

1 Minutes of the Capital Improvement Program presentation held in the County
2 Administration Building in the Government Center at Parham and Hungary
3 Spring Roads, beginning at 6:00 p.m. Thursday, March 15, 2012. Display Notices
4 having been published in the Richmond Times-Dispatch on February 21, 2012
5 and February 28, 2012.
6

Members Present: Mr. Tommy Branin, Chairman (Three Chopt)
Mrs. Bonnie-Leigh Jones, C.P.C., Vice Chairman (Tuckahoe)
Mr. Chris Archer, C.P.C. (Fairfield)
Mr. Eric S. Leabough (Varina)
Mr. R. Joseph Emerson, Jr., AICP, Director of Planning,
Secretary

Members Absent: Mr. Robert H. Witte, Jr. (Brookland)
Mr. Frank J. Thornton (Fairfield), Board of Supervisors'
Representative

Also Present: Mr. Virgil Hazelett, P.E., County Manager
Mr. Eugene R. Walter, Budget Director
Other Department Heads and Key Officials
Ms. Jean Moore, Assistant Director of Planning
Mr. James P. Strauss, CLA, Principal Planner
Ms. Sylvia Ray, Recording Secretary

7
8 **PUBLIC HEARING ON CAPITAL IMPROVEMENT PROGRAM:**
9

10 Mr. Branin - Good evening and welcome to the Planning
11 Commission rezoning meeting for March 15, 2012, and it's a very special
12 evening that we have. All the top brains from the County are in here to hear the
13 newest questions we have this evening in regards to the CIP.
14

15 Our supervisor that sits on the Board this year, the Honorable Frank Thornton, he
16 had an engagement that he had to attend so he won't be attending this evening;
17 and we have one Commissioner that is running a little bit late as well. What I
18 would like to do, if it's okay with the County Manager, is begin, because I know
19 many of you want to get done and get home so you can watch our local VCU
20 Rams play basketball at 7:15. So, Mr. Hazelett, if you would.
21

22 Mr. Hazelett - Thank you Mr. Chairman, and good evening to, at
23 least, four of you.
24

25 Mr. Archer - Good evening, Mr. Manager.
26

27 Mrs. Jones - Good evening.
28

29 Mr. Hazelett - Tonight I would like to present to you the County's five-year
30 Capital Improvement Program, many of you have seen before, and highlights of
31 the Proposed Capital Budget for FY2012-13. As you are already aware, the
32 Capital Budget represents those projects that are recommended for funding in
33 the 1st year of that 5-year CIP. In this uncertain economic environment, reaching
34 a balanced budget between the County's many infrastructure needs and the
35 continued careful stewardship of our finances continues to be extremely difficult.
36 Due to the economic reality, the majority of these projects that have been
37 submitted do not have a funding source and you will see within the information
38 that you have in the summary sheets are actually listed in red.

39
40 I would also tell you that projects approved by the citizens in the 2005 Bond
41 Referendum continue to be our highest priority projects and we're almost
42 finished. I am proud to say that even throughout the economic down turn,
43 funding for these projects continued and in many localities it did not. And this
44 CIP completes the funding requests associated with the Bond Referendum.

45
46 Again this year, as a number of you have seen in the past, Public Works road
47 projects that typically receive funding from State Transportation or Gas Tax, as
48 we commonly know it, are not included in the proposed Capital Budget for the
49 coming year due to a very frustrating and continuing issue with the State budget.
50 Budget shortfalls and an unknown budget completely, that we're having to deal
51 with. The County's allocation of State Transportation funding is simply not known
52 at this point and time. So once again, as we have done in the last several years,
53 the prudent decision is to simply not propose funding for road projects that are
54 normally funded with those Gas Tax allocations.

55
56 The same holds true for State Lottery and construction funds for school capital
57 projects. Again, in the event that the County receives either Gas Tax or Lottery
58 and Construction funds, for schools, we will appropriate those funds through the
59 budget amendment process.

60
61 In looking at the five-year CIP requests, these first three slides show the Capital
62 Project Funds requested. There are a number of them and the number will
63 multiply very quickly at the end of these three slides.

64
65 You will note the Capital Region Workforce Partnership has requested just over
66 \$704,000 for the renovation of an existing facility.

67
68 There's a Customer Relationship Management project that we have put on hold
69 for a number of years simply because we were not able to fund it as a priority
70 item, \$6.2 million, you see that.

71
72 \$292.8 million for education projects over five years. That includes a new high
73 school in the eastern portion of the County, a new high school technical center at
74 Glen Allen High School. It includes improvements, and renovations, and

75 additions at other schools over this 5-year period. It also includes multi-sports
76 athletic fields, athletic facility improvements, as well as parking, sidewalks, and
77 even consideration for curbing improvements. Also included is what we define as
78 the annual request of \$2.5 million per year for roof replacements and mechanical
79 improvements that we do fund simply because of the number of school buildings
80 that are there and the number of overall County buildings which would receive
81 similar funds each and every year. It is a high priority.

82
83 Fire's request, \$83.3 million over five years; 2 new fire stations, rebuilding and
84 relocation of 4 stations, and land purchases associated with other fire stations.
85 Funding for a specialty vehicle storage facility, a boathouse, a fire training facility,
86 and a fire headquarters building is also included.

87
88 General Services, one of the largest that you will see, \$327.4 million requested
89 over five years, includes funding for the normal aspects of things we must
90 continue to do and carry a high priority: roof repair, mechanical improvements,
91 pavement rehabilitation, plus the continued renovation and the upgrading of all of
92 the County facilities. Included in here is something new, and that is, a request for
93 funding for improvements to Best Plaza. The building that we simply bought last
94 year and we are proposing to fund that over a period of time for renovations so
95 that we can, of course, use the facility once the master plan is done, which will be
96 done during this coming year. The construction of a new courts complex facility,
97 which is extremely expensive, continues in the request for the CIP program. A
98 depot, a fuel site, an Eastern Central Automotive Maintenance and Department
99 of Public Works crew building, and even a new East End clinic for the Health
100 Department, is included in the request.

101
102 As always, Information Technology is making a request, \$8.9 million. That's for
103 the on-going replacement of the county-wide computer hardware and software
104 systems that we simply have grown accustomed to and can hardly do without
105 and, therefore, they must be kept up-to-date. The second project addresses the
106 network, which will upgrade the data network as well as replace the County's
107 telephone system with a Voice Over Internet Protocol solution.

108
109 Information Technology is also requesting Geographical Information Systems
110 funding of \$1.5 million over this five-years, that is to continue the aspect of flying
111 on a regular basis, and repairing those maps for consideration of the overall
112 development, which you all are quite familiar with, across the County.

113
114 Mental Health is requesting \$35.3 million for expansion of both their east and
115 west facilities.

116
117 The Division of Police has a request in, \$2.8 million, for construction of a
118 specialty vehicle storage facility, again, to house the Police's specialty vehicles in
119 order to prolong their life. And the second project for renovation of a locker room
120 space for a new Emergency Operations Center, which will be located in the

training room of the communications facility. These become more and more important as things around us change and there is more demand placed on both Police and Fire in reference to emergency activities and potential catastrophic events that we may see.

The Library's request of \$86.2 million over five years, that includes funding for two new libraries - Dumbarton and Varina, the last on the Bond Referendum. The replacement of 1 library, Fairfield, the renovation and expansion of a library, land purchases, alterations of existing library headquarters, and on and on. Again, there is also an additional \$4.5 million that we will be placing in a reserve because of the Varina and the Dumbarton Libraries, simply because of the delay in the timing of those projects, and the expected price of those projects.

In this five-year period, \$84.1 million is requested for 80 drainage projects throughout the County. These would normally be funded without consideration of a Bond Referendum and so, I daresay, they are not being proposed to receive funds.

Road projects totaling \$6.6 million include improvements to alleviate traffic congestion and safety across the County.

Recreation and Parks, \$266.5 million for projects that include improvements to existing facilities as well as development of new parks and recreation facilities to improve the quality of life of the citizens of this County, as we become more densely populated.

And the Sheriff's Office is also requesting funds for something that we knew would happen, and that of course, is the expansion of jail facilities in both the east and west locations.

The next slide also reviews some additional projects, but they are included in the Enterprise Fund. The majority of those, of course, is in one small location called Public Utilities. That is a correct number, \$585.1 million. And that includes projects to continue the rehabilitation, expansion, and modernization of the County's water and sewer systems. Of course, as you know, these requests are funded with the revenues which are generated by the County's Water & Sewer Fund.

Belmont Golf Course is requesting, in the Enterprise aspect, \$2.6 million to provide funding for improvements to the golf course.

In total, that is the correct figure, \$1.8 billion over five years. As I mentioned when we started we simply cannot fund those in this economic environment and so, because of the constraints placed upon us, we will only fund those that have the most pressing need when they are placed before us.

167 And, that gets us to the proposed budget, the Capital Budget, which will be
168 considered in the coming year 2012-13.

169
170 In the Capital Budget, there is \$2.518 million for education that includes the \$2.5
171 million that we routinely provide for roof and mechanical improvements for
172 various schools. It also includes \$18,792 to be included in the proposed budget,
173 which will be added to the reserve for education bond projects. We keep a close
174 watch on our Bond reserves and the funds which we have available for projects.

175
176 Fire's funding of \$30,000 is included also in reserve for those projects, which are
177 underway.

178
179 General Services has total allocation of \$6.4 million that includes the items that I
180 mentioned to you being Best Plaza renovations, which we will have to
181 accumulate funds for, and the remaining \$1.4 million is for various roof
182 replacements, mechanical improvements, pavement rehabilitation, and so forth.

183
184 We are proposing to fund Information Technology in the amount \$750,000 for the
185 various hardware and software upgrades that we do need as we carry on the
186 business of Henrico County. This will also begin the replacement of the County's
187 data and telephone system to the Voice Over Internet Protocol solution.

188
189 There is also \$150,000 recommended for continued enhancement to our GIS
190 system that has become so very valuable to us in the development of this
191 County.

192
193 Public Library's total allocation, \$37.2 million includes funding, that I had
194 previously mentioned, for the construction of Varina Area Library, \$16.7 million
195 and the Dumbarton Area Library, \$16.0 million. The remaining \$4.5 million is
196 being added to the reserve for these two projects simply because they have been
197 stretched out so long from the 2005 Bond Referendum and the economy is
198 beginning to improve. We will see how those projects come once they are bid.

199
200 \$850,000 in funding is recommended for Public Works. This allows for various
201 small improvements on our road system.

202
203 Recreation's funding of \$3.2 million includes the development of Short Pump
204 Park, which is one of the last bond projects. It is a \$3.0 million G.O. Bond
205 project, and various facility rehabilitation in our existing parks, at \$200,000.

206
207 \$89.8 million is for Public Utilities. Again, generated by the Water and Sewer
208 Fund, that money would be available and, is proposed, for the expansion and the
209 rehabilitation of our water and sewer system. This never stops. Funds will be
210 used for projects such as water and sewer line rehabilitation, connections,
211 extensions, preventive maintenance of the various water and sewer pump
212 stations, relocations, adjustments; many, many different types of projects that

213 simply must be carried on. A lot of people just assume that they can get up, flush
214 the toilet, or turn the tap on and everything is fine. A couple of days ago we had
215 a small water break out on Gayton Road that carries that facility, quite frankly,
216 overnight. Again, these things happen in a system of this size, so we must be
217 ready to do that. And, there is a routine effort for that which is out of that \$89.8
218 million.

219
220 There is also funding for Cobbs Creek, the reservoir project that we have
221 undertaken, the Board of Supervisors agreed to, and there will be yearly
222 allocations to this project so that literally we can have water in that facility,
223 hopefully in the year 2021. A long way off; but yet a short way off in reference to
224 what has to be done. Other expansions, Strawberry Hill Basin, Beverly Hills Area
225 Water Rehabilitation, Gambles Mill Sewage Pumping Station, it goes on and on.

226
227 Now for the 4th year in a row the proposed Capital Budget does exclude, as I
228 indicated: State Lottery, State Construction, and State Transportation or Gas Tax
229 funds.

230
231 This slide depicts the proposed funding of \$140,833,000 by funding source and
232 demonstrates where we are.

233
234 G.O. Bonds for General Government total \$40.2 million - Libraries and Parks.
235 G.O. Bonds for Education, a very, very small amount, that is, would go into the
236 reserve for the projects which have not yet been completed. We will address
237 those in just a moment. General Fund - totals \$10.0 million, it includes capital
238 projects encompassing both General Government and Education, and Public
239 Works \$850,000, which is funds that come from the Motor Vehicle License Fees
240 that we receive on a yearly basis. And, of course, the Enterprise Fund - \$89.7
241 million, water and sewer revenues in order to complete those ongoing tasks.

242
243 The FY2012-13 Proposed Capital Budget includes: the GO Bond funded projects
244 and, as I mentioned early on, this funding will complete the appropriation for the
245 projects approved by the voters in March of 2005. It will be the funding for the 1st
246 phase of the renovation to the Best Plaza building. Maintenance projects on both
247 Schools and General Government efforts, water and sewer projects. That is the
248 proposed Capital Budget that we are recommending to you for your
249 consideration.

250
251 Now, as we always do, let's take a look back at 2005 Bond Referendum Projects
252 which are either underway or pending construction. This list is long, it says a lot
253 about the positive aspects of what the County has done over these last several
254 years, while there is a declining revenue source, while we are having to do much
255 with our expenditures in order to meet all of our obligations. But much has gone
256 on in reference to infrastructure improvements.

258 You see Pinchbeck Elementary School, it's in the construction phase right now.
259 It's expected to be completed in March 2013. Varina High School, \$21.2 million,
260 in the construction phase. Mehfoud Elementary School, twelve classroom
261 addition, in the construction phase, anticipated to be completed in September of
262 this year. Brookland Middle School renovation, anticipated completion, January
263 2013. West Area Elementary School #9, in the construction phase, anticipated to
264 be completed in September 2013. Henrico High School, \$17.6 million of Bond
265 funds; not enough to complete the project, but for the last several years both
266 Schools and General Government have made valiant efforts toward coming up
267 with what we anticipate will be the cost of this project. And, we anticipate it will
268 be somewhere between \$23 and \$28 million and we are continuing to look for
269 that. There is not an anticipated completion date at this time because it still is
270 under consideration from a design standpoint.

271
272 Gayton Library improvement—many of you have gone out in the western portion
273 of the County and have seen this projected date, June of this year, and it is very,
274 very close. Dumbarton Area Library replacement, \$22 million. The A & E
275 contract bids have been received, and probably will be awarded very, very
276 shortly. We do not have an anticipated completion date, but I would hope this
277 project will be underway by at least 2014. And, I would say the same about the
278 Varina Area Library, \$19.9 million. It's a little bit behind that schedule because
279 the A & E Request for Proposals are being developed right now. So they will
280 actually go out this year—in this calendar year, and we will determine our
281 schedule. But, I do anticipate construction will be underway in a reasonable
282 period of time.

283
284 Fire Stations - Fire Station #3 Relocation, Airport Drive and Washington Street is
285 a tentative location, anticipated completion, believe it or not, is July of this year.
286 This has been a difficult project because of drainage issues, because of some
287 issues with citizens that we have overcome, and quite frankly, we will be very,
288 very tickled when this project is completed this year. Fire Station #7, construction
289 contract award is pending, anticipated construction completion, again,
290 September 2013. Fire Station #9, anticipated completion in July 2013. That is the
291 one, of course, on Quioccasin Road. Fire Station #10, in the design phase,
292 anticipated completion February 2014. That's located on Horsepen Road. Fire
293 Station #13, many of you have gone by this and you could have seen the
294 expansion and renovation. It's located on Church Road right at the intersection
295 that you can see there. We anticipate completion of this project in December of
296 this year. Fire Station #19, Kain Road, tentative location, of course, we will have
297 to determine this. We do not have an anticipated completion date. But, of course
298 it is a project that we do anticipate with the continued development in that portion
299 of the County.

300
301 In Recreation and Parks, Twin Hickory Park, \$3 million - anticipated opening,
302 Spring 2013. Short Pump Park, funding in FY13 will become the next budget
303 effort. Again, anticipated completion to be determined.

304
305 There is a project out in the western portion of the County for Public Works, we
306 call it Gayton Road Extension. Estimated completion date, with all of my fingers
307 and toes crossed, is June of this year. I'm really not sure, it appears to be
308 slowing down, but again, from a contractual standpoint, we are hoping to have it
309 finished by June of this year.

310
311 Now let's take a look at some of the Bond projects just to remind people—and
312 we're so thrilled to do this, not only at the Planning Commission, but at the Board
313 of Supervisors. These are the 2005 Bond Referendum Projects. Some of these
314 you've seen, some inventive—but a lot of them we simply like to remind both you
315 and the Board of Supervisors. These are the ones, after all the discussion of the
316 ones underway, the ones to be completed this year. These are the ones that
317 have been completed.

318
319 The RF&P Park Stadium, renowned across this Country for the facility itself, the
320 location of national tournaments, completed and opened in 2007. The Henrico
321 Theatre project. I lost a lot of hair on this project simply because a lot of things
322 were unforeseen and unexpected. But, quite frankly, the renovation is a project to
323 be very, very proud of in reference to this historic theater. And it does provide
324 cultural and community programming, not only to Highland Springs but to the rest
325 of the County. And it of course, was completed in October of 2007. One of the
326 largest, and well received projects, the Eastern Henrico Recreation Center -
327 opened in October 2011. A huge facility, it has done extremely well in the
328 community, well received and is well used by the citizens. The Glen Allen Branch
329 Library project, expansion around the big tree, that some of you remember. Of
330 course you can see it as you go by, renovated the rest of the library - completed
331 in October of 2010.

332
333 Many school projects: Elko Middle School project - completed in 2007, Harvie
334 Elementary - completed in August 2008, Varina High School - cafeteria and
335 classroom addition - completed in 2010, Fairfield Middle School renovation -
336 completed in August 2010. In addition, completed but not shown, is the
337 completion of the Henrico High School cafeteria and classroom addition project.
338 And, of course, there is an additional project for that school which is being
339 considered. Holman Middle School - completed August 2010, Glen Allen High
340 School, we all have seen it, we've all been there - completed August 2010.
341 Johnson Elementary School renovation - will be completed December 2012. And,
342 of course, Varina Elementary School, a twelve classroom addition, completed in
343 September 2011.

344
345 Mr. Chairman, members of the Planning Commission, while it is a difficult
346 economic time, while we are being very, very careful in reference to our
347 expenditures because of those reduced revenues, and reducing everything that
348 we possibly can, we have emphasized, and I think that you can see that over the
349 years, the capital infrastructure needs of this County. We've taken advantage of

low costs during this economic difficult time, we've taken advantage of bond financing—receiving the lowest possible interest rates on bonds, that who could ever conceive, a 2.8% interest rate on bonds. We've refinanced everything, we've done virtually everything we can to keep capital infrastructure moving. And, I think, Mr. Chairman, members of the Planning Commission, we have done very, very well.

I have presented the five-year plan to you. I've presented the Capital Budget to you, and I do recommend it for your consideration. I, or everybody on the bus, will be glad to answer any questions you have.

Mr. Branin - Fellow Commissioners do you have any questions for the County Manager?

Mr. Archer - Mr. Manager, I know that from time to time we've have had space considerations to make over here in the parent complex. What is the anticipated use, as you see it now, for the Best Plaza facility, and how it would affect what we do over here?

Mr. Hazelett - We don't really know yet, Mr. Archer. What we're going to do—and there is a plan out—or a program out—to complete an overall master plan this year. Then it is my proposal that we will gradually move efforts into that building over a ten-year period. We will renovate a portion of it and based on that master plan, we will begin to move services and departments in there. The question of who goes first, I can't answer yet because I want to see that master plan. Everybody and his brother would like to move over there tomorrow, but I think that we have to be very judicious about what we put in there first, and what we put in there last. We have to evaluate everything. And we probably we won't know for the better part of the year—the better part of this calendar year before we see the master plan, and set the priorities. I don't see us occupying, except for perhaps, a small effort of Police and some training from Fire, in order to safeguard the building. I don't see us occupying that building probably, for perhaps another year or two simply because of the renovations that we will have to do and the completion of the master plan.

Mr. Archer - Alright. Thank you, sir.

Mr. Branin - Any other questions?

Mr. Leabough - So, one quick question regarding the Best Plaza facility. What savings are you anticipating with regards to locating office space there?

Mr. Hazelett - If you look at it over an extended period of time, you'll notice that the capital demands being place on the County for the replacement of the Courts facility and expansion of administration in this location itself. I think

that we will probably save, and I'll say it, over a \$100 million in a 10-year period, simply because the building itself is 285,000 square feet, there's 34 acres which are attached to the building for that consideration of parking and so forth, and we picked up another 54 acres. In today's market, it's very, very difficult. I'd like to say we stole it, we didn't buy it. We had a lot of conversation with them. And, to tell you quite frankly, considering the assessed value of the land, subtracting it from what we paid, which is a little over \$6.2 million, we bought the building for \$7.70 a square foot—unheard of. So yes, I think you will see a big savings. Obviously one of the considerations we're going to have to give is Courts itself. How to expand Courts? How to expand others? And that may mean a movement of efforts out of this building into there. A lot of things have to be considered, not just the Departments in this building, but county-wide, including Courts.

Mr. Leabough - Thank you.

Mr. Emerson - Mr. Chairman, if that completes the questions of the Commission, this is a public hearing so you should request public input, if there is any. Then there is a Resolution that I have prepared for you.

Mr. Branin - Barring County staff and employees that are in the room—this is a public hearing, is there anyone that would like to come forward to ask any questions or make any comments?

Mr. Branin - None. They're all at home waiting for the VCU game.

Mr. Emerson - Mr. Chairman, what I've just handed out to you and the other Commissioners members is:

**RESOLUTION PCR-1-12
HENRICO COUNTY PLANNING COMMISSION
CAPITAL IMPROVEMENTS PROGRAM, FY 2012-13 THROUGH FY 2016-17**

And it reads as follows:

WHEREAS, in accordance with §15.2-2239 of the Code of Virginia, the County Manager requested the Planning Commission to review and make recommendations concerning the Capital Budget for fiscal year 2012-13 and the Capital Improvements Program for fiscal years 2012-13 through 2016-17 to the Board of Supervisors; and

WHEREAS, the Planning Commission has completed its review of the Capital Budget and the five year Capital Improvements Program.

NOW, THEREFORE, BE IT RESOLVED, that the Henrico County Planning Commission finds that the Capital Budget for fiscal years 2012-13 and the Capital Improvements Program for fiscal years 2012-13 through 2016-17 are

generally consistent with the County's Comprehensive Plan and recommends their approval.

Mr. Branin - With that being read, I'll entertain a motion.

Mrs. Jones - I move to approve the Resolution.

Mr. Archer - I second, Mr. Chairman.

Mr. Branin - That motion was made by Mrs. Jones, seconded by Mr. Archer, all in favor say aye; all opposed. Then that motion passes.

Mr. Hazelett - Thank you Mr. Chairman, members of the Commission.

Mrs. Jones - You're welcome.

Mr. Branin - Mr. Hazelett, we always appreciate your time and I would like to commend everyone that's in the room for doing what you do, day in and day out, and keeping Henrico County in the top in the nation. Your efforts are seen not just by us, but by the nation. So thank you again; we appreciate it, and I told you we'd get you out of here quick.

Mr. Emerson - Mr. Chairman, you probably will want to consider a—

Mr. Branin - I'd like to consider a five-minute recess to allow the room to clear.

Mr. Emerson - You may want to recess until seven.

Mr. Branin - Okay, we'll recess until seven.

[Meeting recesses and reconvenes in the Board Room for the public hearing.]

Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico held in the County Administration Building in the Government Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. March 15, 2012. Display Notice having been published in the Richmond Times-Dispatch on February 27, 2012 and March 5, 2012.

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

Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary

Member Absent: Mr. Frank J. Thornton,
Board of Supervisors' Representative

Also Present: Ms. Jean Moore, Assistant Director of Planning
Mr. James P. Strauss, CLA, Principal Planner
Mr. Benjamin Blankinship, AICP, Principal Planner
Mr. Benjamin Sehl, County Planner
Mrs. Lisa T. Blankinship, County Planner
Ms. Kim Vann, Henrico Police
Ms. Sylvia Ray, Recording Secretary

483
484 Mr. Branin - Ladies and gentlemen, thank you for coming to the
485 Planning and Rezoning Commission meeting on March 15th. Earlier we had an
486 opening session where we went over the Capital Improvement Plan and then we
487 had a quick recess. Again, thank you for coming this evening; welcome. Let us
488 begin.

489
490 If everybody would please turn off their cell phones so they don't interrupt us
491 during our meeting. I would like everybody to stand for the Pledge of Allegiance.

492
493 I don't believe there is anyone from the media in the room; if there is, please
494 raise your hand. No, there isn't. Mr. Secretary?

495
496 Mr. Emerson - Yes sir, Mr. Chairman. First on your regular agenda
497 tonight are the requests for withdrawals and deferrals. You do have one
498 withdrawal tonight and that will be presented by Mr. Jim Strauss.

499
500 Mr. Strauss - Good evening. We do not have any deferrals but we
501 do have a request to withdraw case C-8C-11, Dalton Park Land Development
502 Company, page two of the agenda. No action is needed.

503
504 **(Deferred from the February 9, 2012 Meeting)**

505 **C-8C-11 Webb Tyler for Dalton Park Land Development**
506 **Company:** Request to conditionally rezone from R-3C One-Family Residence
507 District (Conditional) to RTHC Residential Townhouse District (Conditional) parts
508 of Parcels 743-763-3572, -3527, 743-764-4622 and -6363, containing 12.2 acres
509 (Parcels 1 and 3) located on the east line of Interstate 295 approximately 630
510 feet west of the southern terminus of Allenbend Road and on the east line of
511 Interstate 295 approximately 350 feet west of the western terminus of Edinburgh
512 Road and from R-3C One-Family Residence District (Conditional) to R-5AC
513 General Residence District (Conditional) Parcels 743-763-8655, -9269, and 744-
514 763-1576 and parts of Parcels 743-763-3527, -3572, 744-764-2703, 744-763-
515 2190 and 743-764-4622, containing 16.9 acres (Parcel 2) located between the

516 west line of Belfast Road and the northeast intersection of Interstates 64 and
517 295. The applicant proposes a residential development of no more than 140
518 units. The RTH District allows a maximum density of nine (9) units per acre. The
519 R-5A District allows a minimum lot size of 5,625 square feet and a maximum
520 density of six (6) units per acre. The uses will be controlled by zoning ordinance
521 regulations and proffered conditions. The 2026 Comprehensive Plan
522 recommends Traditional Neighborhood Development to support a mixture of
523 residential, nonresidential and open space uses with 60% of the land consisting
524 of residential uses at a density not to exceed 12 units per acre; however, the site
525 is also within the Innsbrook Area Study which recommends a maximum density
526 of 8 units per acre for residential uses.

527
528 Mr. Emerson - The withdrawal, as Mr. Strauss noted, requires no
529 action from the Commission.

530
531 At the request of the applicant, case C-8C-11, Webb Tyler for Dalton Park Land
532 Development Company, was withdrawn.

533
534 Mr. Emerson - Mr. Chairman, the next item on your agenda,
535 Requests for Expedited Items, there are none tonight. That takes you to the first
536 item on your regular agenda, a public hearing on a Zoning Ordinance
537 Amendment.

538
539 **PUBLIC HEARING ON ZONING ORDINANCE AMENDMENTS: ORDINANCE -**
540 **To Amend and Reordain the Code of the County of Henrico, Section 24-3 Titled**
541 **"Enumerated," Section 24-11 Titled "Principal uses permitted," Section 24-13**
542 **Titled "Accessory uses permitted," Section 24-58.1 Titled "Principal uses**
543 **permitted," Section 24-96 Titled "Off-street parking requirements," and Section**
544 **24-102 Titled "Trailers and trailer parks" to Revise the Regulation of Commercial**
545 **Vehicles in Residential Areas.**

546
547 Mr. Emerson - If you recall, you did hold a work session on this and
548 all that language essentially is a fancy way of saying we're talking about weight
549 limits of commercial vehicles. Mr. Ben Blankinship will present that item.

550
551 Mr. Blankinship - Thank you, Mr. Secretary. Good evening, Mr.
552 Chairman and members of the Planning Commission.

553
554 As Mr. Emerson mentioned, this is driven by a concern over the weight of
555 commercial vehicles that may be parked in residential zoning districts, and also
556 in agricultural districts in residential areas. We have done a fair amount of
557 research on the issue and have decided that the current weight limit of 5,000
558 pounds empty vehicle weight needs to be increased.

559
560 Going over the current regulations, commercial vehicles are addressed in several
561 sections of the County Code right now. The first is the Principal Uses in the R-0

through R-4A Districts, the one-family districts. Section 24-11(i) lists parking of trucks or commercial vehicles as a principal use in the R District. And it goes on to prohibit commercial, enclosed, or flatbed trailers, or any wreckers. And then it is also listed as an accessory use in the R Districts, 24-13(a). That section allows private parking areas, garages, and stables. It allows one commercial vehicle up to 5,000 pounds empty weight. It prohibits commercial, enclosed, or flatbed trailers, or wreckers. And it also allows temporary parking of one unoccupied manufactured home, and stables; subject to the distance requirements. Those are all uses that are permitted now as accessory uses to a one-family dwelling in the one-family districts. Commercial vehicles are also mentioned in the parking lot regulations in 24-96(e), and the language there is similar to the language in the principal use section, 24-11.

First of all, we don't think that it's a good idea for parking to be a principal use in a residential district. It should be treated as an accessory use, but not as a principal use. There are different kinds of parking depending on the kind of use. With a single-family dwelling you have one kind of parking. A church or a school, which is permitted in an R District, might have different kinds of parking. But in any case, parking in an R District should be accessory to another use on the lot; it should not be the principal use.

It should not be a zoning violation to park a pickup truck or an SUV that is not used for any commercial purpose. The way the language reads now it says any truck over 5,000 pounds empty vehicle weight is a violation in the R districts. We feel that gross weight is now a better standard than empty weight. It's just one of those things that's changed over the years and the zoning ordinance has not kept up with the times. Many common pickup trucks and SUVs exceed the 5,000-pound empty weight limit. Here is a table of vehicles that exceed the 5,000 pounds empty weight. You'll see that none of them exceed 10,000 pounds gross weight. So this is part of the research on which we are basing our recommendation that the weight limit be increased from 5,000 pounds empty vehicle weight to 10,000 pounds gross weight.

So our recommendations, briefly, are to remove parking from the list of principal uses, and in accessory uses to change the weight limit from 5,000 pounds to 10,000, and to continue allowing one commercial vehicle. In other words, we're not proposing any changes in the policy other than the weight limits. Private non-commercial trucks and all commercial vehicles would still be subject to the weight limit, and we would also continue to prohibit commercial trailers and wreckers.

So taking you through the ordinance step-by-step, in Section 24-3, the definitions, this would require a change in the definition of the term "public garage," and we would also add a definition of the term "gross weight." In 24-11, as I mentioned, we would completely strike Paragraph (i), so that parking would no longer be a principal use in the R District. In 24-13, we would reorganize Paragraph (a). It's one of those paragraphs of our code that's grown over time.

608 Bits and pieces have been added to it and it's lost some consistency due to that.
609 So we would suggest some minor changes to the wording just to make it a little
610 bit more clear. But the most important change there would be changing the
611 weight limit from 5,000 pounds empty weight to 10,000 pounds gross weight.

612
613 In 24-58.1, there is just another mention of that 5,000-pound weight limit in the
614 middle of another section. Just for consistency's sake we would recommend
615 changing that as well. In 24-96, as I mentioned, in the parking lot requirements
616 there is a provision that is fairly similar to the accessory use provision in the R
617 District. So again, we would reorganize that paragraph for clarity and
618 consistency, and also change the weight limit from 5,000 to 10,000.

619
620 This is a public hearing, so after receiving any public comment we hope that you
621 would recommend approval of this amendment to the Board of Supervisors. I'd
622 be happy to answer your questions.

623
624 Mr. Branin - It just popped into my head as I rode by one and
625 knowing that we were going to do this—Mr. Blankinship, let me ask you a
626 question, and this is probably going to take you into a tailspin. Is a school bus
627 considered a commercial vehicle?

628
629 Mr. Blankinship - A school bus is not considered a commercial vehicle.

630
631 Mr. Branin - Is it exempt in our ordinance?

632
633 Mr. Blankinship - Let me clarify that. A Henrico County Public School
634 bus is not a commercial vehicle. There is a legal opinion from the County
635 Attorney's Office that goes back many years clarifying that point. Since that
636 vehicle is not used in commerce, it is not commercial.

637
638 Mr. Branin - Perfect. When I reviewed this again, for the fifteenth
639 time, I was coming home that day and I rode by a school bus parked in
640 someone's driveway. And I said I hope we've addressed this in some manner
641 because that's a valuable asset. Some of them are taken home and they are out
642 early in the morning. I was hoping this doesn't come up in the future. So I just
643 wanted to make sure that that was covered.

644
645 Mr. Blankinship - That is an issue that gets raised every now and then.
646 In the process of working on this amendment, we have not directly addressed
647 that issue. We're just going to continue handling it according to the policies and
648 the legal opinion that we have on file.

649
650 Mr. Branin - Okay.

652 Mrs. Jones - Mr. Blankinship, do any of the changes that you have
653 made—and I think this has certainly clarified a lot of our concerns—affect parking
654 on public streets within residential areas?

655
656 Mr. Blankinship - That is an issue, again, that we have had several
657 conversations about and we've gone back and forth on the specific wording. If
658 you want to look at 24-96(e) in your draft, that is the section that addresses that
659 question. Let me pull out my copy while I'm here so I can read along with you. It's
660 page 3 of 3, right in the middle of the page. "No area in any A or R district, except
661 on a farm, shall be used for parking any truck or commercial vehicle exceeding
662 10,000 pounds gross weight, any commercial trailer or any wrecker, except while
663 loading, unloading, or working at or near the location where it is parked." So to
664 have a commercial vehicle in any area—and as you know, the zoning district
665 boundaries generally follow the street center line or else both sides of the street
666 are in the same district. So the street is considered to be zoned either residential
667 or whatever, and parking in the public right-of-way is subject to this provision.

668
669 Mrs. Jones - Okay.

670
671 Mr. Archer - Mr. Blankinship, I'm sure we brought this up before,
672 but did we talk about how to treat recreational vehicles like a Winnebago?

673
674 Mr. Blankinship - We did not talk about it in this amendment. We did not
675 address those vehicles in this amendment. Again, that's an area where we felt
676 like the policy direction that we received from the Board of Supervisors in the
677 original resolution was fairly narrow. We had a big debate over how we should
678 regulate them and the result of the debate was, "that's not on the table tonight."
679 That's one of many issues that we're just going to roll forward into the code
680 assessment that you've heard so much about and will continue to hear about. I
681 would like to have that addressed specifically, but we are not going to change the
682 way we regulate them at this time.

683
684 Mr. Archer - Okay. I ask that question because, for one thing, it's
685 difficult to define what one is. It's whatever the owner says it is, I would assume.
686 You know I've been in the insurance business. A friend of mine called me one
687 day and told me he had bought a Greyhound bus. He was going to convert it into
688 a recreational vehicle. I didn't know how to rate it. So I called the Virginia
689 Automobile Insurance Plan and they said rate it as a private passenger vehicle. I
690 charged him seventy-two dollars, and he drove it home. It's still sitting there. It's
691 a bus, but he calls it a recreational vehicle that he was going to fix up.

692
693 Mr. Blankinship - There is a provision for travel trailers, that you can
694 store a travel trailer on your lot, but it has to be in the side or rear yard, or in a
695 garage or carport. But a vehicle that's self-propelled is not a trailer by definition.

696
697 Mr. Archer - Right. He does have it in the backyard.

698

699 Mr. Blankinship - That's good.

700

701 Mrs. Jones - And of course any neighborhood restrictions, any
702 homeowner association restrictions will obviously supersede the allowances in
703 our code.

704

705 Mr. Blankinship - Yes ma'am.

706

707 Mr. Branin - Does anybody have any other questions for Mr.
708 Blankinship? Mr. Blankinship, I think that you all have done a great job. We've
709 met many times on this. I think we have a motion to move it forward, or a
710 recommendation. Is there anyone in the audience that has any questions in
711 regards to this? This is a public hearing, so this is your time to come up, state
712 your name, and ask any questions you'd like. None? Okay. Then Mr. Secretary,
713 would you...

714

715 Mr. Emerson - Yes sir, Mr. Chairman. We would need a motion on
716 this amendment, making a recommendation to the Board of Supervisors from the
717 Commission.

718

719 Mr. Archer - Mr. Chairman, I move we send this to the Board of
720 Supervisors with a recommendation for approval.

721

722 Mrs. Jones - Second.

723

724 Mr. Branin - Motion by Mr. Archer, seconded by Mrs. Jones. All in
725 favor say aye. All opposed say no. The ayes have it; the motion passes.

726

727 Thank you again, Mr. Blankinship.

728

729 Mr. Emerson - Mr. Chairman, the next two items on your agenda are
730 related, so I will go over both of those and they will be presented jointly.
731 However, the motions will need to be made separately.

732

733 **C-6C-12** **Bruce D. Grossberg for Buz and Ned's of Parham**
734 **and Broad Land, LLC:** Request to conditionally rezone from B-1 Business
735 District to B-2C Business District (Conditional) Parcel 762-753-4189 containing
736 approximately 1.8 acres located at the southwest intersection of Old Parham
737 Road and W. Broad Street (US Route 250). The applicant proposes a restaurant
738 with outdoor dining, catering, and retail sales. The uses will be controlled by
739 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive
740 Plan recommends Commercial Arterial.

741

742 **P-4-12** **Bruce D. Grossberg for Buz and Ned's of Parham**
743 **and Broad Land, LLC:** Request for a Provisional Use Permit under Sections

24-58.2(d), 24-120, and 24-122.1 of the County Code in order to allow outside dining for a restaurant (Buz and Ned's) on Parcel 762-753-4189 located at the southwest intersection of Old Parham Road and W. Broad Street (US Route 250). The existing zoning is B-1 Business District. The 2026 Comprehensive Plan recommends Commercial Arterial. The staff report on both these items will be presented by Ms. Lisa Blankinship.

Ms. Blankinship - Thank you, Mr. Chairman.

This is a request to rezone approximately 1.8 acres from B-1 to B-2C in order to allow Buz and Ned's Real Barbeque to submit a Provisional Use Permit request for outdoor dining. The Provisional Use Permit is a companion case and will be presented following the presentation of this rezoning request.

The subject property is located at the southwest intersection of Old Parham Road and West Broad Street. The site is the former location of Fuddruckers Restaurant. The proposed zoning and use are consistent with the 2026 Comprehensive Plan. In May 2010, the Planning Commission approved a transfer of approval of a plan of development for Buz and Ned's. This POD was originally approved in September 1984 to construct Fuddruckers, which remained in operation until April 2010.

Since the staff report, the applicant has submitted revised proffers which have been handed out to you this evening. These revised proffers address many of staff's concerns regarding potential impacts on adjacent property owners, highlighted in Section IV of the staff report. The revised proffers include:

- An increase in the number of prohibited uses;
- Developing the site according to a detailed landscaping plan;
- Minimizing the impact of lighting on adjacent properties;
- Screening of trash receptacles; and
- A proffer that addresses possible future building expansion

The applicant has submitted a revised landscape plan with this rezoning case, which has been handed out to you this evening. You will notice that it has been annotated to show an extension of the fence as suggested by staff and adjacent neighbors.

Since the applicant has addressed staff's concerns, staff supports this rezoning request.

With regards to companion case P-4-12, this Provisional Use Permit request would allow Buz and Ned's to operate the proposed outdoor dining area.

The applicant proposes to use the existing 1,254-square-foot patio area for outdoor dining. The applicant has indicated that the restaurant would be open to

790 the public until 9:30 p.m. Sunday through Thursday, and 10:30 p.m. Friday and
791 Saturday. On-site catered events could extend beyond these times. To ensure
792 adequate protection of adjacent neighbors, staff recommends Condition #1,
793 which would limit hours of operation for the outdoor patio to no later than 11:00
794 p.m.

795
796 The proposed conditions recommended by staff are similar to previously
797 approved conditions for outdoor dining in the area. Staff recommends approval of
798 this request subject to these conditions.

799
800 The proposed zoning and outdoor dining uses are in keeping with development
801 in the area and should have minimal impacts on adjacent properties if properly
802 regulated. For these reasons, staff supports both C-6C-12 and P-4-12 and
803 recommends their approval. This concludes my presentation. I will be happy to
804 answer any questions.

805
806 Mr. Branin - Is there any opposition to Buz and Ned's, C-6C-12 or
807 P-4-12? None?

808
809 Mrs. Jones - I believe we do have some neighbors in the audience.
810 If they would like to come forward and make some comments, I certainly invite
811 them to do so.

812
813 Mr. Branin - Okay, let me rephrase. Are there any neighbors in the
814 audience that would like to come forward and make comments?

815
816 Mrs. Jones - Let me just explain how the process works. What
817 we're doing is hearing the merits and details of the case. If anyone as an
818 interested member of the public would like to make comments or ask questions,
819 this is the time to come forward and ask the questions or make the comments so
820 that the entire Commission is aware of what concerns or thoughts you may have.
821 I also am going to ask the applicant, who is here, to come forward and talk a little
822 with me about the project for the benefit of the Commission. So I would like at
823 this point, if there are no Commissioners who have questions for Ms.
824 Blankinship, then I would like to ask any of the neighbors who would like to come
825 up and express some concerns or just talk to the Commission to do so now
826 before I have Mr. Grossberg come forward. That way we can address whatever it
827 is that you would like to mention.

828
829 Mr. Branin - And I'm okay with that. Would you please read the
830 rules so everybody knows?

831
832 Mr. Emerson - Yes sir, Mr. Chairman. Following the staff
833 presentation, the applicant or its representative shall be allowed ten minutes to
834 present testimony. A portion of that time can be saved for rebuttal of opposition
835 statements. Following the applicant's presentation, the opposition will be allowed

ten minutes to present testimony. Time to answer questions of the Commission shall not be included within the applicant's or the opponent's allotted time. Such limits may be announced before the commencement of testimony, and the Commission may extend time limits for each side at its discretion.

Mrs. Jones - What that means, basically, is we do have time limits. But you are welcome at this point to come forward. This is the time in which you have to address the Commission, if you would like to. Please do so. While you're coming forward, just let me tell you that what we ask is that you talk into the microphone because these are recorded proceedings. Just tell us your name, where it is that you live, and whatever comments you would like to make.

Ms. Pehlic - My name is Sauda Pehlic. I live at 3408 Pine Dell Avenue here in Richmond, Virginia. Me and my husband bought that house about ten years ago. I am the next door neighbor to Buz and Ned's. It used to be Fuddruckers. There is a wooden fence separating that business from the residential. My house is the last house on the street on the left. I'm just having some concerns that I thought I might say something now that I have a chance.

There is a wooden fence, as I said. Mr. Buz has agreed that he's going to extend the fence a little further to the woods. I am concerned about having any privacy. The building is having two levels, two stories. There are windows facing my bedroom, my daughter's bedroom, and also my backyard. So if I'm on my porch, or I cut the grass, or I chase my cat, people on that second level are probably going to ask themselves, "Look at that lady chasing her cat." They can just see me. I don't know whether that's going to be used for business or not, that second level. I feel like we're not going to have any privacy at all. That's one of my biggest concerns. The existing fence is now six feet tall. I'm asking is there any way that the fence could be taller. I just feel like I won't have any privacy.

And the patio, the outdoor dining area? When I look through my windows, my dining room, my kitchen, I can see everything that's going on there. I can see the parking lot now. The people that have been working on the building—I mean it's a lot of noise. It's obvious that they're working so there is noise. I'm concerned if they get an ABC license. And if they stay open until let's say ten, eleven o'clock—I get up at four o'clock to go to work; so does my husband. I have to go to bed early. If they are staying open late—when people drink, I mean no offense to anybody, but anything can happen; you never know. So I'm concerned about that noise.

And my main issue here is having some privacy and if that fence could be extended. And I would also ask if I could have maybe a name or a phone number that I can call somebody in case something happens; I don't know. Those are the concerns that I have.

Mr. Branin - May I ask you a couple questions?

882
883 Ms. Pehlic - Yes sir.
884
885 Mr. Branin - How long have you lived in your home?
886
887 Ms. Pehlic - I believe we bought our house in 2002.
888
889 Mr. Branin - So ten years?
890
891 Ms. Pehlic - Yes.
892
893 Mr. Branin - Okay. Fuddruckers was operating up until—
894
895 Ms. Pehlic - I think that was two or three years ago. Two years
896 ago?
897
898 Mr. Branin - So two years ago. So for eight years Fuddruckers
899 was operating there. Ms. Blankinship, did Fuddruckers have an ABC license?
900
901 Ms. Pehlic - I don't know, sir, I've never been there.
902
903 Ms. Blankinship - They did.
904
905 Mr. Branin - They did? So they had an ABC license. I don't know.
906 This used to be my district, and actually I was part of the first case. The second
907 story, was that there prior or was that built on now? Do you know?
908
909 Ms. Pehlic - Not that I know of.
910
911 Male Voice - There was no second story.
912
913 Mr. Branin - There was no second story; it was a single-story
914 building? Okay, so there is an additional second story. We'll find out what the
915 second story is going to be used for. And the outdoor dining existed prior, too.
916 Correct, Ms. Blankinship?
917
918 Ms. Blankinship - Yes.
919
920 Mr. Emerson - It was convenience seating, Mr. Chairman, versus
921 full-service seating, which is the difference here.
922
923 Mr. Branin - Okay, okay. I'm trying to remember back. I know from
924 what I can remember that there was already convenience seating. Did you have
925 issues when it was Fuddruckers?
926
927 Ms. Pehlic - No sir, I didn't. I never had any problems with that.

928
 929 Mr. Branin - Okay.
 930
 931 Mr. Witte - I have a question. How high do you think that fence
 932 would have to be to give you the privacy you think you need?
 933
 934 Ms. Pehlic - The existing fence now is, I believe, is six feet tall. I'm
 935 five nine. I mean if I go outside and I'm just standing there I—it's just visible, you
 936 know. It's just visible from that second level. The windows are facing my
 937 backyard, my porch and everything. If that level is going to be used for the
 938 business, then whoever is in there sitting next to the window is bound to look
 939 through that window and see me cutting my grass or, you know. You just get that
 940 feeling that somebody's there.
 941
 942 Mr. Witte - So a higher fence wouldn't help.
 943
 944 Ms. Pehlic - It would help for the parking lot, and I believe it would
 945 help for the noise that is probably going to be with the outdoor dining.
 946
 947 Mr. Witte - Would an eight-foot fence help or a ten-foot fence?
 948
 949 Ms. Pehlic - I don't know how tall, sir. This one is six feet.
 950
 951 Mr. Branin - I would think you'd probably want to address it more
 952 with landscaping than with the fence because landscaping will continue to grow.
 953 In my opinion there won't be any way you can block visibility with a fence from
 954 the second story unless you put up a twenty-five-foot wall.
 955
 956 Mr. Emerson - Right, and it's limited to ten feet.
 957
 958 Mr. Branin - Right. So I can't see where that will help. But beefing
 959 up landscaping could possibly help.
 960
 961 Mr. Leabough - I have a quick question, though. The restaurant use
 962 has been there, correct? So the intent of this request, is it just for the outdoor
 963 area or is it related to the restaurant use as well as the outdoor area?
 964
 965 Ms. Blankinship - They're rezoning to B-2 for the Provisional Use Permit
 966 for outdoor dining.
 967
 968 Mr. Leabough - For the outdoor dining.
 969
 970 Ms. Blankinship - Yes.
 971
 972 Mr. Leabough - So that's really the request before us?
 973

974 Ms. Blankinship - Yes.
 975
 976 Mr. Leabough - It has nothing to do with—they don't need that to
 977 operate the restaurant?
 978
 979 Ms. Blankinship - No sir.
 980
 981 Mr. Leabough - Okay.
 982
 983 Mrs. Jones - Thank you very much. I think we'll try to get some
 984 answers, and hopefully find some solutions for you. And I appreciate your coming
 985 forward to share that with the Commission.
 986
 987 Ms. Pehlic - Thank you.
 988
 989 Mrs. Jones - Thank you. I'm going to call the applicant up if—
 990
 991 Mr. Branin - There was one more lady that said she had—maybe
 992 she changed her mind. Okay.
 993
 994 Mrs. Jones - This is a very supportive group. All right. We have two
 995 new members of the Commission since you were last before us, I believe, but I'm
 996 sure everyone is familiar with Buz and Ned's. Would you state your name for the
 997 record, please.
 998
 999 Mr. Grossberg - Buz Grossberg.
 1000
 1001 Mr. Branin - You're a fish restaurant, correct?
 1002
 1003 Mr. Grossberg - We fish for customers. We're a barbecue restaurant;
 1004 been in business twenty years this April, actually. April 10th will be our twentieth
 1005 anniversary. So it only took us twenty years to expand, but that's another story.
 1006
 1007 I think we're operating right now on a little bit of misinformation. I appreciate all of
 1008 the concerns that the neighbors have; they are very legitimate concerns. What
 1009 we have done at this location is to expand windows; we have no second story.
 1010 There is no second story. The windows at Fuddruckers were very low. And if you
 1011 can remember, they were solid, big glass panes. I wanted this to have more of an
 1012 industrial conversion or what an industrial building would have looked like years
 1013 ago. Part of that was to convert those windows into what they call steel sash
 1014 windows, which is the old warehouse style steel individual panes. We had those
 1015 custom-made. We also wanted light to come into that room and didn't want it to
 1016 be the redheaded stepchild—no offense to redheads. You've been in places that
 1017 kind of shove the customer into another room when you don't have room for
 1018 them in the main dining area. That was the reason we spent a lot of money and a
 1019 lot of time in design to create that picture window effect. But there's a ceiling up

1020 there; there's no way to get up there. So it's impossible to have that trajectory of
1021 looking down.

1022

1023 Mrs. Jones - So as far as the line-of-sight, from the restaurant to
1024 the homes, it's a one-story line-of-sight. There is no one up on a second level at
1025 all.

1026

1027 Mr. Grossberg - Right. And because the grade of the land goes up
1028 toward residential—and it's about two feet, maybe thirty inches below that—or
1029 maybe more by the time you get to the residential. But the patio, you have to
1030 come up almost two feet to get to the parking lot. So your line-of-sight even from
1031 there is pretty limited.

1032

1033 Mrs. Jones - All right. Well I'm glad we can at least answer that
1034 because the question was what is that second story being used for, and there is
1035 no second story. So that also is a plus because the kinds of things that we're
1036 looking for in the discussions we've had—and this has had a fair amount of
1037 discussion. I know Mr. Grossberg is going to be very happy when he is on his
1038 way to full operations.

1039

1040 I want to just state this again because I haven't said this to you recently. With the
1041 rezoning I think what we sometimes lose sight of in dealing with one applicant
1042 with one case is the fact that rezonings are strictly construed for a reason, and it
1043 isn't always because of the case before us. Zoning goes with the land. While you
1044 would be a wonderful steward for many things, perhaps the next person will not.
1045 And so we have to give our citizens and our county the protections that are
1046 agreed to at rezonings in order to make sure that the next project—and I hope
1047 you're there for years and years and years—will be as good and as beneficial as
1048 yours was. So I hope you're not considering this on a personal level; this is the
1049 review that we have to do.

1050

1051 Mr. Grossberg - I understand.

1052

1053 Mrs. Jones - And because you are interested in having outdoor
1054 dining, that is the whole purpose for coming through with the rezoning. We do
1055 have several concerns. The neighbors are quite close. And by introducing a more
1056 intense business use you do, I think logically, understand the reason why we
1057 have to protect the differing uses even more. So let's just review where we are.

1058

1059 Without a problem from a second story, there is an existing fence which you have
1060 repaired and you have added to. And tonight you have done something which I
1061 think is a very good proactive move and a nod to the neighborhood. The stub
1062 street that stops at your property line is only half covered, approximately, by the
1063 solid fencing. You have volunteered to take that approximately thirty feet across
1064 the road end so that there is no easy invitation to pedestrian traffic—

1065

1066 Mr. Grossberg - Correct.
 1067
 1068 Mrs. Jones - —coming one to the other, or from the Broad Street
 1069 area back into the neighborhood. I thank you for being sensitive to that issue. I
 1070 think it's part of making sure that there is an appropriate separation of uses. You
 1071 do agree that that is something that you will do?
 1072
 1073 Mr. Grossberg - Yes.
 1074
 1075 Mrs. Jones - Okay. The other thing—as my fellow Commissioners
 1076 have pointed out—that is always a helpful way to provide visual, noise, and light
 1077 mitigation is landscaping. When we were about at the beginning of the meeting,
 1078 discussing some of the finer details of this landscape plan, we had talked about
 1079 the possibility of beefing up with perhaps a little faster-growing species or a little
 1080 more appropriate species to help with those three items: sight, noise, and light.
 1081 While this is a conceptual landscape plan, I'd like to have your agreement to
 1082 work to solve that particular issue as we go forward in order to address the
 1083 neighbors' concerns through landscaping.
 1084
 1085 Mr. Grossberg - Yes, yes. We had gone ahead and planted hemlock,
 1086 which the planners didn't quite like. And we have agreed to a species that we
 1087 may or may not decide on, leyland cypress, which grows far faster for that
 1088 coverage. That's not an issue. We'll pull the other ones out and replant them
 1089 somewhere—
 1090
 1091 Mrs. Jones - That may not be the perfect solution. It may be that
 1092 the shade cover requires something more like hollies.
 1093
 1094 Mr. Grossberg - Hollies are fine, too
 1095
 1096 Mrs. Jones - But you do agree that we can work out something—
 1097
 1098 Mr. Grossberg - Absolutely.
 1099
 1100 Mrs. Jones - —that would solve that problem?
 1101
 1102 Mr. Grossberg - Absolutely.
 1103
 1104 Mrs. Jones - The one thing I've learned, Buz, is that if you make
 1105 barbecue as fast as you work through plantings and things like this, you're going
 1106 to be turning out a lot of barbecue.
 1107
 1108 I wanted to commend you for the work you've done on the building. I think it's
 1109 been an extremely thoughtful process. I know you've had a great number of
 1110 goals with how you wanted this project to be, and I think you have seen it almost
 1111 come to fruition.

1112
1113 The one other thing I wanted to touch on was non-profits. You are very enthused
1114 about providing non-profits a place to have fundraisers and this kind of thing. Can
1115 you just tell us, for the benefit of the Commission, how often are you thinking you
1116 might have fundraisers there? I'm thinking about the impact on the parking and
1117 that kind of thing.

1118
1119 Mr. Grossberg - Actually, it's going to be very dependent on availability
1120 of parking to have these productions on our site. For instance, Tucker is very
1121 close by, and we've been talking to some of the parents there about getting
1122 involved, and fundraising is one of the things we can do. And we can always do it
1123 on the school property, if that works out, rather than ours. The more I see and
1124 think, you know, what you like to do and the pragmatics of actually doing it on
1125 site are quite different, as you can imagine. So we have to play all that by ear.
1126 Whether we do it on site or not, that support of the community will continue. We
1127 do it now at #1 location, and we'll do at an increased level at #2.

1128
1129 Can I add one thing, please?

1130
1131 Mrs. Jones - Of course you may.

1132
1133 Mr. Grossberg - I wanted to address the effect of patio dining. When
1134 we first decided on this project, patio dining was an integral income-producing
1135 part of this project. Now, since we're quite a bit over budget from the original, it's
1136 even more important that we have patio dining so we can pay back our loans and
1137 commitments. We've had patio dining out at our other location for twelve years
1138 now. We've never had a commotion, we've never had a fight, we've never had
1139 drunken people that we had to remove. We have a pretty good audience. Not to
1140 say that it can't happen—it can happen anywhere—but we have a pretty good
1141 record of not setting that tone which kind of creates sometimes problems all by
1142 itself, by just setting the tone. As long as I'm there, as you say, this is not going
1143 to be an issue.

1144
1145 Mrs. Jones - All right. Mr. Secretary, as we go forward, the
1146 landscape plan—this conceptual landscape plan will probably have some
1147 changes made to it because of the discussions that are underway right now.

1148
1149 Mr. Emerson - Yes ma'am.

1150
1151 Mrs. Jones - However, the references to conceptual landscape
1152 plans will include this in whatever the final form is, correct?

1153
1154 Mr. Emerson - Yes ma'am, that's correct.

1155
1156 Mrs. Jones - Okay. All right.

1157

1158 Mr. Witte - Mr. Grossberg, I have one request. Maybe just to
 1159 ease the young lady's mind, would you have any opposition to her going in the
 1160 restaurant and looking at those windows to see how much they do affect her?
 1161
 1162 Mr. Grossberg - Maybe come over tomorrow.
 1163
 1164 Mr. Witte - If she's so willing, you'll accept that?
 1165
 1166 Mr. Grossberg - Absolutely.
 1167
 1168 Mr. Witte - Okay.
 1169
 1170 Mr. Grossberg - The grand tour.
 1171
 1172 Mr. Witte - Very good.
 1173
 1174 Mrs. Jones - I am satisfied and staff is satisfied that the proffers are
 1175 in order for the rezoning case. And Mr. Grossberg has been cooperative in trying
 1176 to meet the expectations of the County and the needs of our ordinance. That all
 1177 is appreciated from us to you. Thank you. I think we need to do a little bit of work
 1178 on the final landscaping. Anyone else?
 1179
 1180 Mr. Branin - Anybody have any other questions? None? When is
 1181 your target opening date?
 1182
 1183 Mr. Grossberg - I wish you hadn't asked me that. We're trying for the
 1184 twenty-second. We're trying. We may have to tweak that a little bit. We want to
 1185 be really prepared before we open.
 1186 Mrs. Jones - Of course that will not be on the outdoor dining area.
 1187
 1188 Mr. Grossberg - Right.
 1189
 1190 Mrs. Jones - You realize this goes from here to the Board of
 1191 Supervisors.
 1192
 1193 Mr. Grossberg - Absolutely.
 1194
 1195 Mr. Branin - Yes, I understood that.
 1196
 1197 Mrs. Jones - No, Mr. Grossberg. I just wanted to make sure that
 1198 was clear. All right. I am happy that we're at this point. I would like to make a
 1199 motion.
 1200
 1201 Mr. Branin - And I will be happily entertaining that motion.
 1202
 1203 Mrs. Jones - I would like to make a motion that we—

1204
1205 Mr. Branin - Do one at a time?
1206
1207 Mrs. Jones - Yes. We have to do the rezoning first. I make a
1208 motion that we recommend to the Board of Supervisors approval of case C-6C-
1209 12, Bruce D. Grossberg for Buz and Ned's of Parham and Broad Land, LLC. This
1210 is with revised proffers 1 - 5, which were handed out tonight.

1211
1212 Mr. Leabough - Second.

1213
1214 Mr. Branin - Motion by Mrs. Jones, seconded by Mr. Leabough. All
1215 in favor say aye. All opposed say no. The ayes have it; the motion carries.

1216
1217 **REASON:** Acting on a motion by Mrs. Jones, seconded by Mr.
1218 Leabough, the Planning Commission voted 5-0 (one absent) to recommend the
1219 Board of Supervisors grant the request because it would not be expected to
1220 adversely affect the pattern of zoning and land use in the area and the proffered
1221 conditions should minimize the potential impacts on surrounding land uses.

1222
1223 Mrs. Jones - As to the Provisional Use Permit, I would like to
1224 recommend to the Board of Supervisors approval of P-4-12, Bruce D. Grossberg
1225 for Buz and Ned's of Parham and Broad Land, LLC. This is with the conditions
1226 listed in the staff report, 1-14.

1227
1228 Mr. Leabough - Second.

1229
1230 Mr. Branin - Motion made by Mrs. Jones, seconded by Mr.
1231 Leabough. All in favor say aye. All opposed say no. The ayes have it; that motion
1232 is approved as well.

1233
1234 **REASON:** Acting on a motion by Mrs. Jones, seconded by Mr.
1235 Leabough, the Planning Commission voted 5-0 (one absent) to recommend the
1236 Board of Supervisors grant the request because the conditions should minimize
1237 the potential impacts on surrounding land uses and it would not be expected to
1238 adversely affect public safety, health or general welfare.

1239
1240 Mr. Emerson - Mr. Chairman, that takes us to the next item on your
1241 agenda, which is on page two.

1242
1243 **(Deferred from the February 9, 2012 Meeting)**
1244 **C-1C-12** Randy Hooker for Hermitage Investment Group,
1245 LLC: Request to conditionally rezone from R-3 One-Family Residence District to
1246 M-1C Light Industrial District (Conditional) Parcel 771-752-7780 containing 9.29
1247 acres located at the southeast intersection of Staples Mill Road (US Route 33)
1248 and Hermitage Road. The applicant proposes light industrial, office/warehouse,
1249 and specialty retail uses. The uses will be controlled by zoning ordinance

1250 regulations and proffered conditions. The 2026 Comprehensive Plan
1251 recommends Office, Light Industrial, and Environmental Protection Area. The
1252 staff report will be presented by Mr. Ben Sehl.

1253
1254 Mr. Branin - Is anyone in opposition to C-1C-12, Randy Hooker for
1255 Hermitage Investment Group, LLC? None? Okay, Mr. Sehl.

1256
1257 Mr. Sehl - Thank you, Mr. Chairman.

1258
1259 This request would rezone 9.29 acres from R-3 to M-1C allow one light industrial
1260 building, including warehousing, and several retail shops.

1261
1262 The site is surrounded by non-residential zoning, including areas of M-1 to the
1263 north, east, and south, and is located just west of the CSX railroad crossing at
1264 Hermitage Road. Retail shops, zoned B-2C, are located across Staples Mill
1265 Road to the west.

1266
1267 The applicant has proffered this conceptual plan, which shows a line of retail
1268 tenant spaces along the site's Staples Mill Road frontage, and a standalone
1269 office/warehouse building fronting on Hermitage Road that would be used for
1270 light industrial purposes. A large area of wetlands and 100-year floodplain is
1271 located in the southern portion of the site, as shown on the conceptual plan.
1272 Staff does note the current floodplain line would impact the buildings shown on
1273 the concept plan, and the applicant has acknowledged that if certain
1274 modifications of the floodplain are not permitted then the square footage of
1275 development on the site could be reduced.

1276
1277 The applicant has also proffered architectural elevations of both the retail and
1278 light industrial buildings, as shown here. Since the staff report was issued the
1279 applicant has revised the elevations to provide for a more neutral earth-tone color
1280 for the proposed brick buildings. The proffers submitted by the applicant also
1281 commit to high quality masonry materials, as shown on the elevations, which
1282 would be in keeping with recent development in the Staples Mill Road corridor.
1283 Other proffers submitted by the applicant address permitted uses, landscaping
1284 along Staples Mill and Hermitage Roads, signage, lighting, hours of operation,
1285 outdoor speakers, and sidewalk along Hermitage Road. A sidewalk is already
1286 located along Staples Mill Road.

1287
1288 Proffers submitted today and distributed to you this evening also commit to
1289 rezoning the area within the floodplain to C-1 Conservation District prior to any
1290 certificate of occupancy being issued for the site. Time limits would need to be
1291 waived to accept those proffers this evening.

1292
1293 The 2026 Comprehensive Plan recommends Office, Environmental Protection
1294 Area, and Light Industrial uses for the site. The requested zoning is not entirely
1295 consistent with the site's office designation; however it is in keeping with the

1296 zoning and pattern of development in the area, and would provide for a high-
1297 quality development consistent with recent projects in this corridor. For these
1298 reasons staff does support this request. I will be happy to any questions you
1299 might have.

1300
1301 Mr. Branin - Does anybody have any questions for Mr. Sehl?

1302
1303 Mr. Witte - I think I've spent enough time with Mr. Sehl.

1304
1305 Mrs. Jones - Quality time?

1306
1307 Mr. Witte - Quality time.

1308
1309 Mr. Sehl - The applicant's representative is also here this
1310 evening.

1311
1312 Mr. Branin - All right. No questions for Mr. Sehl. Mr. Witte, would
1313 you like to hear from the applicant?

1314
1315 Mr. Witte - Yes, I would.

1316
1317 Mr. Hooker - Good evening, Mr. Chairman, Commission members.
1318 My name is Randy Hooker, Engineering Design Associates.

1319
1320 Mr. Branin - Good evening, Mr. Hooker, how are you?

1321
1322 Mr. Hooker - Good evening. On behalf of the owners, I would like
1323 to request your approval of this rezoning case. We feel that it pretty much fills in
1324 a void of industrial zoning, as far as the property. We think this would just kind of
1325 complete the area of the zoning.

1326
1327 Mr. Witte - Mr. Hooker, I have one question referencing the
1328 roofing. I saw the product, but I didn't see anything in any of the paperwork
1329 where you had limited the roofing material to the two items that are shown. The
1330 original one was very thin. The second two samples you sent over were much
1331 more attractive, stronger, and added some stability as well.

1332
1333 Mr. Hooker - I believe that the material that you're referring to is
1334 known as the Decra Roofing System. That's actually the color of that roofing
1335 system. It doesn't state Decra, correct.

1336
1337 Mr. Witte - The style there is not the same style I was shown.

1338
1339 Mr. Hooker - Actually it is.

1340
1341 Mr. Witte - That looks like real cedar there.

1342
1343 Mr. Hooker - That is a photo from the Decra website. So that is
1344 actually a color photo of their product. Now, the sample that Decra sent me is
1345 approximately eighteen inches by eighteen inches.
1346
1347 Mr. Witte - Right.
1348
1349 Mr. Hooker - A full panel is like eighteen inches by fifty inches.
1350
1351 Mr. Witte - Right. Do you have the name, style number or model
1352 number, or whatever, of that product?
1353
1354 Mr. Hooker - I do, yes. The brand is Decra—D-e-c-r-a. And the
1355 style is the Shake XD.
1356
1357 Mr. Witte - And that's what we're going to use?
1358
1359 Mr. Hooker - Yes. That's what's shown here.
1360
1361 Mr. Witte - Thank you.
1362
1363 Mr. Branin - Does anybody else have any questions? None?
1364 Okay. Mr. Witte, you have the floor.
1365
1366 Mr. Witte - Okay. I would like to waive the time limits on the
1367 additional proffers.
1368
1369 Mr. Branin - Go ahead and make that motion.
1370
1371 Mr. Witte - I would like to make a motion that we approve C-1C-
1372 12, Randy Hooker for Hermitage Investment Group, LLC—
1373
1374 Mr. Branin - We have to make a motion for the time limits.
1375
1376 Mr. Emerson - You have to vote on that first, so you need to make a
1377 motion to waive the time limits.
1378
1379 Mr. Witte - I make a motion to waive the time limits.
1380
1381 Mrs. Jones - Second.
1382
1383 Mr. Branin - Motion made by Mr. Witte, seconded by Mrs. Jones.
1384 All in favor say aye. All opposed say no. The ayes have it; the motion carries.
1385

1386 Mr. Witte - Now, I'm going to make a motion that we approve C-
1387 1C-12, Randy Hooker for Hermitage Investment Group, LLC, with the updated
1388 proffers presented by staff, 1-17, I think it was.

1389
1390 Mr. Archer - Second.

1391
1392 Mr. Branin - Motion by Mr. Witte, seconded by Mr. Archer. All in
1393 favor say aye. All opposed say no. The ayes have it; the motion carries as well.

1394
1395 **REASON:** Acting on a motion by Mr. Witte, seconded by Mr.
1396 Archer, the Planning Commission voted 5-0 (one absent) to recommend the
1397 Board of Supervisors grant the request because it continues a form of zoning
1398 consistent with the area, would not adversely affect the adjoining area if properly
1399 developed as proposed, and the proffered conditions would provide for a higher
1400 quality development than would otherwise be possible.

1401
1402 Mr. Emerson - Mr. Chairman, that takes us to the next item on our
1403 agenda, which appears on page three. That is a discussion item for Resolutions
1404 of Appreciation for two of your former members. I'll pass those down for your
1405 consideration.

1406

1407 **DISCUSSION ITEM: Resolutions of Appreciation – Former Planning**
1408 **Commissioners Ernest Vanarsdall and Ray Jernigan.**

1409

1410 Mr. Emerson - We'll provide numbers for these. The first one for Mr.
1411 Jernigan will be PCR2-12. The second one for Mr. Vanarsdall will be PCR3-12.
1412 As you know, we've discussed providing a Resolution of Appreciate to both these
1413 gentlemen for their service on the Commission. Staff has drafted these
1414 resolutions for your consideration, so if you'll take a minute to read them. If you're
1415 satisfied with them, I'll read them individually into the record for a motion. Once
1416 we've gone through that process, of course, we intend to have a formal copy
1417 made and the Chairman and I will sign them. We'll take it to a local framing shop,
1418 have it framed, and invite these gentlemen back to present it to them at a future
1419 meeting.

1420

1421 Mr. Branin - Mr. Secretary, would you read this into the record.

1422

1423 Mr. Emerson - We'll take these one at a time. The first resolution,
1424 PCR2-12, Resolution of Appreciation of Mr. E. Ray Jernigan.

1425

1426 WHEREAS, it is the desire of the Henrico Planning Commission to give
1427 appropriate acknowledgement and recognition to individuals who have provided
1428 invaluable service; and

1429

1430 WHEREAS, Mr. Ray Jernigan was appointed to the Planning Commission on
1431 January 9, 2001; and

1432
1433 WHEREAS, Ray's experience as a businessman and long-time Varina resident
1434 spurred his dedication to providing quality services in the development of Varina;
1435 and

1436
1437 WHEREAS, Ray furthered his knowledge of planning principles in his role as
1438 Commissioner by completed a Virginia Certified Planning Commissioners'
1439 Program; and

1440
1441 WHEREAS, in his eleven years of service, Ray Jernigan has faithfully performed
1442 the duties of a member of the Henrico County Planning Commission, and

1443
1444 WHEREAS, Ray could be relied upon to vigorously research and provide his best
1445 guidance on the future development of Henrico County; and

1446
1447 WHEREAS, Ray consistently demonstrated leadership and fairness in all
1448 Commission determinations, taking the responsibility of the position seriously,
1449 asking pertinent questions, carefully considering the potential consequences of
1450 Commission actions; and

1451
1452 WHEREAS, in evaluating land use decisions Ray balanced the best interests of
1453 the residents, developers, and the business community with the visions set forth
1454 in the County's Comprehensive Plan, local government efficiency, and the
1455 provisions and public service;

1456
1457 NOW, THEREFORE, BE IT RESOLVED, that the Henrico County Planning
1458 Commission does hereby convey its deepest and most sincere expression of
1459 gratitude and appreciate to Mr. Ray Jernigan in the invaluable contributions he
1460 has made during many years of selfless service to the Planning Commission and
1461 Henrico County.

1462
1463 Mr. Leabough - Mr. Chairman, move that we approve PCR2-12. Are
1464 there any questions; I'm sorry. Mrs. Jones?

1465
1466 Mrs. Jones - I just wanted to know in the last sentence did we
1467 say—I agree with all the sentiments. The third to the last line, "Mr. Ray Jernigan
1468 in." Is it "in" or "for"?

1469
1470 Mr. Emerson - In the invaluable contribution? I think you could go
1471 either way.

1472
1473 Mrs. Jones - Okay.

1474
1475 Mr. Emerson - So I'll take your lead on that.

1476
1477 Mrs. Jones - No, no. You decide which.

1478
 1479 Mr. Emerson - I can go either way. It's the Commission's resolution,
 1480 so if you would like it to read "for the invaluable contributions," I think that would
 1481 be fine.
 1482
 1483 Mrs. Jones - This is an expression of gratitude and appreciation for
 1484 the invaluable contributions, or in?
 1485
 1486 Mr. Emerson - I think "for."
 1487
 1488 Mrs. Jones - Okay.
 1489
 1490 Mr. Leabough - So I move that we approve resolution PCR2-12 with
 1491 the revision that Mrs. Jones has suggested.
 1492
 1493 Mr. Archer - Second.
 1494
 1495 Mr. Branin - Motion by Mr. Leabough, seconded by Mr Archer. All
 1496 in favor say aye. All opposed say no. The ayes have it; the motion carries.
 1497
 1498 Mr. Emerson - Now the next resolution, PCR3-12, is Resolution of
 1499 Appreciate for Mr. Ernest B. Vanarsdall.
 1500
 1501 WHEREAS, it is the desire of the Henrico Planning Commission to give
 1502 appropriate acknowledgement and recognition to individuals who have provided
 1503 invaluable service to the department the Planning Commission; and
 1504
 1505 WHEREAS, Mr. Ernest Vanarsdall was appointment to the Planning Commission
 1506 on January 13, 1988; and
 1507
 1508 WHEREAS, Ernie's experience as a businessman and long-time Henrico County
 1509 resident spurred his dedication to providing quality services and development in
 1510 the Brookland District; and
 1511
 1512 WHEREAS, he furthered his knowledge of Planning principles and his role as a
 1513 Commissioner by completing the Virginia Certified Planning Commissioners'
 1514 Program; and
 1515
 1516 WHEREAS, Ernie could be relied upon to vigorously research and provide his
 1517 guidance on the future development of Henrico County; and
 1518
 1519 WHEREAS, in his twenty-four years of service, Ernie is the longest standing
 1520 member of the Planning Commission and has faithfully performed his duties as a
 1521 member; and
 1522

1523 WHEREAS, Ernie consistently demonstrated leadership and fairness in all
1524 Commission determinations, taking the responsibility of the position seriously,
1525 asking pertinent questions, carefully considering the potential consequences of
1526 Commission actions; and

1527
1528 WHEREAS, in evaluating land-use decisions, Ernie balanced the best interests
1529 of the residents, developers, and business community with the visions set forth in
1530 the County's Comprehensive Plan, local government efficiency, and the provision
1531 of public service;

1532
1533 NOW, THEREFORE, BE IT RESOLVED, that the Henrico County Planning
1534 Commission does hereby convey its deepest and most sincere expression of
1535 gratitude and appreciation to Mr. Ernest Vanarsdall for the invaluable
1536 contributions he has made during many years of selfless service to the Planning
1537 Commission and Henrico County.

1538
1539 Mr. Branin - Another one well done.

1540
1541 Mrs. Jones - Yes.

1542
1543 Mr. Archer - I did notice there was another error in both
1544 resolutions. It was the last "whereas" from the bottom. In the first sentence it
1545 says, "in evaluating land-use decisions, Ernie balanced the best interest of the of
1546 residents." We need to strike one of those.

1547
1548 Mr. Emerson - We do, yes.

1549
1550 Mrs. Jones - You are so right.

1551
1552 Mr. Archer - That's always hard. The human brain is not
1553 conditioned to see the word "of."

1554
1555 Mrs. Jones - That's true.

1556
1557 Mr. Archer - I read a discussion on that the other day.

1558
1559 Mr. Emerson - I read right across the top of it.

1560
1561 Mr. Archer - It's easy to do.

1562
1563 Mr. Emerson - I don't think I even stated that when I read the
1564 resolution.

1565
1566 Mrs. Jones - I went right over that. Good catch, good catch. All
1567 right. Are we ready for a motion?

1569 Mr. Branin - Absolutely.
 1570
 1571 Mrs. Jones - I move we accept PCR3-12, Resolution of
 1572 Appreciation with the correction.
 1573
 1574 Mr. Archer - Second.
 1575
 1576 Mr. Branin - Motion by Mrs. Jones, seconded by Mr. Archer. All in
 1577 favor say aye. All opposed say no. The ayes have it; the motion carries.
 1578
 1579 Mr. Emerson - We will get those correct in the minutes, and we will
 1580 have them placed on proper, nice letter stock, and have them framed. Probably
 1581 May, I would think. I don't know how long it will take us to actually get these
 1582 done. You wouldn't think it would take very long, but then again.
 1583
 1584 Mrs. Jones - I think it's a very appropriate thing to do. Mr. Witte and
 1585 Mr. Leabough, it is a pleasure to have you on the Commission. I will say that
 1586 these two individuals were special folks to work with as well. I'm going to have to
 1587 catch up with them for lunch sometime, I guess. I miss seeing them.
 1588
 1589 Mr. Branin - Mr. Jernigan calls me every once in a while just to
 1590 check on me.
 1591
 1592 Mrs. Jones - I have no doubt he does.
 1593
 1594 Mr. Emerson - Actually I had to go the other way; I call him.
 1595
 1596 Mrs. Jones - There's a length and breadth of knowledge there
 1597 about the County.
 1598
 1599 Mr. Branin - The minutes were pre-done. All corrections were
 1600 taken.
 1601
 1602 Mr. Emerson - I think so, yes sir, but that is next on your agenda,
 1603 approval of the minutes.
 1604
 1605 Mrs. Jones - I move we accept the minutes as distributed.
 1606
 1607 Mr. Archer - Second.
 1608
 1609 Mr. Branin - Motion by Mrs. Jones, seconded by Mr. Archer. All in
 1610 favor say aye. All opposed say no. The ayes have it; the motion carries.
 1611
 1612 Mr. Secretary, do you have any other business?
 1613

1614 Mr. Emerson - No sir, Mr. Chairman, I have nothing else for the
1615 Commission this evening.

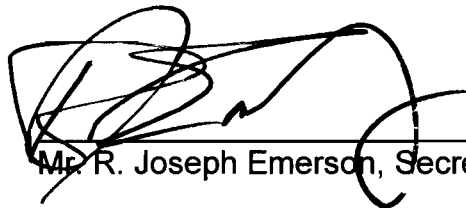
1616
1617 Mr. Branin - Okay, then I will entertain a motion for—

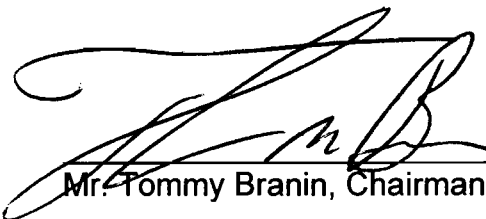
1618
1619 Mrs. Jones - I move we adjourn.

1620
1621 Mr. Witte - I second it.

1622
1623 Mr. Branin - Motion by Mrs. Jones, seconded by Mr. Witte. All in
1624 favor say aye. All opposed say no. The ayes have it; the motion carries.

1625
1626 The meeting adjourned at 8:06 p.m.

1627
1628
1629
1630
1631
1632 
1633 Mr. R. Joseph Emerson, Secretary
1634

1635
1636
1637
1638
1639 
1640 Mr. Tommy Branin, Chairman
1641
1642
1643
1644
1645

