developers had
2448 mentioned to us, as well. However, I think that is somewhat of a red herring in that if it is able
2449 to go forth right now with the amount of empty office space in that area, you would think that
2450 someone would have already started the project, and I just don't think it is as viable a project for
2451 the developer to make money, which is at the end of the day what they are looking to do, as a
2452 development of this type draws income from so many different aspects of the development.
2453 You've got the residential, the retail, the office space and the hotel. Well, you are not solely
2454 forced to simply focus on the ability to fill office space in an already saturated market.
2455

2456 Mr. Jernigan - Are you in opposition to the project as a whole?
2457

2458 Mr. Funk - Not at all.
2459

2460 Mr. Jernigan - Just the residential?
2461

2462 Mr. Funk - Not at all. We have conditions for support of the project and those
2463 would fall into those three categories. Once those are dealt with, and we feel comfortable with
2464 those, once again I think it is a beautiful project if you want the area to look like Northern
2465 Virginia. It is inevitable that that is going to get developed and therefore we appreciate the
2466 amount of thought of the architectural aspects of it. The fact that they want to make it look a
2467 little bit like Monument Avenue might take a little bit of exception to the fact that it is going to be
2468 like the Fan without the crime. That I think is a little bit absurd and shows that they don't really
2469 live in Richmond. Right? They don't come from this area and have the pride of those
2470 neighborhoods we all have. However, I think in essence we are supportive of development of
2471 this type, if those conditions are met, and if we are made to feel more comfortable.
2472

2473 Ms. O'Bannon - Do you have that paper with you that you can share with us or at least
2474 with the Director of Planning.
2475

2476 Mr. Funk - The letter?
2477

2478 Ms. O'Bannon - The letter, yes.
2479

2480 Mr. Funk - I would rather not do that in that it is not signed by each of the
2481 Presidents yet. Logistically, we haven't had the opportunity to sit down and get ink on it. This is
2482 a process that we started about two weeks ago and I would rather wait until it is officially
2483 documented to share with you. I mean, it is basically a list of conditions that range from
2484 sidewalks along Three Chopt Avenue and traffic calming devices and things like that.
2485

2486 Ms. O'Bannon - I know that the Traffic Engineer would probably say we're not sure that
2487 Three Chopt Road qualifies for a traffic calming...
2488

2489 Mr. Funk - And that is an interesting perspective on it, right. Because if you are
2490 going to put that much traffic on Three Chopt Road and not put any stop lights, speed bumps,
2491 reduction in speed limits, those types of things, coming out of those neighborhoods is going to
2492 be interesting. It is pretty dangerous right now as it stands, taking a right or a left out of Church
2493 Road based on a live approach to that area. In the mornings, you are taking your life into your
2494 own hands, and people are doing close to 55 miles an hour along that stretch, and I would like to
2495 see the traffic study before I would support any recommendation.
2496

2497 Ms. O'Bannon - What you are saying (unintelligible), it sounds to me like you need
2498 another meeting. You need another meeting with the developers, the lawyer and your
2499 community.....talking about it and the type of thing the Traffic Engineer could address...
2500

2501 Mr. Funk - What we found in the meeting at Pocahontas Middle School was that a
2502 lot of the concerns that we have really more depend on the County's willingness and desire to
2503 provide an infrastructure that supports this type of development. The developer can say, "I am
2504 going to put in a buffer zone, I am not going to take any land from the south side of Three Chopt
2505 Road, I am going to give it all to you from the north side and we are going to limit the number of
2506 residences, etc.", but from a, when is Three Chopt Road going to be widened to four lanes?
2507 What is the overall effect on the infrastructure? We would love to have representatives from the
2508 County there. They were very limited at the last meeting. So, while I certainly support a
2509 meeting of that nature, I would simply hope that members of the County services organization
2510 would be there to talk to these issues.
2511

2512 Mr. Branin - Mr. Funk, question. Did you speak to me at the last meeting?
2513

2514 Mr. Funk - No, I spoke to Mr. Kaechele.
2515

2516 Mr. Branin - Because you are saying it was very limited and I know I spoke to
2517 numerous people and I was there until everybody left. One of the things you brought up,
2518 schools, that was brought up with five or six people that were talking to me at one time. Are
2519 there representatives from the schools here?
2520

2521 Mr. Silber - No. Not tonight.
2522

2523 Mr. Branin - What I had told them was if you go across Pouncey Tract Road, as soon
2524 as you cross over 64 down Pouncey Tract Road, have you seen the dirt project that is going on
2525 there? That is an elementary school. The land has already been acquired for a middle school off
2526 of Nuckols Road, I believe.
2527

2528 Ms. O'Bannon - I think that staff could probably address these issues, and they probably
2529 have more knowledge than we do. There are some statistics we have in our report about the
2530 number of students that would be generated, and I think the type of question that could be
2531 asked of Mr. Condlin, after we are done with this, and I would ask about how many bedrooms

2532 they would have, just general things like that. There are questions like that staff can better
2533 answer your question...

2534
2535 Mr. Funk - And it is entirely possible, and I am sorry to cut you off. It is entirely
2536 possible that these are unfounded concerns. However, I don't think in a manner in which, they
2537 haven't been voiced to the neighborhood in a manner in which we would feel comfortable in
2538 supporting the development.

2539
2540 Ms. O'Bannon - Well, that is what I meant about having another meeting. It sounds to
2541 me like you have some legitimate concerns and (unintelligible) about the way I approach a
2542 problem. I go to the traffic engineer and say we need a light at that corner of the intersection,
2543 and say there is a problem at that intersection. What can you do to fix it? And sometimes they
2544 will come back and say that there needs to be a signal at the intersection three blocks away, and
2545 that cures the problem, and that is the kind of thing I have heard from Mr. Foster when he stood
2546 up, but he didn't just talk about what is immediately here, he pointed out that there is a road
2547 over here, a road down here, and once they get built, very quickly, including the interstate,
2548 which as I refer to it as a flyover, but it is a major roadway that they are going to connect up so
2549 that you don't have to go from one to the other and zig zag. That is why people get off on Broad
2550 Street and that has already started. That is what he was talking about, bigger issues than just
2551 right here. But I do understand your concerns. Every concern you have mentioned definitely
2552 should be addressed and that is the point, and it sounds like, that is why I mentioned staff to talk
2553 about the schools, because you are right, but we are building two elementary schools. We just
2554 had a CIP presentation. You were here for that. We talked about two elementary schools, two
2555 middle schools, two high schools, and my experience with these types of projects, the people
2556 that buy these, there are some types of people who will move in, get a divorce from someone,
2557 and....high school each child. Usually, it is a young, upwardly mobile couple and they are both
2558 lawyers or something, and they have a baby, and once the baby starts growing in one or two
2559 years, they move out. They want yards. A woman who is getting in who is getting a divorce is
2560 moving in with her elderly father. We have got all kinds of projects. That is what I mean about
2561 having a meeting to really talk about it and air it a little bit. That is what I meant about asking
2562 Mr. Condlin how many bedrooms. They have studies they have done on who they would
2563 anticipate would buy these houses. That is who they are building them for. That is how we
2564 derive a lot of these numbers. So, all of this is easily addressed. It sounds like you need another
2565 meeting. That is all I would say. It sounds like you should have another go at it and do some
2566 more discussing, and you are the leader of the community and you have got a couple of other
2567 folks there who are signing on to.

2568
2569 Mr. Funk - I have been sort of thrust into that role, but I think that once again, at
2570 the Board of Supervisors meeting you will see a far more cohesive organized approach to it.

2571
2572 Ms. O'Bannon - As a member of the Board, I would rather see nobody in the audience. I
2573 would rather you have that extra meeting.

2574
2575 Mr. Funk - Exactly, as would we. It would be a lot easier. I could be home with my
2576 family. We could all be home with our families.

2577
2578 Ms. O'Bannon - That is why I am saying you need another meeting. A lot of things you
2579 mentioned, something could be done easily, some a little harder. I am not sure about others,
2580 but I'd rather that somebody like Mr. Foster be in that room and say, "Well, we can't really do
2581 that. We can do this."

2582
2583 Mr. Funk - Mr. Branin, would we work with you on making sure that those types of
2584 resources are available for a community meeting?

2585
2586 Mr. Jernigan - Let me ask you. How many meetings have you had so far?
2587
2588 Mr. Funk - Believe it or not, I have been here for a year in Church Run. I moved
2589 here from Chesterfield County and the first one that I was made aware of that was advertised
2590 was Pocahontas Middle School. They had their worst smaller meetings with subsets of the
2591 neighborhood, far earlier on, and in terms of an official advertised meeting that Mr. Condlin had
2592 sent out invitation to, there has been one.
2593
2594 Mr. Silber - Mr. Jernigan, I think there have been numerous community meetings
2595 with a series of smaller groups. They have had a larger meeting and I think there may be a need
2596 for another meeting between now and the Board meeting. But, Mr. Funk, I think we have
2597 debated a lot of issues at length. I think the school issues are addressed in the staff report and
2598 we can address those further with you or your residents from Church Run. The traffic issues
2599 have been discussed by Mr. Foster and he is well on his way to coming up with
2600 recommendations. The height of the buildings, we can show you what was presented to us in
2601 the form of view sheds sheds, how those buildings will be visible or not visible, so I think a lot of
2602 the issues you have or concerns you have, we can address. I think that unless there are other
2603 matters to be discussed tonight, I think we have discussed these enough.
2604
2605 Mr. Jernigan - The reason I was asking you was if they had two or three meetings, I
2606 can't believe the schools weren't discussed.
2607
2608 Mr. Funk - It was brought up and I wasn't privy to any of the conversations
2609 afterwards, but we heard that there is plenty of capacity at Deep Run. We have heard that there
2610 is not much capacity at Deep Run. Mr. Kaechele did say, I discussed it with him after the
2611 meeting, and he did say "We haven't found land for a high school yet." You hear different types
2612 of status, and I would love to get just one real concise answer. That is all.
2613
2614 Mr. Archer - Does someone else want to speak in opposition?
2615
2616 Ms. Marker - Lori Marker, Windsor Place Subdivision, and we had two meetings at
2617 Marriott and then we gathered again at Short Pump Elementary School for the third meeting.
2618 The fourth meeting went for the neighborhood as a whole, and there were some concerns that
2619 were discussed, i.e., the residential population started out being 791 or 794 units. I beg to
2620 differ. It may be a couple of units off, and we, at that point in time, thought there were some
2621 concerns as to the schools, how that would impact the schools as well as traffic flow and that
2622 never formally, to the satisfaction of some of the neighbors, got addressed, so at the public
2623 hearing, the neighborhood hearing, you, Mr. Branin heard a lot of people discuss, "What about
2624 schools?" and I don't think it was conveyed to what I call a focus group, the first group that I
2625 was a part of, and also at that point in time we had a larger meeting at Pocahontas Middle
2626 School, the residential units grew from 794 and I could be off, to a thousand. I was not
2627 prepared nor aware of that change within a matter of two to three weeks, so there were issues
2628 that kind of brought some other concerns that I think were being brought up, and that is why we
2629 kind of wanted to meet with the neighborhood, and we were concerned about having the zoning
2630 go in with that number of residences proffered. What could we do to get together, as a whole,
2631 like again, I want to support and I do like this project. There are concerns with traffic and we
2632 have already said that before, as well as the school system.
2633
2634 Mr. Branin - Absolutely. I can tell you that I won't make a recommendation to the
2635 Board without knowing that Unicorp will be having another meeting, which, of course, Pat
2636 O'Bannon and I will be at with full staff, all of those can be addressed. I know at the last
2637 meeting the mob screaming was mostly about traffic, so the other issues that you may have had

2638 got drowned out. There were only a couple of people that brought up the schools and so forth
2639 when they came out of the mob.

2640
2641 Mr. Archer - If I may reiterate one point, Mr. Secretary, tonight our responsibility is to
2642 make a recommendation to the Board. The Board is under no time constraints whatsoever to
2643 move this at any pace any faster than they want to. We can't approve anything. We don't really
2644 have that kind of juice.

2645
2646 Ms. O'Bannon - Another point I made as a sub-comment was I was hoping nobody
2647 would be there, but nobody there unless you are happy about.

2648
2649 Mr. Funk - Absolutely. We understand that.

2650
2651 Ms. O'Bannon - If nobody was there, we'd just say good, OK, and sign it off.

2652
2653 Mr. Archer - It is a huge project and normally when there is opposition, what our
2654 normal procedure is to have 10 minutes for the opposition and, of course, the presenter has an
2655 allocated amount of time to rebut. But I understand you are not really opposed to this. You are
2656 simply seeking more information. I think what we will try to do here tonight is try to move this
2657 along as Mr. Branin desires, but we don't want you to feel that you are under the gun, that
2658 you've got to get something done in a day or two, because once we move this, we could
2659 recommend it now and the Board could approve it or vice versa, but once it moves from us, the
2660 process literally starts all over again because now the Board has to do what it has to do. We like
2661 to make a recommendation that we think they can accommodate or they may not, but it doesn't
2662 necessarily mean that you've got to get everything ready between now and the time the Board
2663 meets. They could prolong this as long as they want to until they are satisfied. So, I don't want
2664 you to get too nervous about not being able to meet at a certain time next week or whatever so
2665 that the thing will happen that you want to have happen. I just thought I would make that clear.

2666
2667 Mr. Silber - Mr. Archer, I might add that I think there has been a lot of discussion on
2668 this for months preceding this. I think what has been good in working with this applicant is, they
2669 came to us many months before they filed this case to meet with the County and meet with the
2670 residents, and even before this case had been filed. We don't often get that. We often get cases
2671 filed and a week before it comes to the Planning Commission, they will throw a meeting together,
2672 which has not been the case here. This applicant has been very patient and now it is at a point
2673 that we feel comfortable. We are not trying to cut you out of the process, but I think they have
2674 done a lot of homework on the problem, which is different from what we are accustomed to
2675 seeing.

2676
2677 Ms. Marker - And we respect that. They have definitely shown great interest in
2678 complementing our neighborhood, which is a huge plus for us and that is what we are trying to
2679 do. We have been very comfortable with that and we love the aesthetics, but there are still
2680 some rough edges that we'd like to see smoothed.

2681
2682 Mr. Branin - What I am hearing from you, as well as Mr. Funk, a lot of these issues
2683 have to do with more County aspects of comfort than the actual proposal of the development.
2684 So I will move for approval, which you have already heard here, is it is just going up to the next
2685 step, which with that though, I will also be mandating that there will be another meeting and Mr.
2686 Funk, your contact would be Mr. Tyson and getting that set up. Our staff will get that set up at
2687 that meeting, I am sure. We will have schools, we will have traffic, we will have utilities, and you
2688 will be able to address all of the County concerns that we have.

2689

2690 Mr. Vanarsdall - We very often have meetings after it passes through us to the Board.
2691 The Board very often has meetings and we have spent more time on this case tonight than I can
2692 remember in recent memory. We have gone over every rule, and I am glad we did, because
2693 everybody adds something to say. I don't know what else can be said.
2694
2695 Ms. O'Bannon - The case was five inches thick. This is a brand new type of
2696 development, not absolutely brand new because we have Rocketts Landing, but it is a new style
2697 of development.
2698
2699 Mr. Archer - OK. Thank you so much. Mr. Branin
2700
2701 Ms. Jones - In P-2-06, are all of those conditions (unintelligible), or are we amending
2702 those?
2703
2704 Mr. Silber - These were the staff's recommendation, and I think the applicant had
2705 concerns with No. 6, dealing with sprinkling of all the buildings. You heard the Fire Chief say in a
2706 strong recommendation that the sprinklers be in place in all brownstones, townhomes, and I
2707 believe the applicant reluctantly agreed with that.
2708
2709 Mr. Condlin - This will be the safest community in Henrico County. He made an
2710 attorney object to that, but they went ahead and agreed to that.
2711
2712 Mr. Silber - These would be the conditions that we would be recommending with
2713 that Provisional Use Permit?
2714
2715 Ms. Jones - And the drive-thru services, as well, have been accepted?
2716
2717 Mr. Condlin - All conditions that have been provided under the Provisional Use Permit
2718 are acceptable by the applicant. Thank you.
2719
2720 Mr. Archer - Thank you, gentlemen. Any more questions? Mr. Branin, I think we
2721 have to take these in the order in which they were presented and we have to do them
2722 individually. OK, go ahead.
2723
2724 Mr. Branin - Briefly, before I start, thank you for working with the staff. Staff, thank
2725 you for the extra time that you have put in. Chief, I don't normally keep you this late at Planning
2726 Commission and Mr. Foster, thank you. Mr. Chairman, I move the Planning Commission forward
2727 the Land Use Plan Amendment related to the West Broad Street site to the Board of Supervisors
2728 with recommendation for approval.
2729
2730 Mr. Jernigan - Second.
2731
2732 Mr. Archer - Motion by Mr. Branin and second by Mr. Jernigan. All in favor say aye.
2733 All opposed say no. The motion passes. The Land Use Plan Amendment is recommended.
2734
2735 Mr. Branin - Mr. Chairman, I move that the Planning Commission forward rezoning
2736 application C-12C-06 to the Board of Supervisors with a recommendation for approval.
2737
2738 Mr. Jernigan - Second.
2739
2740 Mr. Archer - Motion by Mr. Branin. Second by Mr. Jernigan. All in favor say aye. All
2741 opposed say no. The motion passes.
2742

2743 REASON: The Planning Commission voted 5-0 to recommend the Board of
2744 Supervisors **grant** the request because the employment use(s) support the County's economic
2745 development policies and the mixed use project would permit development of the land for
2746 residential use in an appropriate manner. In addition, it would provide for a higher quality of
2747 development otherwise not possible.

2748
2749 Mr. Branin - Mr. Chairman, I move the Planning Commission forward P-2-06 to the
2750 Board of Supervisors with a recommendation for approval subject to the amended conditions
2751 presented by staff agreed upon by the applicant.

2752
2753 Mr. Vanarsdall - Second.

2754
2755 Mr. Archer - Motion by Mr. Branin. Second by Mr. Vanarsdall. All in favor say aye. All
2756 opposed say no. The motion passes.

2757
2758 REASON: The Planning Commission voted 5-0 to recommend the Board of
2759 Supervisors **grant** the request because the proposed master plan is necessary to fulfill the
2760 requirements to develop an urban mixed-use community and would provide for assurances of
2761 high quality development and compatibility with the surrounding uses.

2762
2763 Mr. Archer - Folks, we are moving into our 6th hour, so the Commission is going to
2764 take a break and return at 9:35. That is eight minutes from now.

2765
2766 **AT THIS TIME THE COMMISSION TOOK A BREAK.**

2767
2768 **THE PLANNING COMMISSION RECONVENED AT 9:35 P.M.**

2769
2770 Mr. Archer - The Planning Commission will reconvene.

2771
2772 ***Deferred from the January 12, 2006 Meeting***

2773 **C-78C-05 John Shurm for Shurm Construction, Inc:** Request to conditionally
2774 rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcel
2775 803-696-9576, containing 3.558 acres, located on the south line of Harmony Avenue
2776 approximately 90 feet west of Woodside Street. The applicant proposes a single-family residential
2777 subdivision with no more than seven (7) lots. The R-3 District allows a minimum lot size of
2778 11,000 square feet with a maximum gross density of 3.96 units per acre. The use will be
2779 controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan
2780 recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre.

2781
2782 Mr. Archer - Thank you, Mr. Secretary. Is there anyone here who is opposed to Case
2783 C-78C-05, John Shurm for Shurm Construction, Inc.?

2784
2785 Gentleman in the Audience - I don't know that I oppose it, but I have some questions.

2786
2787 Mr. Archer - We will get to you, sir. Thank you so much. All right.

2788
2789 Ms. Neaves - Thank you Mr. Chairman, members of the Commission, Ms. O'Bannon,
2790 Mr. Secretary.

2791
2792 The subject property is currently vacant. The properties to the east and west contain single-
2793 family dwellings. The Sunset Heights and Village at Olde Colony neighborhoods are located to the
2794 north and south respectively.

2795

2796 The applicant is proposing to develop the property as a single-family subdivision under R-3C
2797 zoning, and has submitted revised proffers dated February 8, 2006.

2798
2799 These proffers commit to access at one point from the Village at Olde Colony, a maximum of 7
2800 lots, a minimum house size of 1,800 square feet, brick or stone crawlspace foundations, a height
2801 limit on fences and walls and a prohibition on stockade fences, a 25 ft. landscaped no
2802 ingress/egress buffer along Harmony Avenue, attached two-car garages, exterior materials of
2803 brick, stone, hardiplank, or vinyl siding, a prohibition of cantilevered fireplaces, chimneys, and
2804 bay windows, and the extension of Woodside Street.

2805
2806 Staff does note that Proffers 1 and 16 conflict with each other. If the Woodside Street extension
2807 were to be constructed as envisioned in the Major Thoroughfare Plan and proffered by the
2808 applicant, the property would inherently be accessed from two points, one being the Village at
2809 Olde Colony, the other being through the Sunset Heights subdivision. Therefore, staff
2810 recommends the applicant delete Proffer 1.

2811
2812 The applicant has also submitted an unproffered conceptual site plan. Based on this proposed
2813 layout, staff is concerned about double frontage lots, and the applicant would need specific
2814 approval from the Planning Commission at the time of subdivision review to create these lots.

2815
2816 The layout is not in keeping with adjacent development patterns, as it does not address the
2817 existing traditional grid pattern to the north or the existing dwelling located at 1401 Harmony
2818 Avenue, which lies partially within the subject property. Staff is also concerned the proposed
2819 layout would result in piecemeal development, and recommends a more logical development of
2820 the property, combined with the vacant properties to the east. Including these properties would
2821 also allow for the full extension and connection of Woodside Street, as recommended in the
2822 Major Thoroughfare Plan.

2823
2824 The 2010 Land Use Plan designates the site SR2, Suburban Residential 2 (2.4 to 3.4 units per
2825 acre). Seven lots would result in a density of 2 units per acre, which is less intense than
2826 recommended.

2827
2828 In summary, staff believes the proposal would result in piecemeal development and, in order to
2829 create a more unified development, the applicant should include the property located to the east.
2830 Proffer 1 should also be deleted because it conflicts with the extension of Woodside Street as
2831 envisioned in the Major Thoroughfare Plan. While the proposed use and density are consistent
2832 with the Land Use Plan, the unproffered conceptual plan does not address the existing
2833 development of adjacent properties.

2834
2835 Pending resolution of these outstanding issues, staff recommends deferral of this request.

2836
2837 This concludes my presentation, and I would be happy to try to answer any questions that you may
2838 have. The proffers do need to have the time limits waived.

2839
2840 The applicant is also here to answer your questions. Thank you.

2841
2842 Mr. Archer - Thank you, Ms. Neaves. Are there questions from the Commission for Ms.
2843 Neaves?

2844
2845 Mr. Jernigan - Ms. Neaves, when you say piecemeal, if they had the adjacent property,
2846 you would be more happy.

2847

2848 Ms. Neaves - Yes, sir. We believe the property to the east would result in a better layout
2849 altogether of that piece of property.
2850
2851 Mr. Jernigan - If they are available. Yes.
2852
2853 Mr. Archer - All right. Any further questions? Does anybody need to hear from the
2854 applicant?
2855
2856 Mr. Shurm - John Shurm.
2857
2858 Mr. Jernigan - I want you to cut this short. You only get half as much time as Mr. Condlin
2859 did.
2860
2861 Mr. Shurm - I am sure that is not going to be a problem.
2862
2863 Mr. Jernigan - First of all, have you tried to acquire the adjacent property?
2864
2865 Mr. Shurm - I have. Mr. Fuller is to the east and right now we are in negotiations about
2866 purchasing his property. Right now he does not want to sell, and I have also approached Ms. Brown
2867 as well, and she is not interested in selling, which is the parcel that kind of cuts into the piece that I
2868 am trying to develop.
2869
2870 Mr. Jernigan - But you are speaking to Mr. Fuller?
2871
2872 Mr. Shurm - I am. Yes. He has assured me he will sell to me, but he doesn't give me a
2873 time frame. It could be a year. It could be 10 years. He is not sure. Actually, I think he is
2874 expecting the County to extend Woodside Road through and that is what he is waiting for. I tried to
2875 assure him that is not going to happen.
2876
2877 Mr. Jernigan - Proffer 1 that was on here. Are you all right with that. I can't ask you to
2878 add proffers, but I can ask you to delete one.
2879
2880 Mr. Shurm - It is not a problem. Proffer 1 as well as Proffer 9, we can deal with that at
2881 subdivision.
2882
2883 Mr. Jernigan - Let's hear from the opposition.
2884
2885 Mr. Hailey - My name is Hailey and the questions that I have I have not addressed with
2886 the developer, but with Harmony Avenue being a paper street, these houses are going in and I did
2887 hear a lady say there was going to be sort of like a buffer along Harmony, and I did hear her say
2888 that they are going to be attached garages. Is that to the front or the back of the house? To the
2889 side.
2890
2891 Mr. Jernigan - Everything is recorded.
2892
2893 Mr. Shurm - The garages are going to be on the side of the property. They will be front
2894 loaded because of the width of the lot.
2895
2896 Mr. Hailey - My concern is coming off of Harmony Avenue, what is there to stop the
2897 traffic from your new homes coming into the back of that property?
2898

2899 Mr. Shurm - OK. One thing is we are not allowed to have access from the rear of the
2900 property off of Harmony Avenue. There will also be a 10-foot buffer, transitional buffer there, that
2901 will eliminate no ingress and egress.
2902

2903 Mr. Hailey - There are a lot of things that are not allowed that still happen. Just like
2904 your property backing right up against mine, and I expressed to Mr. Jernigan my only concern was, I
2905 have a wife that works the night shift, midnight shift at Nabisco. She has to sleep during the day. I
2906 am sure there are going to be kids in these homes. Do I need to build a privacy fence now or is
2907 there any provision to have fences with the houses? These are questions that I can ask you and not
2908 stand in front of this Board (sic) and we can resolve the issue, but these are the questions that
2909 concern me as far as my property.
2910

2911 Mr. Shurm - I would have liked to have had an opportunity to answer all of your
2912 questions right now. Privacy fences are something we are not required to install.
2913

2914 Mr. Hailey - I understand that.
2915

2916 Mr. Shurm - If you would like to install a privacy fence on your property, of course that
2917 is a great idea if you want privacy. The other option would be, if we do develop the property, talk to
2918 your neighbors and ask if there are certain times you would like us to work, and things like that.
2919

2920 Mr. Hailey - If you look at that piece of property, I now have acquired the field behind
2921 my garage and part of those woods. I keep that field cut during the summer, sort of like a football
2922 field, which invites children. I do not want to be rude to kids, but at that time, I don't want them
2923 getting hurt either. You know this problem is created by the development of this property and I've
2924 got to bear the expense to protect my property now to keep from getting sued when someone gets
2925 hurt on it. I have a real concern with that.
2926

2927 Mr. Silber - Maybe we should just sit down and dialogue. Mr. Shurm, why don't you sit
2928 down? Go ahead and present what your issues are, tell us what questions you have and we will let
2929 him come back up and address those issues. I think this would be better than a debate. Finish your
2930 comments, and let us know what concerns you have.
2931

2932 Mr. Hailey - Those are my concerns.
2933

2934 Mr. Branin - Can you also tell us where Mr. Hailey's house is?
2935

2936 Mr. Shurm - Right there.
2937

2938 Ms. Neaves - And I can show you the conceptual layout that Mr. Shurm has provided
2939 that is unproffered and I believe Mr. Hailey's property...
2940

2941 Mr. Silber - I think Mr. Hailey's property might be more - a little bit to the south
2942

2943 Mr. Jernigan - Let me tell you, Harmony Lane is a paper street that is graveled. It is not...
2944

2945 Mr. Hailey - That is my concern. Who is going to maintain that? Right now I don't
2946 mind maintaining it, because I utilize it.
2947

2948 Mr. Jernigan - It is the County's.
2949

2950 Mr. Hailey - I know, but they don't maintain it.
2951

2952 Mr. Jernigan - No, because it is gravel.
2953
2954 Mr. Hailey - That is why I bought a tractor to take the snow off of it.
2955
2956 Mr. Silber - Are concerned about the impact of these homes on your property as far as
2957 noise, children in the area....
2958
2959 Mr. Hailey - And my other concern was, when I went to the County and applied for my
2960 permit for my garage, and I asked the County, because I wanted it in the back of my house, the
2961 County calls it my front, or my side they call the front. So, when we sat down at the County, they
2962 said "You need to put it over here" which is dead against the property where he is building a house,
2963 and I think I expressed to Mr. Jernigan and Mr. Jernigan understands that I restore a lot of old cars,
2964 so I am out there and I am beating and banging, so I want everyone to understand, the neighbors
2965 are going to hear this simply because of where I was made to put my garage.
2966
2967 Mr. Jernigan - The way the house sits, his garage is in the front yard.
2968
2969 Mr. Hailey - Yes.
2970
2971 Mr. Jernigan - And the side yard sits with the front façade here (unintelligible)
2972
2973 Mr. Silber - I think you are aware that the County has now passed an ordinance that
2974 allows for accessory structures to go in front yards and side yards, with a conditional use permit
2975 approved by the Board of Zoning Appeals. In the future we can help resolve situations like this, but
2976 in the past they've already built an accessory structure and you are working out of it, to some
2977 extent, and you have put us on notice that there will be some noise coming from your property.
2978
2979 Mr. Hailey - Not after 11:00.
2980
2981 Mr. Jernigan - I explained to you before that property rights...
2982
2983 Mr. Hailey - I understand.
2984
2985 Mr. Jernigan - He has a right to sell his property and we discussed this, and I knew you'd
2986 be here tonight. You can go talk to John and see what you all can do. You can put up a privacy
2987 fence if you want to. That is your option.
2988
2989 Mr. Hailey - Well, it has got to be my option because I know children. I have raised
2990 two children. Children are going to play, whether it is on their property or someone else's.
2991
2992 Mr. Jernigan - The neighborhood is going to be kids and it just, it happens. We can't
2993 throw them...I hope it isn't.
2994
2995 Mr. Hailey - I hope it isn't. I have got to protect myself as well as this gentleman has to
2996 protect himself. The same thing with Ms. Brown or whatever. She is 81 years old and literally it is
2997 right around her, completely around it.
2998
2999 Mr. Jernigan - But I am willing to be fair and tell the guy that wants to sell the property,
3000 do you think it would be fair to tell the guy who wants to sell the property he can't.
3001
3002 Mr. Hailey - I can only bring up my concerns with the gentleman that built these
3003 houses. The same thing I did with the 45 that was going on the back land. I went and sat down
3004 with that gentleman. He gave me a full layout of everything that was going to happen on that

3005 property. That gentleman and I came together and I bought a piece of property from him that
3006 joined mine. I welcome the fact that I can sit down with this gentlemen and talk with him about
3007 what his intents are.
3008
3009 Mr. Jernigan - Go on and sit down with him and let me speak to...did you all want to
3010 speak, sir? Come on up. Please state your name for the record please.
3011
3012 Mr. Archer - My name is Saul Otto and I own three lots in the area and I own two lots
3013 on the corner of Woodside and I am planning on building a rancher and I am concerned about, I
3014 look at this map, and I am concerned about, it looks something like a tree or something. It doesn't
3015 look organized. I am concerned about the trash that is going to come by my house on the corner
3016 and...
3017
3018 Ms. Neaves - Currently, Woodside Road starts at the south line of this property, right
3019 here. And this portion of Woodside Street is not constructed yet. The applicant is proposing to
3020 construct just this little section on his property at the time he develops it. If these properties were
3021 developed at a later time, the developer would most likely be required to construct the remaining
3022 portion of Woodside Street.
3023
3024 Mr. Jernigan - The County requires that.
3025
3026 Mr. Archer - Because my concern is Hickory Avenue. That is a narrow avenue. One car
3027 has to wait, two cars can't pass at the same time.
3028
3029 Mr. Jernigan - Well, as I told you, the only thing that I can do at a later date is we can put
3030 that in the Public Works in the CIP to widen it, but that is no time soon, but the road is not being
3031 built all the way through there.
3032
3033 Mr. Archer - Right. He doesn't own that part, and I was told by the County on that
3034 master plan it just has the drawing, and they are not responsible.
3035
3036 Mr. Jernigan - The County is not responsible. Whoever buys that property is responsible.
3037 The County is not going to build that road. Whoever buys it will build it. If Mr. Shurm buys it, he
3038 would be required by the County to build it.
3039
3040 Mr. Archer - Yes. I understand.
3041
3042 Mr. Jernigan - That should not reflect on you building two houses there, if that is what
3043 you are planning on doing.
3044
3045 Mr. Archer - I am planning on building one house, but I am concerned about the traffic.
3046 Where is the traffic going?
3047
3048 Ms. Neaves - Sir, Shurm Development would only have access out of the property to the
3049 south because again, this piece is not part of the application, and, therefore, this side of Woodside
3050 Street is not proposed to be constructed right now. All of the traffic from the seven lots would have
3051 to exit south through Villages at Olde Colony.
3052
3053 Mr. Silber - As proposed right now, none of the development would go onto Harmony
3054 or Woodside.
3055
3056 Ms. Neaves - That is correct.
3057

3058 Mr. Jernigan - Thank you. Does that satisfy you, sir?
3059
3060 Mr. Archer - Thank you.
3061
3062 Ms. Jones - May I ask a question of Mr. Shurm?
3063
3064 Mr. Archer - Sure.
3065
3066 Ms. Jones - You have not proffered this layout. Is there a reason why?
3067
3068 Mr. Shurm - There is no reason. I am working with the engineers and I am pretty sure
3069 that is going to be the layout. We can't really work it any other way to get a lot number that we
3070 need to justify the development.
3071
3072 Ms. Jones - I think it is a little bit awkward and I didn't know if you were considering
3073 changes.
3074
3075 Mr. Shurm - Well, the awkwardness of it, really, stems from the connection of Woodside
3076 Street. That is really the key. If it wasn't on the Major Thoroughfare Plan, there are a lot of other
3077 things we could do with the property, but because it is, we have to kind of offshoot that to the right
3078 and make sure that we can connect with Mr. Fuller's piece, and then your only other option is to
3079 bring a cul-de-sac off at a 90 degree...
3080
3081 Mr. Silber - Ms. Jones, we are still working with him as to whether this is the best
3082 layout, so I think maybe the question should come up at the time of subdivision.
3083
3084 Mr. Shurm - The engineer is here as well. He has been working with us to design this
3085 and kind of look at different ways....
3086
3087 Ms. Jones - Thank you.
3088
3089 Mr. Jernigan - Ms. Jones, Mr. Silber and I were discussing prior to the meeting that they
3090 may want to make some more refinements, so that is one reason that it is not proffered, and it was
3091 eight lots and it is now seven, and that is what he is proffering now.
3092
3093 Mr. Silber - Mr. Jernigan, if they want to remove two proffers, they would need to do
3094 that.
3095
3096 Mr. Jernigan - He did state that. Would you come back up and repeat that you want to
3097 remove.
3098
3099 Mr. Silber - You can actually do it in the file right now. Would this be Proffer 1 and 9?
3100
3101 Mr. Shurm - I think Mr. Hailey and I have worked this stuff out and he is happy, now.
3102
3103 Mr. Jernigan - Mr. Chair, I would like to waive the time limits on Case C-78C-05.
3104
3105 Mr. Vanarsdall - Second.
3106
3107 Mr. Archer - Motion made by Mr. Jernigan and seconded by Mr. Vanarsdall to waive the
3108 time limits. All in favor say aye. All opposed say no. The ayes have it. The motion passes.
3109

3110 Mr. Jernigan - Mr. Chairman, with that I move for approval of Case C-78C-05, Shurm
3111 Construction, Inc. to be sent to the Board with a recommendation for approval.

3112
3113 Mr. Vanarsdall - Second.

3114
3115 Mr. Archer - Motion made by Mr. Jernigan. Seconded by Mr. Vanarsdall. All in favor say
3116 aye. All opposed say no. The motion passes.

3117
3118 REASON: The Planning Commission voted 5-0 to recommend the Board of Supervisors
3119 **grant** the request because it continues a form of zoning consistent with the area and it is
3120 appropriate residential zoning at this location.

3121
3122 Mr. Silber - The only other thing we have tonight is the consideration of Planning
3123 Commission minutes for January 12, 2006.

3124
3125 Mr. Archer - Are there any additions or corrections to the January 12, 2006 minutes?

3126
3127 Ms. Jones - Who read these minutes? They are very, very good. I only have one word
3128 and it is on page 26, line 1346. The word is "why" and it should be "while". A wonderful job
3129 whoever did that.

3130
3131 Mr. Archer - Do I have a motion for approval?

3132
3133 Mr. Jernigan - So moved.

3134
3135 Ms. Jones - Second.

3136
3137 Mr. Archer - The minutes stand approved.

3138
3139 Mr. Archer - Is there a motion for adjournment?

3140
3141 Ms. Jones - So moved.

3142
3143 Mr. Archer - I will second that motion. The meeting is adjourned at 10:03 p.m.

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Randall R. Silber, Secretary

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C. W. Archer, Chairman

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