

1 THE PLANNING COMMISSION RECONVENED AT 6:00 P.M. FOLLOWING
2 DINNER.

3
4 PUBLIC HEARING THE ON CAPITAL IMPROVEMENT PROGRAM:
5

6 Minutes of the Capital Improvement Program presentation held in the County
7 Administration Building in the Government Center at Parham and Hungary
8 Spring Roads, beginning at 6:00 p.m., Thursday, February 15, 2018. Display
9 Notices having been published in the Richmond Times-Dispatch on January 29,
10 2018 and February 5, 2018.
11

Members Present: Mrs. Sandra M. Marshall, Chair (Three Chopt)
Mr. Greg V. Baka, Vice-Chair (Tuckahoe)
Mr. C. W. Archer, C.P.C., (Fairfield)
Mr. Eric S. Leabough, C.P.C. (Varina)
Mrs. Adrienne F. Kotula (Brookland)
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning,
Secretary
Mrs. Patricia S. O'Bannon, (Tuckahoe)
Board of Supervisors' Representative

Also Present: Mr. John A. Vithoukas, County Manager
Mr. Justin Crawford, Budget Director
Other Department Heads and Key Officials
Ms. Jean M. Moore, Assistant Director of Planning
Mr. James P. Strauss, PLA, Senior Principal Planner
Mr. Ben Sehl, County Planner
Ms. Kristin Smith, County Planner

12
13 Mrs. Marshall - Good evening, welcome to Henrico County and the five-year
14 Capital Improvement Program. I will hand the meeting over, our Secretary, Mr.
15 Joe Emerson.
16

17 Mr. Emerson - Thank you, Madam Chair. As you noted tonight is the
18 annual passage or public hearing for the Henrico County Capital Improvement
19 Plan, and Planning Commission hearing. The Commission does make a
20 recommendation, on the Capital Improvement Plan, to the Board of Supervisors.
21 Before turning the meeting over, I will note the Commission did meet at 5:15 p.m.
22 to have a meal prior to this meeting. There was no convened meeting and there
23 was no public business discussed at that meeting. It was clearly just a quick bite
24 for the Commission.
25

26 With that, I would like to welcome the County Manager, he's here to present this
27 document to you, as he is every year. As you know that is Mr. John Vithoukas
28 our County Manager, and I will turn the meeting over to him.

29
30 Mr. Vithoukas - Good evening, Madam Chair, Members of the Planning
31 Commission, and Mrs. O'Bannon, good evening and thank you for allowing me
32 the opportunity to present the County's five-year Capital Improvement Program –
33 or CIP for short. Before I begin, I'd like to simply note my gratitude to the Budget
34 staff, Mr. Justin Crawford and Sharon Van Gils, and the rest of the staff for
35 compiling this document which they do each and every year. And I'd also like to
36 thank all of the Department Heads and representatives who are here who have
37 spent hours on this Capital Budget. As a point of information, the first year of the
38 CIP is referred to as the Capital Budget and that will actually be introduced to the
39 Board of Supervisors with the Budget which will occur the 2nd Tuesday in March.
40 So, if there are any members of the audience here, there are actually copies of
41 the Capital Improvement Program in the back.

42
43 So, let me begin and simply note that routine maintenance associated with both
44 Education and General Government facilities is addressed within this document
45 as a means of ensuring our infrastructure does not deteriorate. We are fastidious
46 when it comes to our facilities and our infrastructure. There are other projects
47 that are given high priorities and those are the ones vital to the economic growth
48 of the County and those include infrastructure improvements that are associated
49 with water and sewer transmission. And with the approval of the most recent
50 Bond Referendum, many of the County's needs will be met over the next few
51 years. However, a significant number of projects submitted in the FY2018-19
52 through FY2022-23 CIP do not have an identified funding source at this time.
53 Now, I will also tell you why that is a statement made each and every year. It's
54 one that's been made my 21 going on 22 years with this County. The CIP
55 reflects a list of needs. There hasn't been, in my tenure, with the County, a CIP
56 that has been fully funded. Those projects recommended for approval for the
57 coming fiscal year will be presented to the Board, as I noted, on March 13th and
58 they will be a component of the overall Budget.

59
60 So, let's dig in. This funding for the 2016 Bond referendum projects began in this
61 current fiscal year and will continue through FY2022-23, you can see on page 3,
62 a comprehensive list of all bond approved projects. I'll also note that with the
63 2016 General Obligation Bond Referendum we had the highest total of yes votes
64 that we have seen in a referendum going back to the 1950's, across five
65 categories. It was extremely positive. So, with the approval of the bond
66 referendum, our County residents affirmed these projects are important to the
67 quality of life in the County and are considered the highest priorities.

68
69 Now there are many infrastructure needs in the County, over \$1.2 BILLION to be
70 specific, and I want to focus solely on those requests that have been made by
71 the department representatives behind me for the next five years.

72
73 Madam Chair, Members of the Planning Commission – I'd like to provide a broad
74 scope of what is currently in place with regards to public facilities in Henrico
75 County.

76
77 This you see each and every meeting, references to public facilities, as Planning
78 Commissioners. But, we currently have 72 individual schools; we have 4,058
79 park acres; 10 libraries – including the Libbie Mill Library and the Varina Library;
80 3,516 lane miles of road, which grows weekly; 20 fire stations; and 3,124 miles of
81 water and sewer mains.

82
83 As you can see – this County has much infrastructure to maintain. Infrastructure
84 that ages daily. The need to maintain this infrastructure grows each day.

85
86 While we don't see much of the infrastructure we rely on daily, we do notice it
87 when it fails. The pictures on this slide just show three of the examples of the
88 disruption that is caused when it does fail. We cannot prevent all of the
89 disruptions, but we absolutely have to do everything in our power to repair it
90 when it fails and maintain what we do have.

91
92 With that as a backdrop, I'd like to now delve into the many requests put forward
93 by County agencies in the five-year CIP before you. As the slide indicates, you'll
94 see a total that exceeds \$1.2 BILLION over the next five years.

95
96 So, let's delve into each area. And we begin with our highest area, and that is
97 education. The needs of our school system, which the referendum and the
98 meals tax have successfully met. You can find these requests project by project
99 on page 5 in the books before you, as well as detail of the first-year projects in
100 the narratives that follow.

101
102 There are a total of 17 requests that total \$385.6 million. The submission
103 includes bond referendum projects of \$173 million for the construction of two new
104 high school technical centers. These are the Glen Allen and Eastern Area tech
105 centers, one new elementary school in the Brookland Area, as well as the
106 renovation of one high school, which is Tucker High School, and one elementary
107 school, Adams Elementary.

108
109 Meals Tax projects of \$45 million have been forecasted for various maintenance
110 and rehabilitation projects for Schools' facilities. These projects include
111 improvements to school facilities such as bathroom, kitchen, lighting, mechanical,
112 roof, site improvements, and security enhancements.

113
114 Ongoing roof and mechanical projects totaling \$12.5 million, in this five-year time
115 period, are also included.

117 The remaining \$155.1 million in forecasted, or requested, projects currently do
118 not have a dedicated funding source, and this request for funding includes the
119 renovation of the Virginia Randolph, the Central Garden complex, five
120 elementary schools, and an addition to one elementary school.

121
122 Now, I spoke to the request over the five-year CIP to maintain our 72 schools
123 with the use of Meals Tax revenues. To give you an update of how that effort
124 has progressed, our School System has funded 247 projects in the first four
125 years. You can see on this slide some of the before and after pictures of some of
126 these projects. They provide a sense of the positive impact this revenue source
127 is having in all of our schools.

128
129 Now, let me transition to Public Utilities – which you can find on page 8 of the
130 book before you – you will see \$261.6 million in total requests in this five-year
131 time period.

132
133 Now, to continue the theme this evening of necessary renovation and
134 maintenance of existing infrastructure – you will see that 20 of the 36 total
135 projects being requested in the area of Water and Sewer reflect renovations and
136 improvements to aging pipes or facilities – with an expected cost of
137 approximately \$175.3 million over the five-year time period.

138
139 The request from Public Utilities also includes projects totaling \$74.2 million that
140 expand and modernize the County's water and sewer systems.

141
142 In looking at our Public Safety agencies – you can find infrastructure requests for
143 Fire on page 5 of your books, and requests for Police and the Sheriff's Office on
144 pages 6 and 7.

145
146 The Division of Fire has requested \$41.4 million in projects over the five-year
147 CIP. The total includes bond referendum projects of \$19.6 million for the
148 construction of two new fire stations and they are Staples Mill Road and
149 Eastgate/Newbridge. The submission also includes \$21.8 million for the rebuild
150 of two fire stations.

151
152 Our Police Division has submitted \$41.8 million in projects over the five-year time
153 period. The Division's request includes the construction of a new evidence
154 storage facility, a tactical training facility, as well as, a new investigative office
155 and a new station for both the eastern and western areas of the County.

156
157 The Sheriff's Office has submitted \$78.4 million in projects over the five-year
158 horizon. This submission includes a jail east special housing unit facility that
159 totals \$34.4 million and a new community custody facility totaling \$22.7 million.
160 In addition, the Sheriff's Office has submitted various building improvement
161 projects totaling \$21.3 million, which includes a kitchen renovation, a jail east

gate replacement, lobby security upgrades, and a renovation of the female housing and alternate sentencing area.

Let me transition to Recreation and Parks you can find this on page 7 of your books – and you will find total requests of \$100.5 million, including improvements to existing facilities as well as development of new parks and facilities to improve the quality of life for our citizens.

The submission includes bond referendum projects of \$74.6 million for three new parks and improvements to five existing parks. Ongoing facility rehabilitation projects are included at a forecasted cost of \$7.2 million over this time period. Outside of this request, Recreation and Parks has submitted a maintenance building project totaling \$2.7 million and various site improvement projects of \$15.7 million.

Of the projects requested, five focus on expanding our sports tourism efforts. They include the high school field upgrades, additional fields at Dorey Park and Deep Run Park, the completion of Greenwood Park, and the new Taylor Park, in the East End. These facilities would significantly expand the County's ability to host tournaments that have a significant economic impact on our community.

The Library's request of \$50.0 million over five years reflects the replacement of Fairfield Area Library (which is an approved bond project) as well as future renovations to the Tuckahoe Library and the Twin Hickory Library. You can find those on page 6 of the books before you.

And in looking at the Department of Public Works – you'll find them on page 7 of – you'll find \$49.5 million in requests, including improvements to alleviate traffic congestion and safety problems.

The Richmond Henrico Turnpike project includes 2 miles of proposed improvements. These improvements extend from Laburnum Avenue north to the Buckingham Branch Railroad. The project includes widening the road from two to four lanes, construction of a sidewalk and a shared use path, and the project is funded by a variety of sources. A total of \$14 million in bond funds is included in the CIP to assist. Bond funds will be leveraged with grant proceeds in order to fund this project. The Public Works was successful in obtaining the VDOT Smart Scale funding this year and received \$11.7 million to match local resources of \$18.3 million.

So, in addition, there is a request in the CIP for countywide pedestrian improvements projects. Also included in this request are ongoing general road construction projects, the Woodman Road extension project, Oakley's Lane, Kain Road, and an ongoing engineering feasibility studies project.

208
209 In looking the rest of the five-year requests, in the area of General Services –
210 which is found on page 5 – you'll see \$122.8 million in projects over the five-year
211 CIP. A total of \$20.5 million has been submitted for ongoing roof, mechanical,
212 and pavement rehabilitation projects. Outside of these projects, the Department
213 has requested \$63.8 million for the expansion of both the eastern and western
214 government centers as well as the construction of a Central Automotive
215 Maintenance east building and the Police and Fire Installation shop. General
216 Services has also included various building renovation projects totaling \$38.5
217 million.

218
219 Our Information Technology Department has submitted \$9.3 million in projects
220 over this five-year horizon for both Countywide network and hardware needs, as
221 well as, the County's Geographic Information System, or GIS. These requests
222 are found on page 6.

223
224 The Department of Mental Health has requested \$14.0 million for planning and
225 construction costs associated with the Mental Health facility in the western area
226 of the County. You can see this request on page 6.

227
228 You'll also see on page 6 \$41.5 million in individual Drainage projects throughout
229 the County.

230
231 And finally, on page 7, you'll find \$11.7 million in Stormwater projects and this is
232 funded with a dedicated funding source of \$2.3 million that was identified a
233 number of years ago, in the Budget, by the Board of Supervisors. And these
234 projects are necessary to meet the County's MS4 permit obligations. A point of
235 note here, Henrico County may be the only large locality in the MS4 basin that
236 does not impose a stormwater tax. We were able to use that dedicated funding
237 source.

238
239 So, Madam Chair, Members of the Planning Commission, to close this
240 presentation, I cannot begin to describe how important the most recent bond
241 referendum has been and will be for our community moving forward. We see a
242 lot of projects, a lot of activity. Over the next few years, we will renovate many
243 schools and park facilities, we'll expand our ability to play sports within the
244 borders of this County by either renovating fields or building new ones and
245 expand our capacity to meet the service demands of our citizens and especially
246 our students through additional traditional and technical classroom space.

247
248 Outside of the referendum projects, I can assure that you we will not lose sight of
249 everything else that must be maintained in order to continue to provide the
250 quality of services our citizens rightfully expect. It is what we do – it is our
251 Henrico Way. The FY19 Capital budget, which will be presented to the Board,
252 again on March 13th, will make strategic investments outside of our bond
253 program to keep our community moving forward.

254

255

256 Madam Chair, Members of the Planning Commission, Mrs. O'Bannon, this
257 concludes my presentation of the FY19-FY23 five-year Capital Improvement
258 Program and staff and I are ready to answer any questions that you may have. I
259 know there is a lot of information in this document. I can tell you, as far as the
260 Capital Budget that we were working on, it may be one of the most robust we
261 have seen in a number of years, using multiple funding sources, for many, many
262 projects that are coming forward.

263

264 Mr. Archer - Mr. Manager, I do have a couple of questions. May I,
265 Madam Chair? What's going on at Belmont? And how long is it before it's
266 finished, or do you know?

267

268 Mr. Vithoulkas - So Belmont, we have a—Mr. Yob come on up—speak
269 to the—[unintelligible].

270

271 Mr. Yob - Yes Sir, good evening Mr. Archer. So, Belmont, an
272 extreme renovation, they're on the second and third phases of that project. The
273 first phase was the largest one along Route 1 over there in the corner. They
274 have that other little crossing, that creek that crosses the Fairways over towards
275 Lakeside. That's the next and final phase. There's a couple of smaller projects in
276 there and we're working on those now. They may have some additional planting
277 in the fall. Because usually, Mr. Archer, they try to plant those shrubs and things
278 in the Fall, not in the Spring, because the construction work would go on in the
279 warmer months.

280

281 Mr. Archer - I've got a few golf balls in that creek.

282

283 Mr. Leabough - Madam Chair, may I ask Mr. Yob a quick question, or
284 Mr. Manager, I'm not sure? Since we were talking about roadways, I didn't want
285 you to get too far away.

286

287 So Oakley's Lane that's been a topic of conversation for a long time. I see that
288 there's no funding source for that. There is an expectation that that is going to
289 move forward so what does it mean when it says in the plans here that there is
290 no funding source identified just yet? It may be a more appropriate question for
291 Mr. Manager?

292

293 Mr. Vithoulkas - The design has been funded and there is no funding
294 source for the project, but I can assure you we've made a commitment. That
295 project will appear in the next years' Capital Budget.

296

297 Mr. Leabough - Thank you, Sir.

298

299 Mr. Archer - One more question, speaking of roads. When the
300 new library is completed at Watts, I understand that Watts Lane will connect from
301 Laburnum over to Harvie and the entrance to the Rec Center which is also Watts.
302 So, would it feasible to connect Sandy Lane up to the piece that runs into the
303 driveway?
304

305 Mr. Yob - Mr. Archer, both of those projects over by the Rec
306 Center and the Health Clinic, and the one across the street at the Library do
307 make improvements to Watts Lane. They do not go to Sandy Lane at this point.
308

309 Mr. Archer - Is that in the works, you think?
310

311 Mr. Yob - It could be a future project Sir. There is an
312 improvement for Creighton Road between Laburnum and Sandy Lane, which will
313 include a little piece of Sandy Lane which is almost to where you're talking about
314 Sir. So—but right now that isn't programmed Mr. Archer.
315

316 Mr. Archer - Okay.
317

318 Mr. Emerson - Mr. Yob, I think those two roads are part of the MTP
319 Plan to connect across. If I'm understanding Mr. Archer.
320

321 Mr. Yob - Yes, I know exactly...
322

323 Mr. Archer - Thank you.
324

325 Mr. Baka - Mr. Yob, if I may? Not to monopolize your time at the
326 expense of all other staff in the room, who are patiently waiting here also. I also
327 had a question. It's a two-part question about life expectancy of the pipes
328 infrastructure. The Manager mentioned that about 20 of the projects were
329 replacing the aging infrastructure. I'm just curious to know about how many
330 years do those old pipes last before they need to be replaced? And the second
331 part of the question is, what's the life expectancy of the pipes that we're replacing
332 them with, for example, does new technology in the new pipes last longer than
333 the old ones we're removing?
334

335 Mr. Emerson - Mr. Baka is a facilities planner.
336

337 Mr. Yob - Are you talking about sanitary or storm sewer?
338

339 Mr. Baka - I guess storm sewer. I guess probably both.
340

341 Mr. Yob - In my case, Mr. Baka, we do have a lot of pipes we're
342 replacing now. These are large corrugated metal sewer pipes. We've been
343 working on that design for a while. These pipes were put in the ground in the
344 early 60's and then in the 70's, for some reason, we quit doing it. The soil in our

345 area is acidic and it consumes those pipes over time. So many of those pipes
346 are rusted out to the point we need to replace them. And we are replacing them
347 all with concrete. Concrete in our case will last—you know we have concrete
348 pipes that are 60-70 years old, that are in the ground and still serviceable. But
349 metal pipes for storm sewer just don't hold up—30 years maybe. I know that
350 seems like a lot, but when you have to replace them it's really, really expensive.
351 Mr. England can certainly address sanitary sewers.

352
353 Mr. England - Thank you, Sir, I believe your question was on the
354 age? The average age of a sanitary pipe is about 60 years, and that's an
355 average age, and for a water pipe is about 80 years for a pipe that is in the
356 ground. And certainly, the newer materials that's coming out will do more, I think,
357 because they're newer materials. The true-life span is not truly known, at this
358 point, but the expectation is that they will last longer. But generally, we have a lot
359 of pipe in the ground that we put in in the 1950's, 60's that is really starting to get
360 to the final edge of its life span.

361
362 Mr. Baka - Thank you, that's very helpful.

363
364 Mrs. Kotula - Madam Chair, actually I have another question for Mr.
365 Yob. I apologize—about pedestrian facilities. I know my neighborhood had
366 reached out to you about pedestrian foundations and about retro-fitting, and what
367 plans are before [unintelligible]?
368

369 Mr. Yob - Mrs. Kotula, we have 19 miles of project that we are
370 currently working on. And we have another batch of them, another 4-5 miles that
371 are in our current task—we're taking the \$2.5 million dollars, that you see in the
372 Budget that's our pedestrian accommodation money, we're leveraging that with
373 VDOT funding. So usually, we're getting another 50% on top of that in VDOT
374 money or other state and federal funding sources. In the Brookland District, as
375 you know, we've gotten a lot of requests, I'm not sure where specifically you live,
376 but were working on one up north of 295 there and we're working on others as
377 well.
378

379 Mrs. Marshall - Mr. Yob, quick question. I'm not sure that you can
380 answer this for me. Any, as far as some of the money allotted for roadways—
381 Dominion Boulevard/Innslake Drive, any idea of when we might see some relief
382 on those roads.
383

384 Mr. Yob - We're working on that right now as well. There's what
385 they call a STARS Study, VDOT is doing, I can't recall what the acronym stands
386 for right now, but its spelled STARS. And we're looking and the segment of
387 roadway between Dominion and Forest Avenue, including Dominion. We've also
388 looked at the potential to add double rights coming out of Dominion onto Broad.
389 But, we have to work with VDOT on that and there's a signal there that has to be
390 replaced. So, I wish those were our County Roads Mrs. Marshall, because it

391 would be a lot simpler for us. But, given that VDOT coordination, it doubles our
392 funding, if you will—but, we are working on that. Sadler/Innslake we're also
393 working on. We're also working on—Nuckols we just finished on the other end of
394 Innsbrook, that on ramp lane to I-295 eastbound. We are right now designing the
395 other side of the street, where the other ramps coming off of I-295 coming to Cox
396 Road. So we're going to have those ramp extensions in place. This time next
397 year they'll both be up.

398
399 Mrs. Marshall - I think that's great because anything that can bring a
400 little alleviation in that area would be great.

401
402 Mr. Yob - I sat last night at the Board meeting next to a fella that
403 came from Virginia Power and he spoke at the public comment period. He was
404 effusive in his praise for the one lane that was already completed. He said it's
405 made his life so much better getting to I-295 in the evening.

406
407 Mrs. Marshall - We appreciate your hard work.

408
409 Mr. Yob - Thank you.

410
411 Mr. Leabough - Let me ask a quick question for clarification. So does
412 that mean there is funding for the improvements to Dominion Boulevard?
413 Because I know that there were some recent cases in the Innbrook area and I
414 know that there was some level of commitment that that improvement would be
415 made. And I know that my recommendation for approval was really based on
416 that commitment, knowing those concerns about traffic and congestion in that
417 particular area.

418
419 Mr. Yob - Yes Sir. Well, there's two parts to that. One, as the
420 Manager just said to me, we will do it as we did with Nuckols, with our own funds.
421 But, in addition, this STARS Study that VDOT is doing will identify some projects
422 that we're hoping that hand-in-hand with VDOT we can leverage the County's
423 money and even get a better deal for us.

424
425 Mr. Leabough - Good, thank you.

426
427 Mr. Vithoulkas - Mrs. Kotula, if I could follow up on the sidewalk
428 question? It was five years ago when Henrico County, initiated this effort for
429 sidewalks and since that time, and I don't think I'm wrong when I say this, we
430 may be leading the Commonwealth in the number of miles of sidewalks we have
431 actually funded and have underway. So it was last year, for the first time, that we
432 also allocated in the Capital Budget, a dedicated funding source for sidewalks
433 that Mr. Yob then is able to use for match—revenue share match. There's a lot
434 of sidewalk that you'll see in the Spring as well.

436 Mrs. Marshall - At this time I'd like to open the floor for public
437 comment.

438
439 Mr. Emerson - For the purposes of the record, Madam Chair, you
440 have opened the public hearing and you need to close it and then we can move
441 forward with the action.

442
443 Mrs. Marshall - A motion to close the public hearing.

444
445 Mr. Emerson - You don't need a motion.

446
447 Mrs. Marshall - The public hearing is now closed.

448
449 Mr. Emerson - Now Madam Chair with that said and the
450 Commission's questions fully answered, it would be appropriate for the
451 Commission to consider a motion on the Resolution you have in front of you.

452
453 **PCR-1-18**
454 **HENRICO COUNTY PLANNING COMMISSION**
455 **CAPITAL IMPROVEMENTS PROGRAM, FY 2018-19 THROUGH FY 2022-23**

456
457 Mr. Leabough - I move for approval of Resolution PCR-1-18.

458
459 Mr. Baka - Second

460
461 Mrs. Marshall - We have a motion by Mr. Leabough, a second by Mr.
462 Baka. All in favor, say aye. All opposed, say nay. This motion passes.

463
464 Mr. Emerson - Madam Chair, I'd like to take this opportunity to thank
465 the Mr. Manager and all the County staff for coming and presenting this
466 document to you this evening, so you could take action on it and make your
467 recommendation to the Board. At this time, you have nothing further on your
468 agenda until 7:00 p.m., so a recess of the meeting until 7:00 p.m. would be in
469 order.

470
471 Mr. Leabough - Could we also echo the thanks to Mr. Manager and
472 the staff. You all have done a great job putting this document together. We
473 appreciate it.

474
475 Mr. Vithoulkas - Well, I think what you all do for our County, from a
476 public service standpoint, and the interconnectedness with the questions.
477 Having you all put us through this exercise makes us better.

478
479 Thank you, Joe for all you do.

480
481 Mr. Emerson - Thank you, Mr. Manager.

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Mrs. Marshall -

Thank you, thank you all.

Mr. Archer -

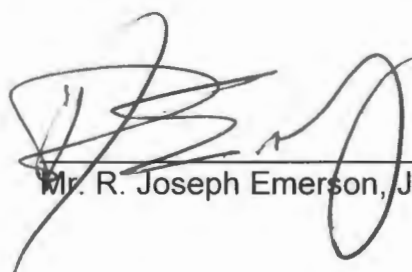
Thank you, Mr. Manager.

Mrs. Marshall -

The meeting is now adjourned.



Mrs. Sandra M. Marshall, Chairman



Mr. R. Joseph Emerson, Jr., Secretary

1 **THE PLANNING COMMISSION RECONVENED AT 7:00 P.M. FOLLOWING A**
2 **PUBLIC HEARING ON THE CAPITAL IMPROVEMENT PROGRAM.**

3
4 Minutes of the regular monthly meeting of the Planning Commission of the
5 County of Henrico held in the County Administration Building in the Government
6 Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. February
7 15 10, 2018. Display Notice having been published in the *Richmond Times-*
8 *Dispatch* on January 29, 2018 and February 5, 2018.
9

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Mr. Benjamin Sehl, County Planner
Mr. Livingston Lewis, County Planner
Mrs. Lisa Blankinship, County Planner
Mr. Michael Morris, County Planner
Ms. Kristin Smith, County Planner
Mr. John Cejka, Traffic Engineer, Public Works
Mr. William Moffett, CPTED Planner, Police
Ms. Sylvia Ray, Recording Secretary

10
11
12 **Mrs. Patricia O'Bannon, the Board of Supervisors' representative, abstains**
13 **on all cases unless otherwise noted.**

14
15 Mrs. Marshall - I call this meeting of the Henrico County Planning
16 Commission to order. This is our rezoning meeting for February 15, 2018. At this
17 time, I ask that you please take a moment to silence your cell phones. As you do
18 that, please stand with the Commission for the Pledge of Allegiance. Thank you.
19

20 Do we have anyone in the audience with the news media? I see no one.
21

22 We have Mrs. Pat O'Bannon, our representative from the Board of Supervisors
23 who is sitting with the Commission. Thank you so much for being here.
24 Mrs. O'Bannon abstains on all cases unless otherwise noted.
25

26 All Commissioners are present, so we can conduct business. So, at this point, I'll
27 turn the agenda over to Mr. Emerson, our secretary.

28
29 Mr. Emerson - Thank you, Madam Chair. Just so everybody is aware
30 and for the record, the Commission did begin the meeting this evening at 5:15
31 with a short dinner. There was no actual meeting convened during dinner and no
32 public business was discussed or conducted. Beginning at 6:00 p.m., you did
33 convene for a public hearing on the Capital Improvement Program, and then you
34 recessed at approximately 6:30, and you reconvened at 7:00 p.m.

35
36 With that said, Madam Chair, first on your agenda this evening are the requests
37 for withdrawals and deferrals. They will be presented by Mr. Jim Strauss.

38
39 Mr. Strauss - Thank you, Mr. Secretary. Members of the
40 Commission, we have five requests for deferral this evening, and the first four are
41 in the Three Chopt District. The first request for deferral is on page 2 of your
42 agenda. It's REZ2017-00034, Core Property Capital. The applicant's requesting
43 deferral to the April 12, 2018 meeting.

44
45 **(Deferred from the January 11, 2018 Meeting)**

46 **REZ2017-00034 Andrew M. Condlin for Core Property Capital:**
47 Request to conditionally rezone from A-1 Agricultural District to R-5C General
48 Residence District (Conditional) and B-2C Business District (Conditional) Parcel
49 730-765-6508 containing 22.875 acres located on the south line of W. Broad
50 Street (U.S. Route 250) at the western County Line with Goochland County. The
51 applicant proposes commercial uses and no more than 115 residential units. The
52 uses will be controlled by zoning ordinance regulations and proffered conditions.
53 The 2026 Comprehensive Plan recommends Traditional Neighborhood
54 Development and Environmental Protection Area. The site is in the West Broad
55 Street Overlay District.

56
57 Mrs. Marshall - Is there anyone in the audience in opposition to the
58 deferral of REZ2017-00034, Andrew M. Condlin for Core Property Capital? I see
59 no opposition. I move that REZ2017-00034, Andrew M. Condlin for Core
60 Property Capital, be deferred until the April 12, 2018 meeting, per the applicant's
61 request.

62
63 Mr. Baka - Second.

64
65 Mrs. Marshall - We have a motion by Mrs. Marshall, a second by
66 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition;
67 this motion passes.

68
69 At the request of the applicant, the Planning Commission deferred REZ2017-
70 00034, Andrew M. Condlin for Core Property Capital, to its meeting on April 12,
71 2018.

72
73 Mr. Strauss - The next request for deferral, also in the Three Chopt
74 District and also on page 2 of your agenda, is the companion case PUP2017-
75 00022, Core Property Capital. Again, the applicant's requesting deferral to the
76 April 12, 2018 meeting.

77
78 **(Deferred from the January 11, 2018 Meeting)**

79 **PUP2017-00022 Andrew M. Condlin for Core Property Capital**
80 Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-
81 122.1 of Chapter 24 of the County Code in order to allow 24 hour operation of a
82 proposed convenience store on part of Parcel 730-765-6508 located on the south
83 line of W. Broad Street (U.S. Route 250) at the western County Line with
84 Goochland County. The existing zoning is A-1 Agricultural District. The 2026
85 Comprehensive Plan recommends Traditional Neighborhood Development and
86 Environmental Protection Area. The site is in the West Broad Street Overlay
87 District.

88
89 Mrs. Marshall - Is there anyone in the audience in opposition to the
90 deferral of PUP2017-00022, Andrew M. Condlin for Core Property Capital? I see
91 no opposition. I move that PUP2017-00022, Andrew M. Condlin for Core
92 Property Capital, be deferred, per the applicant's request, until the April 12, 2018
93 meeting.

94
95 Mr. Archer - Second.

96
97 Mrs. Marshall - We have a motion by Mrs. Marshall and a second by
98 Mr. Archer. All in favor say aye. Those opposed say no. There is no opposition;
99 this motion passes.

100
101 At the request of the applicant, the Planning Commission deferred PUP2017-
102 00022, Andrew M. Condlin for Core Property Capital to its meeting on April 12,
103 2018.

104
105 Mr. Strauss - The next request for deferral is on page 2 of your
106 agenda and is also in Three Chopt District. This is REZ2018-0005, John
107 Chandler & Company LLC. The applicant has requested a deferral to the March
108 15, 2018 meeting.

109
110 **(Deferred from the January 11, 2018 Meeting)**

111 **REZ2018-00005 John Chandler & Company LLC:** Request to
112 conditionally rezone from A-1 Agricultural District to R-2AC One-Family
113 Residence District (Conditional) Parcels 751-764-6432 and 751-764-6608
114 containing 3.59 acres located on the east line of Thorncroft Drive approximately
115 300' north of its intersection with Chicopee Road. The applicant proposes five (5)
116 single-family residences. The use will be controlled by zoning ordinance
117 regulations and proffered conditions. The 2026 Comprehensive Plan

recommends Suburban Residential 1, density should not exceed 2.4 units per acre.

Mrs. Marshall - Is there anyone in the audience in opposition to the deferral of REZ2018-00005, John Chandler & Company LLC? I see no opposition. I move that REZ2018-00005, John Chandler & Company LLC, be deferred for 30 days by the applicant. And I'm adding an additional 30 days to the deferral. The case will be deferred until the April 12, 2018 meeting per my request.

Mr. Leabough - Second.

Mrs. Marshall - We have a motion by Mrs. Marshall, a second by Mr. Leabough. All in favor say aye. Those opposed say no. There is no opposition; this motion passes.

At the request of Mrs. Marshall, the Planning Commission deferred REZ2018-00005, John Chandler & Company LLC, to its meeting on April 12, 2018.

Mr. Strauss - The next request for deferral is on page 3 of agenda and is in the Three Chopt District. This is REZ2018-00010, Greystar. In this case, the applicant is requesting a deferral to the April 12, 2018 meeting.

REZ2018-00010 James W. Theobald for Greystar: Request to conditionally rezone from RTHC Residential Townhouse District (Conditional) to R-6C General Residence District (Conditional) and O-2C Office District (Conditional) Parcel 735-761-8792 containing 12.724 acres located at the southwest intersection of Three Chopt Road and Lauderdale Drive. The applicant proposes an age restricted multifamily development and office uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Residential. The site is in the West Broad Street Overlay District.

Mrs. Marshall - Is there anyone in the audience in opposition to the deferral of REZ2018-00010, James W. Theobald for Greystar? I move that REZ2018-00010, James W. Theobald for Greystar, be deferred until the April 12, 2018 at the applicant's request.

Mr. Baka - Second.

Mrs. Marshall - We have a motion by Mrs. Marshall and a second by Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition; this motion passes.

At the request of the applicant, the Planning Commission deferred REZ2018-00010, James W. Theobald for Greystar, to its meeting on April 12, 2018.

164
165 Mr. Strauss - Our final request for deferral this evening in the
166 Tuckahoe District, page 3 of your agenda, is REZ2018-0009, Rivercrest Realty
167 Investors LLC. In this case, the applicant is requesting deferral to the March 15,
168 2018 meeting.

169
170 **REZ2018-00009 James W. Theobald for Rivercrest Realty**
171 **Investors, LLC:** Request to conditionally rezone from R-3 One-Family
172 Residence District and M-1 Light Industrial District to M-1C Light Industrial
173 District (Conditional) Parcels 764-744-6655, 764-744-6764, 764-744-6971, 764-
174 744-7177, 764-744-7782, and 764-744-8475 containing 1.872 acres located at
175 the northwest intersection of Glenside Drive and Forest Avenue. The applicant
176 proposes a self-service storage facility. The use will be controlled by zoning
177 ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
178 recommends Suburban Residential 2, density should not exceed 3.4 units per
179 acre.

180
181 Mrs. Marshall - Is there anyone in the audience in opposition to the
182 deferral of REZ2018-00009, James W. Theobald for Rivercrest Realty Investors,
183 LLC? Mr. Baka?

184
185 Mr. Baka - Madam Chairman, I move that REZ2018-00009,
186 James W. Theobald for Rivercrest Realty Investors, LLC, be deferred until the
187 March 15, 2018 Planning Commission meeting at the applicant's request.

188
189 Mrs. Kotula - Second.

190
191 Mrs. Marshall - We have a motion by Mr. Baka, a second by
192 Mrs. Kotula. All in favor say aye. Those opposed say no. There is no opposition;
193 this motion passes.

194
195 At the request of the applicant, the Planning Commission deferred REZ2018-
196 00009, James W. Theobald for Rivercrest Realty Investors, LLC, to its meeting
197 on March 15, 2018.

198
199 Mr. Emerson - Madam Chair, that completes the requests for
200 withdrawals and deferrals this evening. Next on your agenda are the request for
201 expedited items, and there are none of those this evening. Therefore, we move
202 into your regular agenda, page 1, for REZ2018-00011, James W. Theobald for
203 7-Eleven Incorporated. The staff report will be presented by Mrs. Lisa
204 Blankinship.

205
206 **REZ2018-00011 James W. Theobald for 7-Eleven, Inc.:** Request to
207 amend proffers accepted with Rezoning case C-129C-88 on Parcel 809-730-
208 0626 located at the northeast intersection of N. Laburnum Avenue and Creighton
209 Road. The applicant proposes to amend proffers to allow for 24-hour operation of

a convenience store with fuel pumps. The existing zoning is B-3C Business District (Conditional) and O-2C Office District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration and Office. The site is in the Airport Safety Overlay District.

Mrs. Marshall - Is there anyone in the audience in opposition to REZ2018-00011, James W. Theobald for 7-Eleven, Inc.?

Mr. Emerson - You have opposition, don't you?

Mrs. Marshall - Mr. Archer, would you like to hear from the opposition first?

Mr. Archer - Let her do the presentation, then I'll figure it out.

Mrs. Blankinship - Thank you.

This is a request to amend proffers accepted with rezoning case C-129C-88 regarding hours of operation; new elevations and building materials; and the elimination of restrictions on signage to allow for the redevelopment of a site for a new convenience store with fuel pumps.

The subject property is zoned B-3C and O-2C and is located at the northeast intersection of North Laburnum Avenue and Creighton Road. A convenience store with fuel pumps and a carwash, constructed in 1990, currently exists on the B-3C portion of the site. The remainder of the parcel, zoned O-2C, is undeveloped and heavily wooded.

Proffers that govern the site were accepted with rezoning case C-129C-88 and include limited hours of operation, landscape buffers, building materials, parking lot lighting and building height limits, prohibited uses, and signage.

With this request, the applicant is proposing to redevelop the B-3C portion of the site for a new convenience store with fuel pumps that would operate 24 hours. For this reason, the applicant proposes to amend proffer language to address new building materials and elevations, seen here, and delete proffer language which regulates signage and hours of operation.

To address potential concerns of 24-hour operation, the applicant is also proffering several security measures. These include

- The prohibition of pay phones, window tinting, overnight parking; and
- The provision of adequate lighting for entrances, exits, and parking areas.

As noted in the staff report, the Division of Police requested additional commitments from the applicant to further enhance security. To address Police's

concerns, the applicant has submitted revised proffers that have been handed out to you this evening and commit to a detailed security plan to be submitted at the time of plan of development in addition to a security survey to be conducted prior to certificate of occupancy.

Staff believes this proposed proffer amendment request would continue to provide for a quality redevelopment of the site. In addition, the revised proffers, which address the Division of Police's concerns, would also enhance security and surveillance measures.

Overall, given the existing commercial use of the site and surrounding area, the recent approval of 24-hour operation of a convenience store with fuel pumps at the same intersection, and the consistency with the Comprehensive Plan, staff supports this request.

Staff notes the applicant held a community meeting on January 30, 2018 at St. Paul's Baptist Church; however, no citizens attended.

This concludes my presentation and I would happy to answer any questions.

Mrs. Marshall - Any questions from the Commission?

Mr. Archer - Ms. Blankinship, will we need to move on the—

Mrs. Blankinship - No, we do not need to waive the time limits. They were submitted in time.

Mr. Archer - Thank you.

Mrs. Marshall - Any questions from the Commission? At this time, I would ask for Mr. Joe Emerson, the secretary, to please go over the rules for the time limits for the people speaking in opposition of the project.

Mr. Emerson - Yes. Madam Chair, as you noted, the Commission does have guidelines that govern the operation of its public hearings and they are as follows: The applicant is allowed ten minutes to present the request, and time may be reserved for responses to testimony. Opposition's allowed a cumulative ten minutes to present its concerns. That means everybody that wishes to speak in opposition needs to fit into that ten-minute time frame. Commission questions do not count into the time limits, and the Commission may waive the time limits for either party at its discretion. Comments must be directly related to the case under consideration.

Mrs. Marshall - We invite anyone in opposition to please come forward. As you come forward, please state your name for the record. As you come to the microphone, please.

302
303 Mr. Garthright - Thank you, Madam Chairman and Commission
304 members. I'm Arthur Garthright. I live in the Fairfield District, and I'm president of
305 the Springdale East Highland Park Civic Association.
306

307 I don't have any problem with the 7-Eleven store. I guess my problem with be
308 with them staying open all night long. Several things may have been addressed
309 by the police department already, but being open all night long, there's a lot more
310 traffic and it puts a lot more traffic on Creighton Road and at the intersection. And
311 then there's only one other business in that area that stays open all night long.
312 Everything else closes at a reasonable time.
313

314 So I guess that's my concern, staying open all night long. It requires more County
315 services and potential for people hanging around.
316

317 Thank you, sir.
318

319 Mr. Archer - You're welcome, Mr. Garthright.
320

321 Mr. Garthright - Any questions?
322

323 Mrs. Marshall - Are there any questions? Is there anyone else who
324 would like to speak in opposition of this case? Mr. Archer?
325

326 Mr. Archer - We can hear from the applicant now.
327

328 Mrs. Marshall - Will the applicant please come forward?
329

330 Mr. Theobald - Good evening, Madam Chair, members of the
331 Planning Commission. My name is Jim Theobald, and I'm here this evening on
332 behalf of 7-Eleven.
333

334 The location of this site is at Creighton and Laburnum Road. It's currently a
335 Sunoco gas station with convenience store. This property has been zoned since
336 1989. You can see the tip of the arrow is the B-3 portion. It's surrounded by O-2
337 zoning, which is part of this same tract, all of which is being purchased by
338 7-Eleven and all of which was zoned originally in 1989. The O-2 was designed to
339 be the buffer against future residential development in the area with only the
340 corner having the commercial activity. But you can see the amount of industrial
341 zoning in the light blue across the street, B-2 zoning on the other side of the
342 street, and the B-3 zoning in the heavy red on our side of the street.
343

344 This doesn't show up very well on your screen, but the purpose of this slide is to
345 show the relationship between just the corner piece, this B-3—on which the 24
346 hours will be permitted—and the O-2 land that surrounds it.
347

348 This is the concept plan. What you'll see is the entrance location is the same as it
349 is today. So we're not coming further up Creighton Road. So that entrance
350 already splits those lines. The orientation of the pumps is facing towards
351 Laburnum Avenue.

352
353 The elevations are high-quality materials with architecture. I believe this is an
354 upgrade of the existing facility. This is the latest 7-Eleven prototype. As you can
355 see, it's brick. It's basically the same on all four sides. There is some brick on the
356 columns as well. It's a nice-looking plan.

357
358 The conditions, there is a still a 25-foot buffer along that northern property line,
359 which is in the O-2 portion. There's a 20-foot buffer along Laburnum Avenue,
360 Creighton Road, and Harvie Road, which is being maintained. We have proffered
361 the new concept plan and elevations. Parking lot lighting will continue to be from
362 concealed sources of light and no more than 20 feet in height. The B-3 uses
363 basically limit it to the 7-Eleven, and certain B-2 uses have also been prohibited,
364 consistent with our normal practice.

365
366 Security-related conditions, we spent a fair amount of time talking with Chief
367 Cardounel, Mr. Emerson, and Mr. Moffett to arrive at an agreement as to how the
368 security issues should be handled. There's a long list that's been proffered. We
369 didn't just say we'd provide a plan and a survey. We listed that we have to
370 address lighting, cameras, etcetera. So, if you'll take a look at that proffer, it's a
371 long one. And we agreed to submit the plan at the time of POD and conduct a
372 survey prior to any certificate of occupancy. I don't think I'm misstating to say that
373 I believe that both the chief and Mr. Moffitt were satisfied with those changes as
374 evidenced by the recommendation by Ms. Blankinship.

375
376 This is an area that is being revitalized property by property, and we think that
377 this corner will be substantially improved. We have met the requirements of your
378 Police Department. As you heard, it's consistent with the Land Use Plan, and
379 staff has recommended approval. We did conduct a community meeting that no
380 one attended.

381
382 With that I would be happy to answer any questions and respectfully that you
383 recommend approval of this case to the Board of Supervisors.

384
385 Mrs. Marshall - Mr. Theobald, is there an operating gas station that is
386 24 hours in that area?

387
388 Mr. Theobald - Wawa is directly across the street. A provisional use
389 permit was issued about two or three years ago specifically allowing the 24-hour
390 operation for the Wawa.

391
392 Mrs. Marshall - Thank you.

Mr. Archer - Mr. Theobald, I think I asked this question at the community meeting. The current gas station has a non-functional, I believe, carwash. 7-Eleven doesn't do carwashes at all, I don't believe.

Mr. Theobald - There is not a carwash on this site, no sir.

Mr. Archer - Oh, okay. All right.

Mrs. Marshall - Any more questions by the Commission? Mr. Archer?

Mr. Archer - I don't have any more, Madam Chair. Madam Chair, with regard to the new proffered conditions that have been submitted—I'd like to thank Mr. Garthright for coming out tonight. Mr. Garthright is a very good steward of his community. You've seen him before, and you'll see him again.

In looking at the totality of the case and considering the fact that the site will necessarily improve due to new and more modern and up-to-date facilities, I believe the physical plan will be a lot more attractive. That station that's there now, I think it's been there since 1990. It was done well, but has not kept up with modern times. In submitting the new proffers, I think he overcame all of the objections that we had. Based on that, I think we should send this along to the Board with a recommendation for approval.

Mr. Leabough - Second.

Mrs. Marshall - We have a motion by Mr. Archer, a second by Mr. Leabough. All in favor say aye. Those opposed say no. There is no opposition; this motion passes.

REASON - Acting on a motion by Mr. Archer, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because the changes do not greatly reduce the original intended purpose of the proffers and it is not expected to adversely impact surrounding land uses in the area.

Mr. Emerson - Madam Chair, we now move on to the next case on your agenda, which appears at the bottom of page 2. It is REZ2018-00008, Amir Abbas Khalafalla and Magdi Abbas Khalafalla. The staff report will be presented by Mr. Seth Humphreys.

(Deferred from the January 11, 2018 Meeting)

REZ2018-00008 Amir Abbas Khalafalla and Magdi Abbas Khalafalla: Request to rezone from A-1 Agricultural District to R-3 One-Family Residence District Parcel 748-772-6526 containing 1.98 acres located on the south line of Opaca Lane approximately 1,025' east of its intersection with Nuckols Road. The applicant proposes single-family residences. The use will be

controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Rural Residential; density should be at least 1 unit per acre.

Mrs. Marshall - Good evening, Mr. Humphreys. Is there anyone in the audience in opposition to REZ2018-00008, Amir Abbas Khalafalla and Magdi Abbas Khalafalla? After we hear the case presentation, we will get to you shortly.

Mr. Humphreys - Thank you, Madam Chair, members of the Planning Commission.

As stated, this request is to rezone 1.98 acres in order to construct multiple single-family homes. The subject property is wooded with both evergreen and deciduous trees. A creek generally flows from the western corner diagonally across the property to the east. The potential wetlands and other environmentally sensitive land associated with this creek could have an impact on any future development of the property.

The Holloway at Wyndham Forest development has been recorded to the south and the single-family home section is under construction. Properties lining both sides of Opaca Lane are zoned A-1 until its intersection with Westwood Place where the Holloway and Martin's Ridge subdivisions begin. Up here on the upper right part of your map.

The A-1 district requires a minimum lot size of 1 acre and a minimum road frontage of 150 feet. The requested R-3 zoning district has a minimum lot frontage requirement of 80 feet and a minimum lot size of 11,000 square feet (or approximately one quarter of an acre).

The recommendation of the 2026 Comprehensive Land Use Plan is for Rural Residential along this section of Opaca Lane. As part of that designation, a one-acre minimum lot size is recommended to maintain and protect the character along Opaca Lane. The maximum density allowed in the requested zoning district, as well as lot size, would not be consistent with adjacent uses.

This case was deferred from your last meeting at the request of the applicant so their new representative could work with staff. The applicant's representative has submitted several drafts of proffers and conceptual plans over the past month since they were brought on to the case and submitted a final version of these on February 13th. These have been handed out to you, and you do not need to waive the time limits.

The conceptual plan on your screen has been proffered. As you can see, the potential development of this property has been greatly impacted by the location of the previously mentioned creek on the property. There are two lots shown, as well as a large common area. At approximately 0.3 and 0.4 acres, these lots are

not consistent with the Rural Residential recommendation of the Comprehensive Plan.

Beyond proffering the conceptual plan the proffers do also address utilities, elevations, garages, exterior materials, clearing limitations, and hours of construction.

Overall, the request is not consistent with the recommendation of the Comprehensive Plan of Rural Residential and is not consistent with the surrounding development along Opaca Lane. For these reasons, staff does not recommend approval of this request.

This ends my presentation and I would be happy to answer any questions you may have.

Mrs. Marshall - Any questions for Mr. Humphreys? Thank you. I would like to hear from the opposition. As you come forward, one at a time please, please state your name as you approach. Thank you. A reminder of the guidelines that were presented earlier this evening. You do have a collective ten minutes to speak. Thank you.

Mr. Anliker - Good evening, Madam Chair and Planning Commission. My name is Mike Anliker, and I own the property next door. My wife and I purchased it in 2015 primarily because we liked the large wooded lot and the character of the neighborhood on Opaca Lane. We're currently in the process of building a home there, which obviously meets all the conditions and requirements of the current zoning. We're against the proposed development to change the zoning and make it inconsistent with the rest of the neighborhood.

Mrs. Marshall - Thank you.

Mr. Anliker - Thank you.

Mr. Hulcher - Thank you. I'm Richard Hulcher, and I live diagonally across the street. Can we get the land map back? My wife and I purchased our house about three years ago. If you look and see where the holding pond is right here for Mount Vernon Baptist Church, we occupy this house directly across from that.

I'd like to say a couple things. We bought this, again, expecting a rural residential community. We were looking for a place in the West End of Richmond with a good school district because we do have young children. But we like the idea of large lots, neighbors that were not on top of us. We were aware of the Holloway Development, and we followed that with interest and noted the County's relocation of the feeder road back into the new development with the intent to

530 leave Opaca Lane as a rural residential street. We feel like adding two more
531 houses on small lots is going to be changing the character of the neighborhood.

532
533 I'd also like to mention that the previous slide that showed the proponent's
534 placement of those lots, the location of the creek is completely wrong. I walk on
535 that street every day. And about 20 feet down from the end of my lot, that creek
536 crosses a culvert—which is marked on all the Henrico County maps on the
537 website—and crosses directly into this property. So it does not enter from the
538 side property; it enters directly from Opaca Lane. I think you can verify that if you
539 look at the County map that shows the utilities. It shows the storm drains.

540
541 That particular creek is not a big creek; it's an unnamed creek. It originates at the
542 holding pond, but it's not merely a drain of the holding pond. We've lived there for
543 a little over three years, and it has run every day we've lived there with the
544 exception of when they drain the pond to clean the pond. So even in times of
545 drought, that creek is running. So it's spring-fed at some point. It flows from there
546 down the front of our house in an open ditch to a culvert across the road and
547 through this property. From there it flows all the way to Allens Branch and the
548 Chickahominy River.

549
550 When it rains hard, it's a torrent, it's a rapidly flowing stream. Our concern also
551 with the development of this property is any restriction to that creek that would
552 back up or hinder the flow of water in that part of property.

553
554 Those are our two big concerns: having smaller lots on the street and the water
555 system. We have the disadvantages of being a rural community in the middle of
556 a major sub-development area. I think I speak for the rest of the residents. We sit
557 there, 20 homes, and we have no county sewer. We have a road that has been a
558 thoroughfare for traffic for development for the last three or four years. We feel
559 like we've put up with a lot. We'd just like to have our rural, residential
560 neighborhood remain intact.

561
562 That's all I have to say.

563
564 Mrs. Marshall - Thank you.

565
566 Mr. Hulcher - Thank you very much.

567
568 Mrs. Marshall - Is there anyone else who would like to speak in
569 opposition? Please come forward.

570
571 Mr. Dosh - Good evening. I'll be quick; I know my ten minutes is
572 almost up. The only other point I wanted to add that I think is worth noting, the for
573 lots—

574
575 Mr. Archer - Sir, your name?

576
577 Mr. Dosh - My name is Pat Dosh. D-o-s-h. The four lots across
578 the street from this lot in question several years back were purchased by Bob
579 Attack. He came to the County attempting to get a zoning change and fortunately
580 was not successful in getting that zoning change with his full staff of lawyers and
581 everything else. They made the decision to keep Opaca Lane kind of what it has
582 been for a long time now and not to change.

583
584 The only other comment I wanted to make is this is really the last lot on the street
585 that is to be developed. There is a home to the left of it that's being built. It's one
586 large home on a large lot. There's a home to the right of it that's the same thing.
587 To me, when there's one lot left on a road, to try to do something different and
588 allow several homes to be built on it just really doesn't make good sense from a
589 planning perspective, at least as far as I'm concerned.

590
591 I just wanted to share that this evening. Thank you very much.

592
593 Mrs. Marshall - Thank you. Is there anyone else that would like to
594 speak? Will the applicant please come forward?

595
596 Mr. Ali - Good evening. I'm president of [unintelligible]. We
597 have provided consultant services to the property owners for this rezoning case.

598
599 Mr. Emerson - Could you give us name for the record, please?

600
601 Mr. Ali - My name Akbar (A-k-b-a-r). Last name Ali (A-l-i).

602
603 Mr. Emerson - Thank you.

604
605 Mr. Ali - My consulting firm [unintelligible] has provided
606 consulting service to the property owner, Amir and Magdi, for rezoning case
607 number REZ2018-00008, for the land parcel at 11141 Opaca Lane. We are
608 requesting the Planning Commission to approve the rezoning request based on
609 the facts that follow.

610
611 Number one. The area of the parcel plat dated after 1955 was 2.004 acres. And
612 that is equal to 87,333 square feet. The Zoning Ordinance, Section 24-94 for pre-
613 1960, the standard is less 30,000 square feet, minimum lot area for A-1 District.
614 Therefore, a 87,333-square-foot parcel at 30,000 square feet per lot will allow
615 two lots with extra 27,333 square feet.

616
617 Number two. The Zoning Ordinance requires a one-acre lot with a minimum 150-
618 foot lot frontage for A-1. However, the pre-1960 Zoning Ordinance has the same
619 frontage for only a 30,000-square-foot lot. Even a simple [unintelligible]
620 proportion between the two requirements. In fact, for the 30,000-square-foot lot
621 area, this proportionate lot frontage by simple calculation would be 103 feet. The

lot frontage for the two lots would be only 206 linear feet. The lot frontage of the parcel along Opaca Lane is 247. Therefore, two lots can easily be developed. And even that would leave an exact 41 feet.

Item three. Proffered and rezoning plans, including the concept plan, are functional and have been prepared with attention to detail in order to meet and even exceed the requirements of areas. The concept plan reflects conformance with Henrico County Environmental Compliance Manual, chapter 21, section 21.3 requirements. All setbacks from the residence meet and even exceed the criteria. Single-family dwellings are shown in the concept plan with the criteria design manual, Department of Public Works, Section 2-36. Private access design of the intersection of public road. The concept plan confirms compliance that include all single dwelling [unintelligible] feet right of way, and number 2, access [unintelligible] intersect the public road, Opaca Lane, at 90 degrees.

The concept plan reflects conformance with Henrico County's code, Chapter 19, as acceptable—as applicable for the proposed subdivision. The concept plan reflects conformance with Henrico County's code Chapter 24, as applicable for zoning requirements.

Dedication. The road dedication along Opaca Lane has reduced the lot area by 1,238 square feet. But we do not object since it benefited our county. [Unintelligible] considered for the environment of the neighborhood. The proposed home, its style elevation in [unintelligible] architecture and style that reflects well-proportionate composition of [unintelligible] to blend in harmony with the overall design of the area.

Finally, expressing gratitude and appreciation for valuable time and professional expertise that Henrico County staff devoted for the information and productive meetings.

As far as the creek is concerned, we got the drawings from Henrico County, and that drawing was prepared by James Raymonds [?]. We took the information from them. It's not that we created that creek or the wetland. And all the wetlands that are in our concept plan, it does not conflict with any lot.

Mrs. Marshall - Sir, do you think that the property—does it fit in with the neighborhood? Is it following the houses that are built along that street?

Mr. Ali - Excuse me, sorry.

Mrs. Marshall - My question is, as far as what would be done with the property, on that street—I go down that street a lot—most of the homes—and I would say all of the homes, actually—are one-acre lots. Your client is proposing putting two or more on one lot. Do you feel that that is consistent with the area?

668 Mr. Ali - Well there are only two lots. We started with four, we
669 reduced to three, and we reduced to two. We are not conflicting with any
670 wetland. And just south of this property there is already approved for R-5, which
671 is higher density than this one. Further east on Opaca Road, it is again R-3C. It's
672 not immediate, I understand that. But still the neighboring area around this is
673 higher density than this one. And also this area as a whole is growing fast. And
674 that Comprehensive Plan of 2026 is nine years from now and shows that this
675 area will grow very much and it will be an enormous benefit for the County, also,
676 to have a higher density than just one.
677

678 Mr. Leabough - May I ask a quick question?
679

680 Mrs. Marshall - Yes, you may.
681

682 Mr. Leabough - So there is a reference to concept plan and elevations
683 in the conditions, but all I see are conditions. Mr. Emerson, did we just receive
684 the conditions and I guess the concept plan a day or two ago?
685

686 Mr. Emerson - It's been very recent, yes sir.
687

688 Mr. Leabough - Okay. I know I don't have them in my packet here
689 Okay. Are they a part of the presentation that you have, sir, or?
690

691 Mr. Ali - I have some [unintelligible] the department—
692

693 Mr. Humphreys - [Off microphone] They're on the screen. The concept
694 plan is on the screen now, sir.
695

696 Mr. Emerson - Do you have the elevations, though, Mr. Humphreys,
697 that's the question.
698

699 Mr. Leabough - I'm just trying to see the full packet of what this
700 gentleman's trying to present because all I have in front of me is just a condition
701 that references an elevation and concept plans that not in our packet.
702

703 Mr. Ali - With reference to this elevation, [unintelligible]
704 consistent with the design of the area.
705

706 Mr. Leabough - I hadn't seen that, and they were referenced in the
707 conditions that were just provided on the 13th. So when were the elevations and
708 the concept plan provided?
709

710 Mr. Humphreys - [Off microphone] Officially on the 13th.
711

712 Mr. Leabough - So just two days ago.
713

714 Mr. Emerson - Correct.
 715
 716 Mr. Leabough - Okay.
 717
 718 Mr. Ali - No, this was submitted long time ago. Only the
 719 concept plan was revised several times. But if you see the date—
 720
 721 Mr. Humphreys - Mr. Leabough, we have been going back and forth on
 722 these. We got the official signed proffers on the 13th as well.
 723
 724 Mr. Ali - On the [unintelligible] were final. They were submitted
 725 in December of last year. Only the concept plan was revised several time to meet
 726 the requirement of the County and try to make the neighbors happy.
 727 [Unintelligible] nice neighbor and want everybody to be happy and try to meet the
 728 requirement.
 729
 730 Mr. Leabough - Okay, I was just wondering when the plans were
 731 submitted since everything wasn't in our packet. So you all addressed that, and I
 732 appreciate it.
 733
 734 Mrs. Marshall - Any more questions?
 735
 736 Mr. Baka - One comment. Sir, I would go back and echo some of
 737 the concerns that Mrs. Marshall mentioned. I guess my key question is the
 738 Comprehensive Plan recommendations for Rural Residential. By creating two
 739 smaller lots here, which are in a different character and general arrangement with
 740 the rest of the neighborhood on Opaca Lane I don't—I guess I'm asking you how
 741 do you see that your request is consistent with the Comprehensive Plan. I see a
 742 disconnect there. How would you say that your request is consistent with the
 743 Comprehensive Plan designation for Rural Residential when you appear to be
 744 creating two smaller lots that are much different in character than the other lots
 745 on Opaca Lane?
 746
 747 Mr. Ali - I'm not contradicting the Comprehensive Plan. We do
 748 have respect for that. All I'm saying is that the Comprehensive Plan is 2016, nine
 749 years from now. I'm sure between now and that time a lot of things will happen in
 750 that area. That area is growing fast, and most of the properties will eventually be
 751 changing to higher density just like you see south of that property. So they are
 752 changing really fast. Changing from one to only two lots, I hope it's not going to
 753 make much of a difference.
 754
 755 Mr. Baka - Okay. Thank you.
 756
 757 Mrs. Marshall - Thank you. A couple of items that I would like to say.
 758 The size of the lots proposed for this neighborhood is not consistent with what is
 759 already in place. The lot size of the houses surrounding the property is one acre.

If you would like to be consistent and bring something back at a different time period, we would be happy to listen to that case. With that said, I move that REZ2018-00008, Amir Abbas Khalafalla and Magdi Abbas Khalafalla, be forwarded to the Board of Supervisors with a recommendation of denial.

Mrs. Kotula - Second.

Mrs. Marshall - We have a motion by Mrs. Marshall, a second by Mrs. Kotula. All in favor say aye. Those opposed say no. There is no opposition; this motion passes.

REASON - Acting on a motion by Mrs. Marshall, seconded by Mrs. Kotula, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors deny the request because it does not conform to the recommendation of the 2026 Comprehensive Plan nor the Plan's goals and objectives.

Mr. Emerson - Madam Chair, we now move on to the next two cases on your agenda, which appear at the bottom of page 3. These two cases I will call together because they are companion cases. When you take action on these cases, you will need to make separate motions. The first case is REZ2017-00028, Staples Mill Investment, LLC.

REZ2017-00028 Staples Mill Investment, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 763-767-9947, 764-767-0232, and 764-767-0509 containing 6.81 acres located on the east line of Staples Mill Road (U.S. Route 33) approximately 100' south of its intersection with Meadow Pond Lane. The applicant proposes no more than 17 age-restricted, detached, single family residences. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum overall density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre.

Mr. Emerson - The companion case is REZ2017-00029, Staples Mill Investment, LLC. The staff report will be presented by Mr. Ben Sehl.

REZ2017-00029 Staples Mill Investment, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 763-767-6290, 763-768-2735, and 763-768-3605 containing 12.38 acres located on the east line of Staples Mill Road (U.S. Route 33) approximately 280' north of its intersection with Meadow Pond Lane. The applicant proposes no more than 29 age-restricted, detached, single family residences. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum overall density of 6 units per acre. The use will be controlled by

806 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive
807 Plan recommends Suburban Residential 1, density should not exceed 2.4 units
808 per acre.

809
810 Mrs. Marshall - Good evening.

811
812 Mr. Sehl - Good evening, Madam Chair. I believe there is
813 opposition.

814
815 Mrs. Marshall - Is there anyone in the audience in opposition to
816 REZ2017-00028, Staples Mill Investment, LLC? Okay, we will be with you shortly
817 after Mr. Sehl. Thank you.

818
819 Mr. Sehl - Thank you Madame Chair, members of the
820 Commission.

821
822 As Mr. Emerson noted, this presentation combines two rezoning requests, which
823 propose two new age-restricted single-family developments on the east line of
824 Staples Mill Road near Glen Allen High School. The sites are generally located
825 on both sides of Meadow Pond Lane, which provides access to the Meadow
826 Farms neighborhood to the east.

827
828 The sites are designated Suburban Residential 1 on the 2026 Comprehensive
829 Plan, which recommends single-family dwellings up to 2.4 units per acre. The
830 southern case, REZ2017-28, proposes an equivalent density of 2.49 units per
831 acre, while the northern case is based on the recently revised proffers that list a
832 maximum of 29 homes verses the 30 listed in the staff report. That's an
833 equivalent density of 2.34 acres per acre.

834
835 In general, the proposed density and use are consistent with the
836 recommendations of the Comprehensive Plan and could serve as an appropriate
837 transition from the less dense Meadow Farms neighborhood to the east towards
838 Staples Mill Road, which is a heavily traveled roadway carrying approximately
839 19,000 vehicles per day.

840
841 The applicant has proffered conceptual plans, architectural elevations, and
842 entrance feature examples for both requests. As shown here, the southern site
843 would be accessed via an entrance on Staples Mill Road, with lots located on
844 both sides of an internal cul-de-sac. Staff notes our report contained a
845 recommendation to connect this roadway to Meadow Pond Lane through
846 property owned by the Meadow Farms HOA. However, after additional review, it
847 has been determined this access point would be difficult to construct due to
848 existing environmental features.

849
850 The northern site would also be served by a single access point on Staples Mill
851 Road, which would be located at an existing median crossover. This revised

concept plan shows how the northern cul-de-sac has been shortened to provide additional separation between the new lots and existing homes in Meadow Farms. This was noted as a concern during the community meeting on January 25th.

The submitted proffers—revised today and distributed to you this evening—address typical items for developments of this type, as well as provide a variety of quality guarantees. The revisions also address concerns noted in the staff report regarding the buffers separating the new neighborhood from Staples Mill Road and Meadow Farms. These buffers have been detailed and include the provision of a berm, fence, and plantings equivalent to a transitional buffer 35 along Staples Mill Road. This would create a buffer treatment similar to other developments along Staples Mill Road.

Overall, staff believes this request is largely consistent with the recommendations of the Comprehensive Plan and would allow for additional housing options in the area while providing a suitable transition from lower density residential uses to Staples Mill Road. For these reasons, staff supports this request. I would note that time limits would need to be waived on the proffers for both cases and that each request would require separate action by the Commission.

This concludes my presentation. I will be happy to answer any questions you might have.

Mrs. Marshall - Any questions from the Commission?

Mr. Baka - To clarify, the one access point has a median break on Staples Mill Road, this northern property, but the southern one does not.

Mr. Sehl - Correct, Mr. Baka.

Mr. Baka - Thanks.

Mr. Leabough - Could you show that map again?

Mr. Sehl - Yes sir. The best way to see it is probably with the aerial, Mr. Leabough. The access point would be in about this area. This is a signalized entrance. The Department of Public Works has indicated, given the traffic volumes generated from the 17 age-restricted homes, that that should not be overly burdensome.

Mr. Leabough - Okay. Thank you.

Mrs. Marshall - Any more questions for Mr. Sehl? Thank you.

Mr. Sehl - Thank you, ma'am.

898

899 Mrs. Marshall - At this time, we would like to hear from the opposition.
900 If you could please approach one at a time. Please keep in mind the time limits.
901 You have a collective ten-minute time period. And please tell us your name as
902 you approach the podium. Thank you.

903

904 Mr. Broughton - My name is Mike Broughton. I've lived in Meadow
905 Farms since 1999. I guess that there are two major concerns I have.

906

907 First of all, I want to thank Attack Properties and Jim Theobald for their
908 concession on the buffer on the northern side, which was what we had
909 requested.

910

911 The two biggest concerns I have are, first of all, when you're coming down
912 Staples Mill Road on the north side, there's a right-turn lane into Meadow Pond.
913 Will that affect the buffer along Meadow Pond if, in fact, Virginia Department of
914 Highways requires the extension of that right-turn lane?

915

916 The biggest concern—and I think it's essential that the Commission look at this. I
917 don't have a problem personally with the rezoning, but I do have a problem with
918 the wetlands and whether or not they are wet ponds, dry ponds, and what kind of
919 screening is going to be on the ponds. Right now there are ducks sitting on
920 Meadow Pond Drive when you turn off Staples Mill Road because it holds that
921 much water. It's very, very wet. That is a concern.

922

923 What I'd like to suggest is that we in the neighborhood get a landscape plan
924 particularly for the buffer, the 20-foot buffer, which backs up on conceptual plan 1
925 to . . . lot 7 is what I'm looking at, actually. It has that 20-foot buffer that comes all
926 the way across the back side of the property. And lot 7, I would like to suggest
927 that they reduce the size of that lot to make it more proportional with the rest and
928 not go over into that wet part that is standing water all the time.

929

930 Anyway, I think it's essential that the Planning Commission require a more
931 detailed plan of the stormwater management, the stormwater situation, and the
932 wetlands, particularly the wetlands, and the landscape plan in the buffer. Twenty
933 feet is from here to right behind the gentleman seven seats back. It's not very
934 much. So is it a fence? I talked to Mr. Theobald about it. But is it a fence or is it
935 landscaping? Is it a berm? But 20 feet is not much of a buffer.

936

937 Those are the major concerns that I have. I would suggest that the Planning
938 Commission defer this case until we get some more detailed plans of the
939 stormwater management and the landscape plan for the buffers.

940

941 That's all I have. Thank you.

942

943 Mrs. Marshall - Thank you.

944
945 Ms. Howard - Hi. My name is Karelle Howard. I am a member of the
946 homeowners' association for Meadow Farms. My house is right behind the
947 library. My concern in general is if you look at the concept plan, you can see how
948 our houses in general encompass two of their lots. I understand that something
949 needs to go there, and I agree that it's a great idea to have a planned community
950 that's for seniors, but my issue is the lot size and how that's going to impact our
951 property values, as well as the impact on the Staples Mill Road traffic.

952
953 I have two small children. They will eventually be going to Glen Allen High
954 School. There are other people in our community, many of them, who have
955 children that go to Gen Allen High School, and they walk to school. They have a
956 lot of problems crossing Staples Mill Road because of ongoing traffic. I
957 understand this is a 55-and-older community, but they still drive. They still have
958 cars that they use. In addition to contributing to the traffic, they're going to be
959 walking along that road.

960
961 I understand, like I said, that something needs to go here, and we do support the
962 general spirit of the plan, however, I would like to see a reduction in the number
963 of lots. Both to contribute to the 20-foot buffer, as well as the buffer around the
964 wetlands. That area is all flooded at this point in our neighborhood. So I think
965 recommending to continue this and also do a study on the impact to the
966 wetlands. Once you build something there, you can't un-build it. It's not
967 consistent with the way that the property is zoned at this point. The zoning
968 Commission made that plan for a reason. So I don't want to rush into this. Thank
969 you.

970
971 Mrs. Marshall - Thank you. You have approximately 4-1/2 minutes
972 left.

973
974 Mr. Minnix - Good evening. My name's Robert Minnix. I'm also a
975 homeowner in Meadow Farms. My property actually butts up against the northern
976 proposal, the larger one.

977
978 I guess I would just like it known. I'm not sure if the Planning Commission looks
979 into this or if it's more the traffic study with engineering. But it sounds like the
980 volume of cars already on Staples Mill Road is very high. I think I heard 50-some
981 thousand per day. This will only add to that. The speed limit at 55 makes it kind
982 of like a freeway. There is a school across the street. I realize they lower the
983 speed limit during school hours, but otherwise it's kind of a car race out of there
984 at times at 55 miles per hour. I'd like at some point—whether it's part of this
985 development or something else down the road—for them to look at the speed
986 limit perhaps being lowered from 55.

987
988 I also echo what I think the other folks have said about the wetlands, the density.
989 I do have concerns about that and the relation of that to the property values.

990
991 I can't think of anything else at this time, so thank you.
992

993 Mrs. Marshall - Thank you.
994

995 Mr. Acker - Hello. My name is Daniel Acker. I'm also a resident in
996 Meadow Farms.
997

998 Two very quick points. I'm a geologist by education, so I echo the concerns that
999 my neighbors have as far as the wetlands and the impact that this will have. I do
1000 have a concern overall in the amount of water. It does stay wet year around. So
1001 that does cause us concern, all of the residents.
1002

1003 The other thing I'd like to point out in my last comment is the northern section—
1004 we're looking at the southern portion here. The northern section, the egress out
1005 of that section is directly across from the bus loop entrance to the high school.
1006 For me that also—when you consider students walking to school and the amount
1007 of traffic in and out, I think that's a cause for concern. You have people exiting
1008 out of their development straight across into where all the traffic comes into the
1009 school basically. That causes a concern as well. Thank you.
1010

1011 Mrs. Marshall - Thank you.
1012

1013 Ms. Valmores - Hi. My name is Patty Valmores. Just like the mother
1014 back there, my main concern is that I do have little children ages two, three, and
1015 seven. Right now we're blessed to have a backyard that does not have anyone
1016 back there. However, with this new build, it will bring other people closer to my
1017 backyard that I'm nervous for my own little children. If it were up to me, of course,
1018 I would rather there be nothing there and that it stand as is. I do appreciate what
1019 they've been doing in the talk and the communication with our homeowners'
1020 association. But I just want it to be said that I echo what the mom said back
1021 there, with all the same concerns. Thank you.
1022

1023 Mrs. Marshall - Thank you.
1024

1025 Mr. Wooten - Very quickly. My name is David Wooten. I'm also a
1026 resident in Meadow Farms.
1027

1028 I think you all need to continue this to a later date so we have a little bit more
1029 planning about this before you rezone this, and I'll tell you why. If I may walk up
1030 here. On this site right here, as these people are coming out of this road here,
1031 they will have come to the access lane, which is right on Staples Mill, and that's
1032 55 now. In the morning when the school lets in, this is backed up all the way up
1033 to where they have to—they can't even get on the access lane to turn into the
1034 school. They have to go down Meadow Pond, and they have to turn around,
1035 make a U-turn, and then come back out. This lasts about 40 minutes.

1036
 1037 Mr. Archer - Excuse me, sir. We're looking at what you are
 1038 pointing out on our screen. Could you get one of the planners to assist you?
 1039
 1040 Mr. Wooten - Sure. I'm old school. I don't relate to—
 1041
 1042 Mr. Archer - I am too; I understand.
 1043
 1044 Mr. Wooten - I'm just doing this by the seat of my pants here. Just
 1045 bear with me.
 1046
 1047 What I'm saying is these people that come out of this proposed neighborhood,
 1048 they'll have to come across a 55-mile-an-hour lane, get into that access road, go
 1049 all the way down to the light and wait their turn to make a U-turn to come back
 1050 east to go to the city. It's very dangerous. And the other side, the south part, they
 1051 have to come out right where the school buses come out. All of the school buses
 1052 from Glen Allen High School come out, and they go down south on Staples Mill
 1053 Road. These people will have to go across Staples Mill and share that entrance
 1054 to come back up the road to go east. It's very dangerous, and you need to look at
 1055 that. You really need to look at that.
 1056
 1057 Plus on Meadow Pond here, on both sides of that wetland area there, it's
 1058 constant swamp. All year long there's water there. This pond that they're talking
 1059 about right here? That butts right up to where it is so damp and so much water
 1060 right there that you need to look at that also. If that overflows at all and gets into
 1061 that area, it's just going to create mounds and mounds of water there.
 1062
 1063 I think you should continue and take another hard look at this whole operation
 1064 before you make a decision. Thank you so much for your time.
 1065
 1066 Mrs. Marshall - Thank you. We are out of time at this point. Is there
 1067 anybody else in opposition who would like to speak, if it's okay with Mrs. Kotula?
 1068 Would you like to hear from the applicant?
 1069
 1070 Mrs. Kotula - Yes, I would like to hear from the applicant.
 1071
 1072 Mrs. Marshall - Mr. Theobald?
 1073
 1074 Mr. Theobald - Madam Chair, members of the Commission, my name
 1075 is Jim Theobald, and I'm here this evening on behalf of Staples Mill Investments,
 1076 LLC. This is a request to rezone from A-1 to R-5A with significant proffered
 1077 conditions for the development of a single-family, detached, age-restricted
 1078 community. The request is consistent with your land use plan and has been
 1079 recommended for approval by your Planning staff.
 1080

1081 You've seen on the staff's slides the location. These two parcels on either side of
1082 Meadow Pond Lane with a common area strip owned by the homeowners'
1083 association for Meadow Farms. It is across from Glen Allen High School and next
1084 to the Glen Allen Public Library.

1085
1086 I've put the two plans side by side so that you can sort of juxtapose how they
1087 both work in relation to Meadow Pond Lane. There are 46 homes. It's been
1088 proffered to be capped at 46 homes. Each side would have direct access to
1089 Staples Mill Road rather than to Meadow Pond Lane. The areas shown in green
1090 all around the lots are common areas. They're mostly wetlands, as are the
1091 common areas that belong to the Meadow Farms Association. So they are very
1092 green and not to be disturbed.

1093
1094 We have pulled back this cul-de-sac on the northern property as suggested at
1095 the community meeting. I appreciate Mr. Broughton acknowledging that this
1096 evening.

1097
1098 We've spent a lot of time talking about buffers. The buffer along Staples Mill
1099 Road is a 35-foot-wide buffer, and it's planted to transitional buffer 35 standards.
1100 We have also in our amended proffers agreed on the south side to provide a
1101 berm and a decorative fence. It's aluminum. It's a wrought iron-appearing fence
1102 with brick or stone columns no further apart than 60 feet. Similar treatment as
1103 was done with Linden Pointe and some other properties along Staples Mill.

1104
1105 On the northern property, this is all wetlands, so our fence and berm obligations
1106 begin here with lot 9 and continue. We have just made the caveat—this is pretty
1107 substantially cleared. But the property up here has some trees, but there are
1108 some open places. So we will provide that berm provided that we don't disturb
1109 trees or existing wetlands. So the combination of that will assure an aesthetically
1110 pleasing frontage.

1111
1112 The buffers in back have been extended. There's a 20-foot common area—it's
1113 not part of the lots—along the southern part up against Meadow Farms and
1114 again here along this undeveloped land. And there's an additional buffer strip in
1115 here that looks like 20 or 25 feet next to it. These are planted to a traditional
1116 buffer 10 standard. As you all can appreciate, between R-5A and the R-2 zoning
1117 there is a required 10-foot transitional buffer. So our buffer is basically twice that
1118 size, and we've agreed to plant it to the County's required standards of the TB
1119 10.

1120
1121 Significantly, we are required to do sidewalks, being in proximity with the school.
1122 We were asked if we would consider extending the sidewalks from our property
1123 line over to Meadow Pond Lane, with which we have agreed. We believe we can
1124 get that sidewalk into the public right of way. If we can't, then it would require the
1125 permission of the homeowners' association. We are happy to extend that unless
1126 we run into utilities or if there are some steep slopes in there. We don't want to

disturb any of that, but the commitment has been made to try to connect those sidewalks.

The type of homes to be built there are little Craftsman style. These are first-floor masters. They are age-restricted homes. It's possible to have bedrooms, offices, etcetera, on the second level. These homes range from between 1420 square feet up to 2200 square feet or more depending upon the choice of the homeowner. These homes will likely sell in the 360 to 410,000 dollar range. Again, they are age-restricted. We've agreed to provide an attractive entrance feature, and these are just some examples of the types of entrance features that would be employed. A combination of brick, stone, and the wrought iron-appearing materials.

There are a number of proffered conditions. We have proffered the concept plan and the elevations, so what you see is what you get. We have capped the density at 46 homes, provided for age restriction, quality building materials. Each home will have a two-car attached garage, and brick foundations. Or if they are built on slab, they would have the appearance of a crawlspace as well.

We've discussed the buffers. We've addressed the product types and materials for front stoops and steps. This community will have street trees. Front yards and corner side yards will be sodded. We've provided for the entrance feature. Again, the buffers. We've limited the hours of exterior construction. I believe it's 7 to 7 Monday through Saturday. They will be restrictive covenants that will govern this community. On the internal street, there will be a sidewalk on at least one side of the street.

Addressing some of the comments made by neighbors. The vast majority of these comments are matters to be handled at the POD or subdivision and/or landscape plan approval. This being an R-5A community, it not only has to go through subdivision, because they are individual lots, but it's already required to go through plan of development approval. So there are many layers of approvals yet to come by the County when final engineering is done. You don't normally do that level of engineering unless you know you have zoning. So the landscape plan will be developed in conjunction with that POD and subdivision plan.

Obviously, the wetlands cannot be disturbed. They're governed by federal regulations to the extent that if you were to try to disturb one, you would need to have permission by DEQ and the Corps of Engineers. I'll come back to the water in just a moment.

We believe that this will actually enhance the value of Meadow Farms in that it takes the question mark away from what's going to happen out here. The calls I get for property to be developed up and down Staples Mill Road are all for commercial uses. This would clearly not be an appropriate location, in my mind, for a commercial use. But it provides a wonderful transition from the homes in

1173 Meadow Farms, age-restricted, single-family detached, to the public facilities on
1174 either side of the road and the development to the south.

1175
1176 I don't like the 55 miles an hour on Staples Mill Road. It's been an issue in every
1177 zoning case we've had in this area, and we have engaged VDOT in those
1178 discussions in the past without success. Perhaps we could enlist the help of the
1179 County in trying to get their attention one more time. It really should be lowered in
1180 that area.

1181
1182 I did throw in a slide here that our engineer prepared showing just how the water
1183 drains. Water on this side, which is the southern piece, basically is coming off of
1184 Meadow Farm. So we're getting that water. You'll see here the arrows and the
1185 direction. So the water will be directed toward this BMP. We still don't know until
1186 final engineering whether the BMPs will be wet ponds or dry ponds. If they're wet
1187 ponds, then they will need to be fenced, landscaped, etcetera. If they're dry ponds,
1188 no. But that's determined by the volume of water that heads in that direction.

1189
1190 And the folks that spoke are right. These are next-door wetlands. This lot that
1191 was mentioned in particular does not have any wetlands on it, contrary to the
1192 comment. On this side, we're getting water basically off the property over here,
1193 and it's being picked up, and the top part is going into a BMP facility here, and
1194 then dispersed throughout the wetlands, and then here down to this BMP and
1195 over this direction and into the County's stormwater system.

1196
1197 We did meet with the community, and you can hopefully tell by our revised
1198 proffers and the many revisions that we've been through that we really have
1199 attempted to address the concerns of both staff and the community to the extent
1200 possible. We think this would provide an appropriate transition from Meadow
1201 Farms to Staples Mill Road and the public institutions. It's consistent with your
1202 Land Use Plan. And once again, staff has recommended approval.

1203
1204 With that I would be happy to answer any questions, but I would ask respectfully
1205 that you recommend this case for approval to the Board of Supervisors.

1206
1207 Mrs. Marshall - Any questions from the Commission?

1208
1209 Mrs. Kotula - Thank you for presenting all of this information. In
1210 particular this drainage piece I know has been a concern for the community. So I
1211 appreciate you including that.

1212
1213 I know you don't know what kind of stormwater management is going to be put in
1214 place, but how would that be maintained moving forward in the long term?

1215
1216 Mr. Theobald - Sure. We enter into a BMP agreement with the
1217 County. It's required as part of the POD process. I think there's a bond posted
1218 with that as well. I'm glad you're nodding as I'm talking so I don't say anything

wrong here. In the past we have all learned from BMPs not being maintained, and thus the requirement for bonding and maintenance. It's a signed agreement that's recorded and binding against the property owners or the association or the declarant, depending upon how it all shakes out. It will be ultimately be the homeowners' association, in nearly all cases. So they are maintained. Depending, again, whether they're wet or dry you have different requirements for safety features and landscaping.

Mrs. Kotula - The only other question it had has to do with traffic concerns, and that question would be for you and Mr. Sehl, if necessary.

Mr. Theobald - The transportation folks at the County have not raised objection. We have had discussions, I believe, with both the County's traffic engineer and VDOT before we even took any steps on this case to make sure we could get in and out. Because we really couldn't connect with Meadow Pond Lane because of the wetlands. And I'm not sure they would have wanted to see us on that road to begin with. So we believe that these locations work.

One gentleman did ask—I think it was Mr. Broughton—about the buffers. The buffers are in addition to the turn lane. The turn lane does not whack at the buffer.

Mrs. Kotula - Mr. Emerson, just confirming that we have a representative from Public Works here that could maybe talk about those traffic concerns as well.

Mr. Emerson - Yes. Mr. Cejka, would you come up and introduce yourself and address some of these questions, please?

Mr. Cejka - Good evening, Madam Chair, members of the Commission, Mrs. O'Bannon. I'm John Cejka, the traffic engineer for Henrico County.

Mrs. Kotula - What I'm hearing are a lot of concerns about the right turn in and right turn out in conflict with maybe the intersection right there. Could you talk about your view on that in terms of safety concerns?

Mr. Cejka - There is some concern with that, but it's fairly similar to most cross-overs on Staples Mill Road to get to the other side, like right down the street with Courtney Road where the library is. When you want to go left, you have to cross over the two-lane road, those two travel lanes, get to the median and sit there. This would be the same concept. You have to cross over both lanes within short period of time to get to the left turn lane to make the U-turn. I think it can happen.

1264 Mrs. Kotula - You all are comfortable with that, though, in terms
 1265 of—okay. And then in terms of the northern piece, the bus loop traffic? You all
 1266 are comfortable with that interaction?
 1267

1268 Mr. Cejka - Yes. It will be difficult when the buses let out. I do
 1269 agree with that. But the rest of the day when there are no buses and no traffic,
 1270 it's basically a T intersection. You don't have any traffic opposing your movement
 1271 coming out of the neighborhood. So that'll actually make it safer than some of the
 1272 other intersections along the road.
 1273

1274 Mrs. Kotula - All right.
 1275

1276 Mrs. Marshall - Is there any possibility at the traffic circle that at some
 1277 point there could be a stoplight? Not a fully functional 24-hour stoplight, but
 1278 maybe when school is in session in the morning and maybe in the afternoon, and
 1279 then the rest of time it would be considered like a blinking light?
 1280

1281 Mr. Cejka - That would be a decision made by VDOT since Route
 1282 33 is maintained by VDOT. Any improvements, the location of the access roads,
 1283 all of that will have to be approved by VDOT prior to installation.
 1284

1285 Mrs. Marshall - Thank you.
 1286

1287 Mr. Emerson - Mr. Cejka, will VDOT require the additional lane, the
 1288 third lane on that side of the road to be constructed?
 1289

1290 Mr. Cejka - I don't think they'd require a full lane. I think they will
 1291 require a right-turn lane into both access points. Then that right turn lane will turn
 1292 into a third lane.
 1293

1294 Mr. Emerson - Will eventually turn into a third lane.
 1295

1296 Mr. Cejka - Correct.
 1297

1298 Mrs. Marshall - Any more questions from the Commission? Thank
 1299 you. Mrs. Kotula?
 1300

1301 Mrs. Kotula - I do want to thank everybody that came out tonight to
 1302 express your views and all of you that also came out to the community meeting
 1303 that was held last month. I think that through working with the applicant and the
 1304 various County departments we have addressed a lot of the concerns. I also feel
 1305 that this proposal is generally consistent with the Comprehensive Plan. So I am
 1306 comfortable to move forward at this point. I would urge you all to stay involved in
 1307 this process moving forward.
 1308

1309 With that, Madam Chair, I move that we waive the time limits for REZ2017-
1310 00028, Staples Mill Investments, LLC.

1311

1312 Mrs. Marshall - Second. We have a motion by Mrs. Kotula, a second
1313 by Mrs. Marshall to waive the time limits. All in favor say aye. Those opposed say
1314 no. There is no opposition; this motion passes.

1315

1316 Mrs. Kotula - Okay. And then I move that REZ2017-00028, Staples
1317 Mill Investments, LLC, be forwarded to the Board of Supervisors with a
1318 recommendation of approval.

1319

1320 Mr. Leabough - Second.

1321

1322 Mrs. Marshall - We have a motion by Mrs. Kotula, a second by
1323 Mr. Leabough. All in favor say aye. Those opposed say no. There is no
1324 opposition; that motion passes.

1325

1326 **REASON -** Acting on a motion by Mrs. Kotula, seconded by Mr.
1327 Leabough, the Planning Commission voted 5-0 (one abstention) to recommend
1328 the Board of Supervisors grant the request because it would permit development
1329 of the land for residential use in an appropriate manner and conforms with the
1330 objectives and intent of the County's Comprehensive Plan.

1331

1332 Mrs. Kotula - Okay. Next I move that we waive the time limits for
1333 REZ2017-00029, Staples Mill Investments, LLC.

1334

1335 Mr. Baka - Second.

1336

1337 Mrs. Marshall - We have a motion by Mrs. Kotula, a second by
1338 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition;
1339 that motion passes to waive the time limits.

1340

1341 Mrs. Kotula - And finally I move that REZ2017-00029, Staples Mill
1342 Investments, LLC, be forwarded to the Board of Supervisors with a
1343 recommendation of approval.

1344

1345 Mr. Baka - Second.

1346

1347 Mrs. Marshall - We have a motion by Mrs. Kotula, a second by
1348 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition;
1349 that motion passes.

1350

1351 **REASON -** Acting on a motion by Mrs. Kotula, seconded by Mr.
1352 Baka, the Planning Commission voted 5-0 (one abstention) to recommend the
1353 Board of Supervisors grant the request because it would permit development of

the land for residential use in an appropriate manner and conforms with the objectives and intent of the County's Comprehensive Plan.

Mr. Emerson - This case will be on the March 13th Board agenda.

Madam Chair, we now move on to the next item on your agenda, which appears at the top of page 4. It is the consideration of the approval of your minutes from your January 11, 2018 meeting. We do have an errata sheet, which you should have received this evening when you came into the meeting. So of course we'll make those changes and entertain any other corrections you may have.

Mrs. Marshall - Do we have any more corrections?

Mr. Leabough - Madam Chair, I move approval of the minutes as corrected.

Mr. Archer - Second.

Mrs. Marshall - We have a motion by Mr. Leabough, a second by Mr. Archer. All in favor say aye. Those opposed say no. There is no opposition; this motion passes.

Is there any other business?

Mr. Emerson - I have no other business for the Commission this evening, Madam Chair.

Mr. Leabough - I move for adjournment.

Mr. Baka - Second.

Mrs. Marshall - The meeting is adjourned.

Sandra Marshall

Mrs. Sandra M. Marshall, Chairman

[Signature]

Mr. R. Joseph Emerson, Secretary