

1 Minutes of the regular monthly meeting of the Planning Commission of the
2 County of Henrico held in the auditorium of the New Bridge Learning Center,
3 located at 5915 Nine Mile Road, beginning at 7:00 p.m. October 18, 2018.
4 Display Notice having been published in the *Richmond Times-Dispatch* on
5 September 24, 2018 and October 1, 2018.
6

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

Also Present: Ms. Jean M. Moore, Assistant Director of Planning
Mr. James P. Strauss, PLA, Senior Principal Planner
Ms. Rosemary D. Deemer, AICP, County Planner
Mr. Seth Humphreys, County Planner
Mr. Livingston Lewis, County Planner
Mrs. Lisa Blankinship, County Planner
Ms. Kristin Smith, County Planner
Ms. Luanda Fiscella, County Planner
Ms. Sylvia Ray, Recording Secretary

7
8 **Mrs. Patricia O'Bannon, the Board of Supervisors' representative, abstains**
9 **on all cases unless otherwise noted.**

10
11 Mrs. Marshall - I call this meeting of the Henrico County Planning
12 Commission to order. This is our rezoning meeting for October 18, 2018. At this
13 time, I ask that you please take a moment to silence your cell phones. And as
14 you do, please stand with the Commission for the Pledge of Allegiance.
15

16 Do we have anyone in the audience with the news media? We do not. We have
17 Mrs. Pat O'Bannon, our representative from the Board of Supervisors with us
18 who is sitting with the Commission. Thank you for being here. At this point, I will
19 turn the agenda over to Mr. Emerson, our secretary.
20

21 Mr. Emerson - Thank you, Madam Chair. First on your agenda this
22 evening are the requests for withdrawals and deferrals. Those will be presented
23 by Mr. Jim Strauss.
24

25 Mr. Strauss - Thank you, Mr. Secretary. We have four requests for
26 deferral this evening, and the first request is in the Brookland District on page 2

of your agenda. It is REZ2017-00032, The McGurn Company. The applicant is requesting deferral to your November 8, 2018 meeting.

(Deferred from the September 13, 2018 Meeting)

REZ2017-00032 Arthur McGurn for The McGurn Company: Request to conditionally rezone from R-2 One-Family Residence District and [R-6C] General Residence District (Conditional) to R-3C One-Family Residence District (Conditional) Parcel 767-760-8701 and 768-760-1507 containing 4.35 acres located at the northeast intersection of Hungary and Hungary Spring Roads. The applicant proposes a single-family development. The R-3 District allows a maximum overall density of 3.96 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre.

Mrs. Marshall - Is there anyone in opposition to the deferral of REZ2017-00032, Arthur McGurn for The McGurn Company? I see no opposition. Mrs. Kotula?

Mrs. Kotula - I move that REZ2017-00032, Arthur McGurn for The McGurn Company, be deferred to the November 8th meeting at the request of the applicant.

Mr. Archer - Second.

Mrs. Marshall - We have a motion by Mrs. Kotula, a second by Mr. Archer. 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 REZ2017-00032, Arthur McGurn for The McGurn Company, to its meeting on November 8, 2018.

Mr. Strauss - The next request for deferral this evening is in the Varina District and is on page 3 of your agenda. This is REZ2018-00019, Liberty Homes. The applicant is requesting deferral to your November 8, 2018 meeting.

(Deferred from the September 13, 2018 Meeting)

REZ2018-00019 Mark Rempe for Liberty Homes: Request to rezone from B-3 Business District to R-3 One-Family Residence District Parcel 825-720-6242 containing .24 acres located on the west line of E. Nine Mile Road (State Route 33) approximately 150' north of its intersection with Elsing Green Way. The applicant proposes a single-family residence. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. The site is in the Enterprise Zone and the Airport Safety Overlay District.

73
74 Mrs. Marshall - Is there anyone in opposition to the deferral of
75 REZ2018-00019, Mark Rempe for Liberty Homes? I see no opposition. Mr.
76 Mackey?

77
78 Mr. Mackey - Madam Chair, I move that REZ2018-00019, Mark
79 Rempe for Liberty Homes, be deferred to the November 8, 2018 meeting at the
80 request of the applicant.

81
82 Mr. Baka - Second.

83
84 Mrs. Marshall - We have a motion by Mr. Mackey, a second by
85 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition;
86 this motion passes.

87
88 At the request of the applicant, the Planning Commission deferred REZ2018-
89 00019, Mark Rempe for Liberty Homes, to its meeting on November 8, 2018.

90
91 Mr. Strauss - The next two requests for deferral this evening are in
92 the Fairfield District on page 3 of your agenda. The first is REZ2018-00040,
93 General Land Commercial Real Estate. The applicant is requesting deferral to
94 your November 8, 2018 meeting.

95
96 **REZ2018-00040 James W. Theobald for General Land Commercial**
97 **Real Estate Company:** Request to conditionally rezone from O-2C Office
98 District (Conditional) to B-2C Business District (Conditional) Parcel 776-766-3128
99 containing 2.391 acres located at the southeast intersection of Woodman and
100 Mountain Roads. The applicant proposes an indoor self-service storage facility.
101 The use will be controlled by zoning ordinance regulations and proffered
102 conditions. The 2026 Comprehensive Plan recommends Urban Residential.

103
104 Mrs. Marshall - Is there anyone in opposition to the deferral of
105 REZ2018-00040, James W. Theobald for General Land Commercial Real Estate
106 Company? I see no opposition. Mr. Archer?

107
108 Mr. Archer - Madam Chair, I move that REZ2018-00040, James
109 W. Theobald for General Land Commercial Real Estate Company, be deferred to
110 the November 8th meeting at the applicant's request.

111
112 Mrs. Marshall - Second. We have a motion by Mr. Archer and a
113 second by Mrs. Marshall. All in favor say aye. Those opposed say no. There is
114 no opposition; this motion passes.

115
116 At the request of the applicant, the Planning Commission deferred REZ2018-
117 00040, James W. Theobald for General Land Commercial Real Estate Company,
118 to its meeting on November 8, 2018.

119
120 Mr. Strauss - The last request for deferral this evening is on page 3
121 of your agenda in the Fairfield District. This is PUP2018-00013, General Land
122 Commercial Real Estate. Again, the applicant is requesting deferral to your
123 November 8, 2018 meeting.
124

125 **PUP2018-00013 James W. Theobald for General Land Commercial**
126 **Real Estate Company:** Request for a Provisional Use Permit under Sections
127 24-58.2 (b) and (h), 24-120 and 24-122.1 of Chapter 24 of the County Code to
128 allow an indoor self-service storage facility up to 34' in height on Parcel 776-766-
129 3128 located at the southeast intersection of Woodman and Mountain Roads.
130 The existing zoning is O-2C Office District (Conditional). The 2026
131 Comprehensive Plan recommends Urban Residential.
132

133 Mrs. Marshall - Is there anyone in opposition to the deferral of
134 PUP2018-00013, James W. Theobald for General Land Commercial Real Estate
135 Company? I see no opposition. Mr. Archer?
136

137 Mr. Archer - Madam Chair, I move that PUP2018-00013, James
138 W. Theobald for General Land Commercial Real Estate Company (GLC), be
139 deferred to the November 8th meeting at the request of the applicant.
140

141 Mrs. Kotula - Second.
142

143 Mrs. Marshall - We have a motion by Mr. Archer and a second by
144 Mrs. Kotula. All in favor say aye. Those opposed say no. There is no opposition;
145 this motion passes.
146

147 At the request of the applicant, the Planning Commission deferred PUP2018-
148 00013, James W. Theobald for General Land Commercial Real Estate Company,
149 to its meeting on November 8, 2018.
150

151 Mr. Emerson - Madam Chair, that completes the requests for
152 withdrawals and deferrals this evening. We now move on to the requests for
153 expedited items. Those will also be presented by Mr. Jim Strauss.
154

155 Mr. Strauss - Thank you, Mr. Secretary. We have two requests for
156 approval on the expedited agenda this evening. The first request is in the
157 Brookland District and is on page 2 of your agenda. This is REZ2018-00035, Luis
158 Cabral. Staff is recommending approval with the proffers in the staff report. We
159 are not aware of any opposition.
160

161 **(Deferred from the September 13, 2018 Meeting)**

162 **REZ2018-00035 Simon Mueller for Luis Cabral:** Request to
163 conditionally rezone from B-1 Business District to B-2C Business District
164 (Conditional) Parcel 774-759-0104 containing .85 acres located at the northwest

165 intersection of Woodman and Hungary Roads. The applicant proposes a drive
166 thru restaurant. The use will be controlled by zoning ordinance regulations and
167 proffered conditions. The 2026 Comprehensive Plan recommends Commercial
168 Concentration. The site is in the Enterprise Zone.

169
170 Mrs. Marshall - Is there anyone in opposition to REZ2018-00035,
171 Simon Mueller for Luis Cabral? I see no opposition. Mrs. Kotula?

172
173 Mrs. Kotula - I move that we approve REZ2018-00035, Simon
174 Mueller for Luis Cabral, with the proffers 1 through 10 dated September 19,
175 2018.

176
177 Mr. Baka - Second.

178
179 Mrs. Marshall - We have a motion by Mrs. Kotula and a second by
180 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition;
181 this motion passes.

182
183 **REASON -** Acting on a motion by Mrs. Kotula, seconded by Mr.
184 Baka, the Planning Commission voted 5-0 (one abstention) to recommend the
185 Board of Supervisors grant the request because it conforms to the
186 recommendations of the Comprehensive Plan and would not adversely affect the
187 adjoining area if properly developed as proposed.

188
189 Mr. Strauss - The second request for approval on the expedited
190 agenda this evening is in Varina District on page 3 of your agenda. This is
191 REZ2018-00038, Viking Land Development, LLC. Staff is recommending
192 approval with the proffers in the staff report. Again, we are not aware of any
193 opposition.

194
195 **REZ2018-00038 Viking Land Development, LLC:** Request to
196 conditionally rezone from A-1 Agricultural District to R-2AC One-Family
197 Residence District (Conditional) Parcels 811-700-4578, 811-700-4938, and 811-
198 700-6627 containing 17.85 acres located on the west line of Willson Road,
199 approximately 375' south of its intersection with Messer Road. The applicant
200 proposes a single-family residential development. The use will be controlled by
201 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive
202 Plan recommends Traditional Neighborhood Development and Environmental
203 Protection Area. The site is in the Airport Safety Overlay District.

204
205 Mrs. Marshall - Is there anyone in opposition to REZ2018-00038,
206 Viking Land Development, LLC? I see no opposition. Mr. Mackey?

207
208 Mr. Mackey - Madam Chair, I move that REZ2018-00038, Viking
209 Land Development, LLC, be approved with proffers 1 through 13 dated
210 September 26, 2018.

211
212 Mr. Baka - Second.

213
214 Mrs. Marshall - We have a motion by Mr. Mackey and a second by
215 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition;
216 this motion passes.

217
218 **REASON -** Acting on a motion by Mr. Mackey, seconded by Mr. Baka,
219 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
220 Supervisors grant the request because it continues a similar level of single family
221 residential zoning as currently exists in the area and the proffered conditions will
222 provide appropriate quality assurances not otherwise available.

223
224 Mr. Emerson - Madam Chair, that completes the requests for
225 expedited items this evening. We now move into your regular agenda. First on
226 your agenda is the ordinance regarding short-term rentals. You know that we
227 have been working on this for quite some time. Finance and Purchasing are
228 moving towards culmination of a contract for software that we need in order to
229 move forward with the notification of individuals who are currently operating the
230 short-term rentals in the county so we can obtain a listing. So I would request
231 that the Commission defer this item one more time to January 10th, and I'm
232 hopeful that by then we will have this issue resolved and be able to hold a
233 hearing on this matter.

234
235 **(Deferred from the July 12, 2018 Meeting)**

236 **ORDINANCE -** To Amend and Reordain Section 24-3 Titled
237 "Definitions," Section 24-12 Titled "Conditional uses permitted by special
238 exception," Section 24-13 Titled "Accessory uses permitted," Section 24-13.01
239 Titled "Development standards and conditions for permitted uses," Section 24-28
240 Titled "Principal uses permitted," Section 24-29 Titled "Conditional uses permitted
241 by special exception," Section 24-36 Titled "Conditional uses permitted by special
242 exception," Section 24-94 Titled "Table of regulations," and Section 24-121 Titled
243 "Conditional zoning or zone approval" of the Code of the County of Henrico, and
244 to add a new Section 24-32.2 Titled "Conditional uses permitted by special
245 exception," and Section 24-38.1 Titled "Conditional uses permitted by special
246 exception." This ordinance allows for short-term rentals of real estate for periods
247 of fewer than 30 consecutive days. Specifically, this ordinance allows hosted
248 short-term rentals by right in detached, single-family dwelling residential districts
249 up to 30 days in a calendar year. For all other short-term rentals in residential
250 districts, this ordinance requires the operator of the rental to obtain a conditional
251 use permit. All short-term rentals would be subject to regulations limiting rentals
252 to the operator's primary residence and limiting the use of guesthouses, the
253 number of short-term renters and pets, and the length of rentals. The ordinance
254 would also require the provision of life-safety equipment consistent with the
255 building code, prohibit rentals to minors and double-booking, require the posting
256 of certain information within the rental, and require the designation of responsible

persons to respond to complaints. Finally, the ordinance adds and revises definitions related to the rental of real estate.

Mr. Mackey - Madam Chair, I move that we defer the public hearing for the ordinance amendment regarding short-term rentals to the January 10, 2019 meeting at the request of the Planning staff.

Mrs. Kotula - January or February?

Mr. Mackey - January 10th.

Mr. Emerson - January 10th, yes.

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

Mr. Emerson - I would note, and Mrs. Kotula is pointing out, there is a mistake on the agenda. We initially had thought February 10th, but I learned over the last few days that we hope that—not February 10th; it was February 14th—we can have this resolved by January, and that's why I requested the change from what's on your agenda to January 10th.

Madam Chair, next is on page 2 of your agenda, and they are companion cases. They are REZ2018-00042 and PUP2018-00014, and it's Andrew M. Condlin for Marie T. Hammer. The second item, the provisional use permit, comes about because that's required in order to have the accessory dwelling unit once the action happens rezoning the property. So the PUP is a request to make that allowance. The property is at the same location on Staples Mill Road north of Dumbarton Road. The staff report will be presented by Ms. Lisa Blankinship.

REZ2018-00042 **Andrew M. Condlin for Marie T. Hammer:** Request to conditionally rezone from R-2 One-Family Residence District to O-2C Office District (Conditional) Parcel 773-745-9522 containing 3.79 acres located on the west line of Staples Mill Road (U.S. Route 33), approximately 810' north of Dumbarton Road. The applicant proposes a medical office with an accessory dwelling unit. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Semi-Public and Environmental Protection Area.

PUP2018-00014 **Andrew M. Condlin for Marie T. Hammer:** Request for a Provisional Use Permit under Sections 24-50.6:1(a), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow an accessory dwelling unit on Parcel 773-745-9522 located on the west line of Staples Mill Road (U.S. Route 33), approximately 810' north of Dumbarton Road. The existing zoning is R-2 One-

Family Residence District. The 2026 Comprehensive Plan recommends Semi-Public and Environmental Protection Area.

Mrs. Marshall - Is there anyone present who is opposed to REZ2018-00042, Andrew M. Condlin for Marie T. Hammer? Mrs. Blankinship?

Mrs. Blankinship - Good evening.

As mentioned, the rezoning and provisional use permit requests are companion cases; therefore, I would like to combine my presentations – but as noted, approval of the rezoning is necessary before consideration of the PUP and separate motions on the requests would be necessary.

The subject property is located on the west line of Staples Mill Road approximately 810 feet north of Dumbarton Road and is zoned R-2 One-Family Residence District. The 2026 Comprehensive Plan recommends Semi-Public and Environmental Protection Area.

The applicant proposes to rezone the property to O-2C Office District (Conditional) to allow a medical office use on the first floor and an accessory dwelling on the second floor. A companion provisional use permit application has also been submitted because an accessory dwelling in the O-2 district requires a PUP.

The proffered conceptual plan, seen here, shows the existing structure would remain. Main access to the site would be relocated approximately 30 feet to the north of the existing driveway per VDOT spacing requirements. A 24-foot-wide paved drive aisle and parking area would be constructed in addition to a stormwater basin in the southeast corner of the parcel.

To address staff's concerns mentioned in the staff report and concerns raised by the Hamlet Homeowners Association at the September 20th community meeting, the applicant has submitted revised proffers that have been handed out to you this evening.

- Proffer #1 has been revised to reference the updated conceptual plan;
- Proffer #3, regarding limitation on uses, has been revised to prohibit childcare centers;
- Proffer #9 limits the height of any detached sign to six feet instead of eight feet;
- Proffer #12 is a new proffer that commits to rezone the floodplain area to C-1 Conservation District; and
- Proffer #13 has been added to limit the building height to forty-five feet.

The requested office and accessory dwelling uses are not entirely consistent with the Comprehensive Plan's recommendation, but properly regulated, could be

348 compatible with the existing surrounding uses, especially if the existing structure
349 is maintained.

350
351 The applicant has submitted several proffers to mitigate potential impacts and the
352 revised proffers address staff's concerns. For these reasons, staff supports the
353 requested rezoning and the PUP subject to the conditions identified in the staff
354 report. A motion on the rezoning request would be necessary prior to any action
355 on the provisional use permit request.

356
357 As a reminder, time limits would need to be waived for the revised proffers. This
358 concludes my presentation. I will be happy to answer any questions.

359
360 Mrs. Marshall - Are there any questions by the Commission?

361
362 Mrs. Kotula - Mrs. Blankinship, I know that the applicant has been
363 working with the community up until today.

364
365 Mrs. Blankinship - Yes ma'am.

366
367 Mrs. Kotula - I know some of them are here this evening as well.
368 And to the best of your understanding, their concerns have been addressed at
369 this point?

370
371 Mrs. Blankinship - To the best of my understanding, yes ma'am.

372
373 Mrs. Kotula - Okay. Can we hear from the applicant as well?

374
375 Mrs. Marshall - Mr. Condlin? Good evening.

376
377 Mr. Condlin - Good evening, Madam Chairman, members of the
378 Planning Commission. My name is Andy Condlin here on behalf of Marie T.
379 Hammer. I'm not going to make a full presentation unless you have any
380 questions.

381
382 But I did want to point out this is a unique property. While the County records
383 show 1920, Ms. Hammer's property records show 1897 as when the house was
384 constructed. So it's certainly a historic house, but it also takes a lot of money and
385 maintenance to keep a 3800-square-foot house going. And this is a great
386 opportunity for adaptive reuse for health and wellness practice of a medical
387 office. And we want to point out they're really appreciative of the folks that are
388 working with us. We have a couple of last-minute issues that we were able to
389 work out. And I think as we continue to go forward we will be able to provide the
390 protection that they're looking for. And I also wanted to thank Mrs. Blankinship
391 who's been really very good about communicating with everybody involved. As
392 usual, your staff has stepped up. But I think Mr. Gilliam as well wanted to say a
393 few words about the agreement as we're coming together.

394
395 But I think this is a great opportunity along Staples Mill Road for an appropriate
396 use and an appropriate transition to have an adaptive reuse of a building. And it's
397 kind of unique to have a dwelling unit up on the second floor. Again, it's 3800
398 square feet, so about 2,000 square feet on the first floor, allowing for the use
399 that's appropriate and historically appropriate for that house

400
401 I'm happy to answer any questions at this time.

402
403 Mrs. Marshall - Mr. Condlin, I was reading through the proffers. What
404 time are the hours of construction?

405
406 Mr. Condlin - Well, there really isn't going to be a whole lot of
407 construction at this point because we're just taking care of the house. There will
408 be some with respect to the entranceway and the parking lot. We haven't really
409 decided any specific hours at this point, but we don't anticipate having to have a
410 lot of construction hours.

411
412 Mrs. Marshall - Okay. Thank you.

413
414 Mr. Archer - Mr. Condlin, the second floor accessory dwelling, will
415 that be used by the person that's occupying the property?

416
417 Mr. Condlin - Yes. The tenant. There will be a tenant that's doing
418 the medical practice, the health and wellness center. So they'll be leasing both
419 the commercial and the residential.

420
421 Mr. Archer - Thank you.

422
423 Mrs. Marshall - Any more questions for Mr. Condlin?

424
425 Mr. Condlin - Thank you.

426
427 Mrs. Marshall - Mr. Gilliam, would you like to speak? If you could
428 state your name, please, when you get to the microphone.

429
430 Mr. Gilliam - Sure. My name is Greg Gilliam, and I represent the
431 Hamlet Condominium Homeowners Association. I just wanted to say welcome to
432 our new neighbor and appreciate them working with us over the past few months
433 and simply that we don't oppose. Thank you.

434
435 Mrs. Marshall - Do we have any questions for Mr. Gilliam? Thank
436 you.

437
438 Mr. Gilliam - Thank you.

440 Mrs. Marshall - Mrs. Kotula?

441
442 Mrs. Kotula - I just want to thank everybody again for working
443 together on this issue. I think we've got a good outcome for everybody this
444 evening. All right. With that I move that we waive the time limits for REZ2018-
445 00042, Andrew M. Condlin for Marie T. Hammer.

446
447 Mr. Archer - Second.

448
449 Mrs. Marshall - We have a motion by Mrs. Kotula, a second by
450 Mr. Archer. All in favor say aye. Those opposed say no. There is no opposition;
451 this motion passes.

452
453 Mrs. Kotula - All right. I move that we approve REZ2018-00042,
454 Andrew M. Condlin for Marie T. Hammer, with proffers 1 through 14 dated
455 October 18, 2018.

456
457 Mr. Baka - Second.

458
459 Mrs. Marshall - We have a motion by Mrs. Kotula, a second by
460 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition;
461 this motion passes.

462
463 **REASON -** Acting on a motion by Mrs. Kotula, seconded by Mr.
464 Archer, the Planning Commission voted 5-0 (one abstention) to recommend the
465 Board of Supervisors grant the request because the proffered conditions will
466 provide appropriate quality assurances not otherwise available and it would not
467 adversely affect the adjoining area if properly developed as proposed.

468
469 Mrs. Kotula - I move that we approve PUP2018-00014, Andrew M.
470 Condlin for Marie T. Hammer, with conditions 1 through 4 in the staff report.

471
472 Mrs. Marshall - Second. We have a motion by Mrs. Kotula, a second
473 by Mrs. Marshall. All in favor say aye. Those opposed say no. There is no
474 opposition; this motion passes.

475
476 **REASON -** Acting on a motion by Mrs. Kotula, seconded by Mrs.
477 Marshall, the Planning Commission voted 5-0 (one abstention) to recommend the
478 Board of Supervisors grant the request because the conditions should minimize
479 the potential impacts on surrounding land uses and it is reasonable in light of the
480 surrounding uses and existing zoning on the property.

481
482 Mr. Emerson - Madam Chair, we now move on to the next item,
483 which also appears on page 2 of your agenda, which is REZ2018-00014, Leroy
484 Chiles for Quality of Life of VA LLC. The staff report will be presented by Mr. Seth
485 Humphreys.

(Deferred from the September 13, 2018 Meeting)

REZ2018-00014 Leroy Chiles for Quality of Life of VA LLC:
Request to conditionally rezone from R-4 One-Family Residence District, B-1 Business District, and M-1 Light Industrial District to R-5AC General Residence District (Conditional) Parcel 805-710-1834 containing 11.7 acres located south of Darbytown Road, approximately 300' south of its intersection with Oregon Avenue. The applicant proposes detached dwellings with zero lot lines. 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 2, density should not exceed 3.4 units per acre, and Environmental Protection Area.

Mrs. Marshall - Is there anyone present who is opposed to REZ2018-00014, Leroy Chiles for Quality of Life of VA LLC? Mr. Humphreys?

Mr. Humphreys - Thank you, Madam Chair, members of the Planning Commission. As Mr. Emerson stated, this request is to conditionally rezone 11.7 acres from R-4, B-1, and M-1 to R-5AC to permit a detached zero-lot-line development containing not more than 3.4 units per acre or a maximum of 39 units. An adjacent B-1 Business District parcel is also being purchased by the applicant. The request could gain access to Darbytown Road through that parcel. And an ingress/egress easement has been recorded to ensure that future access.

Surrounding uses are primarily residential with limited commercial uses and vacant commercial land to the north. Residential uses include the Darbytown and Williamsburg Village Apartments located to the west and the Edge Hill Lawn single-family subdivision located adjacent to this request to the east. The large M-1 parcel to the south is currently unimproved.

The applicant has submitted revised proffers since the publishing of the staff report. A version of those proffers lined against the original proffers submitted with this case have been handed out to you this evening. They would not require the waiving the time limits. A final signed copy of the proffers is dated October 3rd, which is a little different than the ones you were handed.

The density proffer has been adjusted from 4 to 3.4 units per acre to reflect the recommendation of the Suburban Residential 2 in the Comprehensive Plan. The proposed zero-lot-line detached homes would be generally consistent with the Plan's recommendation. In addition to the density proffer, the applicant has submitted proffers related to lot widths, future conservation areas, public roads, and some architectural items.

531 The proffer regarding development of the property in general conformance with
532 the submitted conceptual plan has been removed in the latest version of the
533 proffers. The conceptual layout submitted by the applicant shows two points of
534 access. The primary access is shown from Darbytown Road opposite Oregon
535 Avenue through the adjacent vacant B-1 property. A secondary access would be
536 a continuation of Edgelawn Street, shown here. The owner of the adjacent parcel
537 has recorded an ingress/egress easement for use of the subject parcel as shown
538 here. The location of this easement is consistent with this conceptual plan.

539
540 The conceptual plan shows the location for a private access easement to the M-1
541 land to the south. Due to development to the west, access to this adjacent parcel
542 has been severely limited. If it were to develop for residential uses it would be a
543 typical development pattern to have a stub road from this subject property that is
544 not encumbered by a private access easement. A stub road would be consistent
545 with the Comprehensive Plan's goal of interconnectivity.

546
547 The applicant has submitted revised proffers, but staff has concerns over the
548 removal of the previous assurances for ingress/egress to the site, as well as
549 continued concerns regarding the accessibility through the development to the
550 potential future development to the south. For these reasons, staff cannot
551 recommend approval of this request. That ends my presentation, and I'll be
552 happy to take any questions.

553
554 Mrs. Marshall - Do you have any questions for Mr. Humphreys?

555
556 Mr. Mackey - Yes. Mr. Humphreys, so you're saying you have not
557 been able to get the stub road—from the applicant?

558
559 Mr. Humphreys - No sir.

560
561 Mr. Mackey - Okay.

562
563 Mr. Humphreys - They have shown it here as a private access
564 easement on the conceptual, but that would not ensure that it would be public
565 right of way as the rest of the roads would.

566
567 Mr. Mackey - All right, thank you.

568
569 Mrs. Marshall - Any more questions for Mr. Humphreys?

570
571 Mrs. Kotula - Mr. Humphreys, at our last meeting there were some
572 questions about the environmental features on the site. Has there been any
573 additional information gathered on that?

574
575 Mr. Humphreys - Not to my knowledge. We'd have to ask the applicant
576 on that. As far as I'm aware there are some potential features, as shown here in

577 the shaded area. But without further engineering, which has not been shared with
578 me, I would not know exactly where they would be and what the limits of those
579 would be.

580

581 Mr. Baka - If the proffers do not allow for the establishment of a
582 stub road at this time, is there any other mechanism later in the development
583 process by which the County could recover a stub road? For example, could
584 there be no building permits issued, for example, for houses until a stub road is in
585 place? Or is this the Commission's last opportunity to address this?

586

587 Mr. Humphreys - As far as I'm aware, this would be the Commission's
588 last opportunity unless the applicant just did that at some point.

589

590 Mr. Baka - Okay, thank you.

591

592 Mr. Humphreys - This would be the last chance to get an assurance of
593 that.

594

595 Mr. Emerson - Certainly, Mr. Baka, we would continue to request.
596 But normally in these situations either the conceptual plan is proffered reflecting
597 a stub road to the adjacent property or it's specifically outlined in the proffers.
598 And you know, we're consistent with this across the county. We recently
599 connected a case off of Hungary—I believe it's Broad Meadows—to a property
600 that the stub road had been there since the '70s.

601

602 Mr. Baka - Okay.

603

604 Mr. Emerson - Or early '80s, somewhere in that area. So it's been
605 common practice for some time.

606

607 Mrs. Marshall - Thank you, Mr. Humphreys.

608

609 Mr. Mackey - Can we hear from the applicant?

610

611 Mrs. Marshall - Could Mr. Chiles please come forward? As you come
612 forward, will you please state your name as you approach the podium. Thank
613 you.

614

615 Mr. Lee - I'm Bomani Lee with Leroy Chiles.

616

617 Mr. Chiles - I'm Leroy Chiles. Thank you.

618

619 Mr. Mackey - Would you like to speak about the stub road?

620

621 Mr. Chiles - Particularly with regards to the stub road, we don't
622 have any particular objection to providing it. But we do have objection to being

623 forced into it in the event that the property behind us does have access through
624 the City of Richmond. We've had to go through extraordinary measures to try to
625 get right of way to get property in order to provide right of way in front through the
626 B-1 property. And so we would expect that those same measures would be done
627 before we provide that to the property in the rear. We've had no discussions.
628 We've reached out to the party, and they haven't come back with any other
629 options or other negotiations. And so we've proposed to continue with the plan
630 we've got here.

631
632 Mr. Mackey - Is that the reason for you not proffering the concept
633 plan?

634
635 Mr. Chiles - That's correct.

636
637 Mr. Mackey - Is this currently going to be a lot where it has the
638 private access easement?

639
640 Mr. Chiles - Currently, we've brought down the density to I believe
641 no more than 3.4, which is 39 lots, which is what we're showing. In this current
642 plan, we couldn't make that a lot because we would be over the 39 lots.

643
644 Mr. Mackey - I don't have any other questions.

645
646 Mrs. Marshall - Any more questions?

647
648 Mr. Mackey - Well yes I did have a question. On your proffers,
649 they're kind of limited. If it were approved, would you have any hours of
650 construction? What would your hours of construction be?

651
652 Mr. Chiles - Seven to seven, 7 a.m. to 7 p.m.

653
654 Mr. Mackey - Right. Monday through Friday, Saturday?

655
656 Mr. Chiles - Monday through Friday.

657
658 Mrs. Kotula - Any construction on Saturday?

659
660 Mr. Chiles - No. When Friday comes, the gentlemen, most of them
661 don't like to work on Saturdays. We pay them on Fridays.

662
663 Mr. Mackey - All right. I don't have any other questions.

664
665 Mrs. Marshall - Any more questions from the Commission?

666
667 Mr. Chiles - Can I say something?
668

669 Mrs. Marshall - Sure.
670
671 Mr. Chiles - Also, the biggest challenge is we're doing under fifty
672 lots. And we were requested to maybe bring access in from Darbytown. The
673 property is already zoned R-4, allowing us to do twenty-five lots. The reason we
674 wanted to rezone the M-1 that's in the back, about 3.5 acres, is because we
675 didn't want an industrial development and traffic coming through, trucks and so
676 forth, just to get to that particular part of the land. As we calculated it, if we were
677 to bring that road in from Oregon to get the rezoning and it'd demanded that we
678 do certain things, it actually makes the project unaffordable, as far as cost. The
679 road from Darbytown to the development is about 387 feet. We did some
680 checking around, and the calculation for the cost made it—well, we wouldn't do
681 the development.
682
683 Second of all, because of the area—if the area could hold a higher price, we'd be
684 more than happy to do certain things. But due to the area—and I've been a real
685 estate broker for twenty-three years. I did all the market analysis and everything.
686 Due to the costs and sale of the area, it makes a few things very, very difficult.
687
688 We wanted to do the forty, basically, so you don't have something in the back
689 that's industrial. But at the same time, not wanting to do certain things. Not
690 because we don't want to, but because we can't.
691
692 Mr. Mackey - All right.
693
694 Mr. Chiles - So that's where we are. Like I said, it's already zoned
695 R-4, so that put us in a position. I believe that's twenty-five lots, is it not? So we
696 just wanted to do a complete, neat project, that's all.
697
698 Mr. Mackey - All right, thank you.
699
700 Mrs. Marshall - Thank you. Mr. Mackey?
701
702 Mr. Mackey - You already asked if there was anyone else to speak?
703
704 Mrs. Marshall - Is there anyone else who would like to speak on this
705 case?
706
707 Mr. Mackey - All right. Madam Chair, first I would like to say this has
708 been a very trying case. We've spent a lot of time on it going over things with the
709 applicant and with staff. I believe Mr. Chiles does have very good intentions of
710 what he's trying to accomplish, but as a Commission, we can only operate with
711 what we see before us. And I believe that we don't have enough in front of us
712 right now to move forward with what you like. Having said that, Madam Chair, I
713 move that REZ2018-00014, Leroy Chiles for Quality of Life of VA LLC, be
714 forwarded to the Board of Supervisors with a recommendation for denial.

715
716 Mr. Archer - Second.

717
718 Mrs. Marshall - We have a motion by Mr. Mackey, a second by
719 Mr. Archer. All in favor say aye. Those opposed say no. There is no opposition;
720 this motion passes.

721
722 **REASON -** Acting on a motion by Mr. Mackey, seconded by Mr.
723 Archer, the Planning Commission voted 5-0 (one abstention) to recommend the
724 Board of Supervisors deny the request because it does not meet the goals,
725 objectives and policies regarding connectivity of the Comprehensive Plan and
726 would not be in the best interest of the welfare and future of the community due to
727 the limited road network.

728
729 Mr. Emerson - Madam Chair, we now move on to the next item,
730 which appears at the bottom of page 3. It is PUP2018-00012, C-Fit 4 LLC for
731 Westpark Glen Allen, LLC. The staff report will be presented by Ms. Kristin
732 Smith.

733
734 **PUP2018-00012 C-Fit 4 LLC IVT for Westpark Glen Allen, LLC:**
735 Request for a Provisional Use Permit under Sections 24-58.2 (a), 24-120 and 24-
736 122.1 of Chapter 24 of the County Code to allow 24-hour operation of a fitness
737 facility on part of Parcel 753-758-7318 located on the east line of Stillman
738 Parkway approximately 500' south of its intersection with W. Broad Street (U.S.
739 Route 250). The existing zoning is B-2C Business District (Conditional). The
740 2026 Comprehensive Plan recommends Commercial Arterial.

741
742 Mrs. Marshall - Is there anyone present who is opposed to PUP2018-
743 00012, C-Fit 4 LLC IVT for Westpark Glen Allen, LLC? I see no opposition.

744
745 Ms. Smith - Thank you, Madam Chair, members of the
746 Commission.

747
748 This request is for approval of a Provisional Use Permit to allow for a 24-hour
749 operation of a new fitness facility, Planet Fitness, located within the Westpark
750 Shopping Center. Both the shopping center located south of West Broad Street,
751 and Planet Fitness, which will be located in the tenant space closest to Stillman
752 Parkway, are currently under construction. The tenant upfit for Planet Fitness
753 should be completed in the later part of this year.

754
755 The gym and shopping center are zoned B-2C Business District Conditional and
756 governed by proffers accepted with C-76C-89. B-2 zoning permits hours of
757 operation to be 6 a.m. to midnight, meaning any extension of hours beyond this
758 would require a provisional use permit. The property is surrounded by a variety of
759 zoning districts, including O-2C, B-2, B-3, and M-1.

761 The subject property is designated as Commercial Arterial on the 2026
762 Comprehensive Plan. Extended operating hours would be consistent with this
763 designation and with the commercial nature of the surrounding area.
764

765 To stay consistent with its business plan and remain competitive with other
766 fitness facilities, the applicant wishes to operate 24-hours a day. While there are
767 no 24 hour operations within the shopping center, there has been one provisional
768 use permit approved for extended hours to remain open until 2 a.m.
769

770 This is the third request in the county for extended hours of operation for a fitness
771 facility in 2018. This is a member-only facility, staffed at all hours, and is in the
772 process of working with the Division of Police to complete a security plan. This
773 security plan included as condition #3 in the Staff Report must be approved by
774 the Chief of Police prior to operating twenty-four hours.
775

776 In response to concerns of parking lot surveillance, condition #4a has been
777 revised to specify the parking area needing to be clearly captured on camera, to
778 which the applicant has agreed.
779

780 Based on the revised conditions dated 10/18/2018, and that the limited impacts
781 of the fitness facility should not negatively affect nearby properties, staff supports
782 this request.
783

784 This concludes my presentation. I am happy to try and answer any questions.
785

786 Mrs. Marshall - Do we have any questions for Ms. Smith? Ms. Smith,
787 I have a question. I do want to say I appreciate all of the diligent work that you
788 have done on this case as far as the security goes. Security is paramount for
789 everyone, especially if you're going to have young people going in and out of a
790 business or gym twenty-four hours a day. I'm very happy that Planet Fitness has
791 decided to give us all the cameras necessary that we have asked. So I really
792 appreciate your hard work on that.
793

794 Ms. Smith - Of course.
795

796 Mrs. Marshall - Anything from the Commission? Do you have a
797 question? Is there anyone that would like to speak on this case? Thank you. I
798 move PUP2018-00012, C-Fit 4 LLC IVT for Westpark Glen Allen, LLC, be
799 approved with conditions 1 through 7 dated 10/18/18 in the agenda.
800

801 Mr. Mackey - Second.
802

803 Mrs. Marshall - We have a motion by Mrs. Marshall, a second by
804 Mr. Mackey. All in favor say aye. Those opposed say no. There is no opposition;
805 this motion passes.
806

807 **REASON -** Acting on a motion by Mrs. Marshall, seconded by Mr.
808 Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the
809 Board of Supervisors grant the request because it would provide added services
810 to the community and when properly regulated by the recommended conditions, it
811 would not be detrimental to the public health, safety, welfare and values in the
812 area.

813
814 Mr. Emerson - Madam Chair, we now move on to page 4 of your
815 agenda for SIA2018-00001. This is a Substantially in Accord action for a
816 proposed firehouse #23 on Nine Mile Road. The staff report will be presented by
817 Ms. Kristin Smith.

818
819 **SIA2018-00001 Nine Mile Road Firehouse #23:** The Department of
820 Planning has received a request from the Division of Fire to initiate a
821 Substantially In Accord study of a proposed firehouse located at 5618 Nine Mile
822 Road. The proposed firehouse site consists of Parcel 816-726-4476, located on
823 the northwest corner of the Nine Mile Road and Westover Avenue intersection.
824 The property is 4.686 acres and is zoned R-3 One-Family Residence District.
825 The 2026 Comprehensive Plan recommends Suburban Residential 2

826
827 Mrs. Marshall - Is there anyone present in opposition in SIA2018-
828 00001, Nine Mile Road Firehouse #23? I see no opposition. Ms. Smith?

829
830 Ms. Smith - Thank you again, Madam Chair, members of the
831 Commission.

832
833 At the request of the Henrico County Division of Fire, the Planning Department
834 conducted a Substantially in Accord Study to determine whether a proposed site
835 for a firehouse located on the northwest corner of the Nine Mile Road and
836 Westover Avenue intersection, is substantially in conformance with the 2026
837 Comprehensive Plan.

838
839 The site is located in the Varina Magisterial District and includes one parcel of
840 approximately 4.82 acres. Surrounding uses include the proposed From the
841 Heart Ministries of Richmond to the north and various residential uses to the
842 south, east, and west.

843
844 The property is zoned R-3, which would allow county facilities as a principal use.
845 Surrounding zoning is primarily residential in nature with A-1 to the north, R-2A to
846 the south, and R-3 to the east and west.

847
848 The 2026 Comprehensive Plan recommends Suburban Residential 2 uses for
849 the subject site, the same as the surrounding properties. The Suburban
850 Residential 2 designation encourages neighborhoods limited to detached, single-
851 family residential uses. While a public facility such as a firehouse is not fully
852 consistent with the Suburban Residential 2 designation, firehouses are

appropriate when located near residential areas for rapid response times and could be designed to be compatible with surrounding existing land uses.

After reviewing the proposed location in the context of existing and recommended land uses, the transportation system, and other critical site characteristics and considerations, staff concludes the proposed use of this site for a firehouse presents no apparent conflict with the intent of the adopted 2026 Comprehensive Plan. The proposed firehouse is deemed to be "substantially in accord" with the goals, objectives and policies of the 2026 Comprehensive Plan.

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

Mrs. Marshall - Are there any questions from the Commission?

Mr. Mackey - Do we have a completion date?

Ms. Smith - No sir.

Mr. Emerson - Mr. Mackey, this is just a substantially in accord. The plans for the firehouse will come forward at a later date.

Mr. Mackey - All right.

Mr. Emerson - This is an action required by the Code of Virginia for any type of governmental institution that occurs out of synch with the Comprehensive Plan.

Mr. Mackey - Okay.

Mr. Emerson - So that's the purpose of this action.

Mr. Mackey - Okay, thank you.

Mrs. Marshall - Mr. Mackey?

Mr. Mackey - Madam Chair, I move that we approve SIA2018-00001, Nine Mile Road Firehouse #23, and recommend that we move this to the Board of Supervisors with a recommendation of approval.

Mr. Baka - Second.

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

Mr. Emerson - Madam Chair, we continue on page 4 of your agenda and move into the long-awaited and much anticipated Route 5 study public hearing.

ROUTE 5 PUBLIC HEARING: The Planning Commission will receive public input on the Route 5 Corridor Study, as recommended by the 2026 Comprehensive Plan. Designated an Existing Character Protection Area, the study area consists of the land located 500 feet on either side of the centerline of Route 5 from the City of Richmond to Charles City County.

Mr. Emerson - As you know, we did move the meeting out to this location this evening in order to make the meeting more accessible to the residents surrounding Route 5 in the Varina District. And the New Market Road corridor was identified in the 2026 Comprehensive Plan as one of thirty Special Focus areas. The Plan recommended further study of the corridor to evaluate whether current zoning regulations supported preservation of the character of the corridor. The Board of Supervisors initiated the study in March of last year. And since that time, staff has been working diligently along with the community to identify ways to guide the future development quality of the corridor.

All the study materials have been posted on the project website, and the latest revised document has been available for review since the 24th of September. I would like to clarify a few items this evening before we begin down the road of the public hearing.

I would like to remind everyone. There has been some confusion regarding this study and its impacts and use. The Route 5 corridor study isn't a land use plan nor is it a transportation plan. It is a study to evaluate the existing character of the corridor and identify ways to protect and preserve that character. Route 5 is a VDOT road. They own and maintain it. So the state owns and maintains Route 5, not the County. We've stated from the very beginning of this study that this does not contemplate the widening of the road. We can't do that. That's not in our purview. We can't stay widen it or not widen it; that's a state decision. And I think many of you have been involved in some of the state studies based solely on the road and its capacities. But this study does not go into the widening or not widening of the road. While we understand your thoughts in that regard, those comments really are not relevant to tonight's public hearing.

The study also doesn't recommend any changes in zoning or future land use. Again, this is a way to identify ways to preserve the existing character of the corridor, in the event growth occurs in the future, in order to enhance it and preserve the quality of the corridor. The underlying land use regulations are still in place, and the land use designations in the 2026 Plan are still in place in this area.

943 Mrs. Marshall - Thank you, Mr. Secretary. I'd like to welcome
944 everyone to this public hearing. At the request of the Varina District supervisor,
945 Mr. Nelson, we moved our regular Planning Commission meeting from the
946 Government Center on Parham Road to Varina in an effort to be closer to the
947 study area. We appreciate your time and your effort to be here.

948
949 As Mr. Emerson said, this is a public hearing on the Route 5 Corridor Study. The
950 purpose of this hearing is to receive public input on the draft Route 5 Corridor
951 Study. Following the staff presentation, we will take comments. All the input we
952 receive tonight will be recorded and transcribed.

953
954 Mr. Emerson, as the secretary of the Planning Commission, I'll turn the meeting
955 back to you to explain the procedures for the hearing.

956
957 Mr. Emerson - Thank you, Madam Chair. In order to accommodate
958 all the public input, the Commission has established a time limit for speakers.
959 That's not unlike the time limits that they have for regular hearings, which we
960 didn't get into tonight because we didn't have that many folks that wanted to
961 speak. But for the purpose of the Route 5 study, each person will have up to two
962 minutes to provide their input. The Commission, at its discretion, can extend that
963 time limit. Should the Commission have a clarifying question, the time to answer
964 such questions will not be included within the speaker's allotted time.

965
966 Acting as the Commission's secretary, I will call forward the speakers. We do
967 have two that are signed up. I understand after the presentation many of you
968 may wish to speak or may not wish to speak. Once the first two that have signed
969 up are called, certainly we'll open the floor. As you approach the podium, we
970 would ask that you state your name and your address for the record because
971 these are recorded meetings, and we like to have a record of your input.

972
973 You'll notice that there are a set of lights on the podium. When you begin
974 speaking, there will be a light that will turn green. When you have one minute
975 remaining, the light will turn yellow. When your time is up, the light will turn red,
976 and we would ask that you conclude your comments. And again, we'll continue to
977 call the speakers until everybody has had an opportunity to share their thoughts.

978
979 At this time, I will turn the meeting over to Ms. Deemer for her presentation. And
980 then after that, we will move into the public input. Ms. Deemer.

981
982 Ms. Deemer - Good evening. Can everyone hear me back there?
983 Okay.

984
985 For the public hearing this evening, I will be providing an overview of the Route 5
986 Corridor Study, including the public outreach process, the study's recommended
987 goals, objectives, strategies, and draft design guidelines. We've had multiple
988 community meetings, and I know that there are several interested individuals

989 here to speak. Following my presentation, the Planning Commission will take
990 comments, as Mr. Emerson said, from the public, so I will try to be as brief as
991 possible.

992
993 Before you are the major milestones since we kicked off the study in March 2017.
994 This has been the most extensive study in terms of public outreach and citizen
995 participation. I'll go over the public process later in the presentation, but I wanted
996 to be able to give the Commission and the public a framework for our process.

997
998 Route 5 is one of the oldest transportation routes in Virginia and was the second
999 road designated a Virginia state byway. Because of its unique character, Route 5
1000 is identified as one of thirty special focus areas in the County's 2026
1001 Comprehensive Plan for further study and to provide more specific guidelines for
1002 use and future review of the development proposals while integrating and
1003 respecting the existing agricultural, residential, and commercial development
1004 currently present along the corridor.

1005
1006 The study area boundary begins at the Richmond City limits at Rocketts Landing
1007 and continues to the Charles City County boundary, which is approximately
1008 13.75 miles. It then extends 500 feet from the center line of Route 5 on either
1009 side of the center line. This is not about taking property; it is just simply that 500
1010 feet is giving us the area in which we were to study.

1011
1012 At 13.75 miles, this is the longest corridor plan the department has undertaken.
1013 The study area includes 748 parcels and 1,221 acres. As Mr. Emerson indicated,
1014 it is not a transportation plan, nor is it a land use study. But it does recommend
1015 strategies and guidelines to help protect the corridor's more rural character.

1016
1017 The recommendations and visions from the community have been an important
1018 step in shaping Route 5's future. There are opportunities to implement some of
1019 the recommendation in an Overlay District as part of the zoning and subdivision
1020 code update. We also foresee reviewing land uses as part of a Comprehensive
1021 Plan update in the near future.

1022
1023 In preparing for the study, staff reviewed numerous documents over the years on
1024 Route 5 as a whole. As you will note, most of the documents were studies that
1025 resulted in no action. Only the 1999 Capital-to-Capital Bikeway Feasibility Study
1026 was adopted and implemented.

1027
1028 In starting the study, staff conducted extensive research, reviewing the zoning
1029 and future land use designations along the corridor, as well as identifying natural
1030 resources, historic markers, and significant views and vistas. Staff also
1031 conducted a visual inventory. This included well over a thousand photos to
1032 assess patterns of streetscape, building style, and site layouts of existing
1033 developments.

1035 This first slide captures the area mainly between Rocketts Landing and just
1036 beyond Marion Hill. As you can see, the character is very urban and industrial,
1037 though Tree Hill Farm is noted at the southern end of this area.

1038
1039 Traveling east, the area transitions to a more suburban development style with
1040 pockets of limited commercial, retail, and several small farms.

1041
1042 Finally, the most consistent area is east of I-295, which is very rural, which also
1043 matches the future land use designation of Prime Agriculture.

1044
1045 When we reviewed the existing conditions, photos, and site visits, we began to
1046 see three areas of the distinction. The first area, identified as sub area 1, which is
1047 in the blue at the northern part of the slide, is approximately one mile long from
1048 the city/County line to McCool Street in Marion Hill. This includes Rocketts
1049 Landing, the CSX rail line, the IT&T storage facility, and Vulcan Materials.

1050
1051 The second area is from McCool Street to Interstate 295. This sub area, #2, is
1052 approximately 6-1/2 miles long. And though interspersed with several farms, it
1053 has taken on more suburban characteristics.

1054
1055 The third and final area is approximately 6.6 miles in length and runs from
1056 Interstate 295 to Charles City County and is the most rural part of the study area.

1057
1058 These areas provided us a framework as we completed the draft background of
1059 the study and started the public participation process to frame the vision of the
1060 corridor along with its goals, objectives and strategies.

1061
1062 As mentioned, the public participation effort was extensive. Staff built a website
1063 with an interactive public participation portal and a database of interested
1064 citizens. Notification of meetings were posted on the County's calendars of
1065 events and through press releases, posted on the County's Facebook page, and
1066 advertised on local media stations. In one instance, variable message boards
1067 were used to remind and encourage stakeholders to attend an upcoming
1068 community meeting.

1069
1070 Following a kick-off meeting with the Planning Commission in May 2017, staff
1071 held an open house at the Varina Library. Various maps and graphics were
1072 displayed around the room, and attendees could speak one-on-one with staff and
1073 ask questions about the purpose of the study, the existing conditions, and also to
1074 get a demonstration of how the web page and our portal worked. Based on the
1075 responses from the exit survey that evening, staff found participants were most
1076 interested in the future land use designations, potential roads on the major
1077 thoroughfare plan, and the identified views and vistas. Most written comments
1078 focused on the need to slow growth in the area, traffic on Route 5, concerns
1079 about the safety of the Capital Trail, and the need to protect the rural agricultural

1080 feel of the area. This was the first step used in identifying the future goals and
1081 objectives for the study.

1082
1083 In an effort to formulate those goals and objectives, staff held an interactive
1084 community workshop on August 3, 2017. A brief presentation was given
1085 explaining how input is used to create goals, objectives and strategies. Attendees
1086 were then asked to collaborate to identify their five most important issues facing
1087 Route 5 and what they would do about them. Each table then reported back,
1088 ideas were transcribed onto large sheets of newsprint and hung on the wall. As a
1089 final exercise, everyone was given a set of dots to vote for those ideas that they
1090 most agreed with.

1091
1092 Based on a tabulation of those dots, the issue with the most support was to
1093 preserve the character of the area. This included promoting the rural, agricultural,
1094 and historic assets in and around the corridor. The second most advocated idea
1095 was the creation of a town center, while an Overlay District to assist in character
1096 preservation was the third most popular issue. Other concerns that garnered
1097 multiple votes were the need for responsible growth, promoting tourism, and
1098 restricting commercial enterprises from growing beyond the designated areas.

1099
1100 Using this input, staff created a draft set of goals and objectives which were then
1101 presented at a second community workshop. That workshop was held in October
1102 of this past year and attended by approximately 115 folks. Over 920 property
1103 owners were notified by mail, while another 240 stakeholders were emailed
1104 information about the meeting. We also used those two variable message boards
1105 to encourage people to attend the meeting.

1106
1107 Attendees were provided with keypad polling devices so they could share their
1108 opinions anonymously. Stakeholders were asked how they felt about a series of
1109 goals and objectives, and the results were displayed in real time. Participants
1110 were also asked to respond to landscaping, lighting, and sign images. You can
1111 see some of those pictures there. As you can see from the screenshots, not all
1112 the goals and objectives, or even the images, had clear-cut support.

1113
1114 During the polling exercise, participants voiced their concern that some of the
1115 goals and objectives were too vague or leading. The most notable concern was
1116 the town center advocated during the previous meeting. Residents indicated they
1117 weren't requesting a new development area, but rather a space where locals
1118 could gather for farmers' markets and other community activities.

1119
1120 In an effort to clarify and simplify the goals and objectives, and to create
1121 corresponding strategies, staff reevaluated all comments received throughout the
1122 public participation process. Over 300 comments were reviewed. Based on the
1123 input, five issues were identified as the most frequently commented upon. They
1124 were character, transportation, land use, recreation, and tourism.

During this time, staff received a letter along with a petition signed by 108 residents from Marion Hill requesting that it be removed from the original study. Based on the support shown by the number of signatures on the petition, staff agreed to remove Marion Hill, and it will be addressed in a more detailed study at a later date.

To better clarify and more representatively echo participants' concerns, staff revised the goals and objectives and strategies. Using those, as well as suggestions from the community survey and other public input, staff also developed design guidelines for the corridor. All of this information was presented at a second open house this June 4th at the Varina Library.

In response to citizen input, staff simplified the goals and objectives to fewer. The first goal acknowledges the existing character of the area and reads: Preserve the rural, historic, and agricultural character. The subsequent objectives illustrate how that goal can be accomplished. For example, the objective 1.3, which is the third one there: "Encourage agricultural enterprises along the corridor" is one way to achieve the goal of preserving the character of the area. Again, the goal of preserving the rural, historic, and agricultural character of the corridor can further be accomplished by implementing the following strategies. And trust me, I'm not going to read them all. These strategies identify many of the specific items heard throughout the public participation process. They go beyond the objectives, providing identifiable implementation measures.

This slide illustrates the remaining strategies associated with the goal to preserve the rural, historic, and agricultural character of the corridor. Based on further comment, we also added strategy 1.10 to conduct a study with the County's next soil survey.

Moving on to goal 2, which focuses on development, deter strip development and big box stores. A suggestion was made to include chain stores in that goal. As it isn't possible to prohibit businesses by uses, such as trademarked stores of franchises, we were not able to include that. However, staff notes that in addition to objective 2.1, where footage limitations could be addressed either in the design guidelines or in a future Overlay District.

Goal 3 focuses on recreation. Enhance and increase recreational opportunities, could be accomplished, for example, but encouraging access to the James River or identifying opportunities to link the Capital Trail to other points of interest. The text you see in bold has been added based on community input. Goal 3 can also be accomplished by the following four strategies, which include requiring public access to the river through rezoning or the plan of development process or providing rest areas or more parking opportunities in proximity to the trail.

Our last goal is related to transportation. Encourage a transportation network that promotes safety and connectivity for motorists, pedestrians, and cyclists. This

could be achieved by objectives such as minimizing the number of entrances along the corridor or supporting recommended enhancements to the Capital Trail. Goal 4 could also be accomplished by strategies such as prohibiting individual access for outparcels and requesting reviews of VDOT accident data to determine appropriate improvements at identified intersections. Also included in this slide is a new strategy identifying potential bicycle and pedestrian linkages to the Capital Trail.

In addition to the goals, objectives and strategies, staff drafted design guidelines. Design guidelines are a set of recommendations that address certain desired outcomes and result in good design practices. They are intended to provide clear instructions for development and to achieve a design principle and satisfy a specific goal or objective. We have developed design guidelines that would apply to the entire corridor to address overall site design, future building and parking placement as it relates to existing and any new entrances to the corridor. There are also guidelines that are more specific to the sub areas that I mentioned earlier in regards to lighting and signage. There are a total of forty-nine guidelines, which I have no intention of going over, but I will provide a representative sample so everyone is familiar.

An example of a design guideline specific to site design is parking may be placed in front of a building only if architectural treatment and the main entrance faces Route 5 and landscape screening measures for the parking are used. As you can see on the left, that's discouraged because the parking is in the front but there is nothing to break it up where you would see on the right-hand side with shrubbery and trees to kind of soften the potential development.

An example of a guideline related to streets and access is that new streets should be configured to avoid natural resources and open space areas. Single-loaded streets with lots on one side and common open space on the other are strongly encouraged. On the far left you see just basically empty land that hasn't been developed. The center picture shows that is discouraged where lots face each other and you've taken out all of the important trees and shrubbery and water features. Instead, we are suggesting something designed along the third image.

Regarding landscaping, it is recommended that existing vegetation and the land form be used to integrate new development with the rural landscape. On visually prominent land forms where natural topography or existing vegetation, hedge rows, and wind breaks cannot be used as a vegetative backdrop, then use naturalized plantings to visually anchor the development. Here you can see that basically the topography is almost the same. But instead of putting the houses at the highest point so that everybody can see them as you're going down the road, we would encourage them to be behind the existing trees and shrubs that are currently on the property.

1218 Regarding lighting, consistent ornamental and pedestrian-scale lighting is
1219 encouraged along the corridor to create a uniform streetscape.

1220
1221 Signage throughout the corridor should be of a scale, size, and material
1222 appropriate to the area. Cabinet signs and the use of attention-getting devices or
1223 excessive illumination of signs should be prohibited. Sign illumination should
1224 avoid objectionable glare and light spillover on adjacent properties.

1225
1226 That concludes my presentation, and I would be happy to answer any questions
1227 you may have.

1228

1229 Mrs. Marshall - Are there any questions from the Commission?

1230

1231 Mr. Mackey - I really don't.

1232

1233 Mr. Baka - I have one. What type of land uses would be
1234 considered to be agricultural enterprises? And could you give an example or two
1235 of how the County could potentially encourage agricultural enterprises along this
1236 corridor?

1237

1238 Ms. Deemer - Sure. Right now what most people would think of as
1239 agricultural enterprises would simply be farming or maybe farm stands. What we
1240 are suggesting is that there is new push towards agritourism efforts. And while
1241 owners of farms can certainly have a farm stand or a pick-your-own, perhaps we
1242 need to look into whether or not our Zoning Ordinance allows in the A-1 having a
1243 bed and breakfast. Because perhaps people would like to spend some time on a
1244 farm. Also whether or not our ordinance would allow for something along the
1245 lines of a brewery or cidery if someone grows apples. It really depends upon the
1246 crops that are being grown currently. We just want to see if there is something
1247 that we can look at in our ordinance to see if it's too prohibitive right now and that
1248 perhaps maybe even dinner in the field, those types of activities which right now
1249 we think may be precluded, could, if we tweak the Zoning Ordinance, be allowed
1250 in the future.

1251

1252 Mr. Baka - Okay, thank you.

1253

1254 Mrs. Marshall - Are there any more questions from the Commission?
1255 Mr. Emerson?

1256

1257 Mr. Emerson - Madam Chair, before we move into the public
1258 speaking, I will note for the audience that at the end of the meeting I would
1259 anticipate that the Commission will take action to close the public hearing and
1260 defer action on this item to November 8. That's in order to allow the Commission
1261 time to consider any and all comments that are made this evening. Now on
1262 November the 8th if the Commission, after considering your comments, does
1263 chose to make an action on this document and forward it to the Board of

Supervisors, at that point I'm not exactly sure what schedule it may follow. Certainly the Board will probably hold their own internal work session on the document. I would anticipate the Board holding a public hearing sometime in the February to March timeframe. Just so you're aware of what the schedule may be. I would also anticipate that the record would be closed at the end of this meeting, the public record, along with the closing of the public hearing.

And Madam Chair, with that said, we do have two people signed up to speak. The first is Mr. Scotty Edwards, 1283 New Market Road. Mr. Edwards.

Mr. Edwards - Ladies and gentlemen of the Commission, thank you for hearing my concerns here tonight. Excuse my attire. I had not planned on speaking.

My wife and I own a small business located at 1283 New Market Road. It's on the second area of interest. One of my concerns is that I'm seeing land that is currently being used as B-1 Business that is being redesigned or shown on the Comprehensive Plan as residential. It does not show any way to have a business there in the future. My concerns are identifying these areas that may be right now currently used as business, zoned as business, but the 2026 Plan is actually showing it changing back to residential. I don't know if that's a mistake or what. But that is very concerning as a business owner in the County. Thank you.

Mrs. Marshall - Thank you.

Mr. Emerson - Madam Chair, the next speaker signed up is, I believe, Mark Perreault, 7880 Yahley Mill Road and 4120 New Market Road, I believe.

Mr. Perreault - Yes, thank you. I live on Yahley Mill Road, but I own a couple small properties on New Market Road, including the four acres at the corner of Long Bridge Road, which my wife and I have placed a permanent conservation easement on. So that will never change.

I think this plan is good as far as it goes. But I think what you have here in this Route 5 corridor is a corridor of national significance, not just regional and local significance. Maybe unfortunately from the County's point of view, the responsibility for caring for it and protecting it falls on you.

Because the scenic byway law is so weak in Virginia it does nothing to protect it to speak of. But I think you should view that not as a burden but as an opportunity.

I do not know of a major city that has the kind of viewsheds coming from the east that Richmond has on this roadway. It is magnificent. As you approach the city

there are open fields within a mile of downtown. And the river, it's just dramatic and it's a tremendous thing.

As I said, I think this study is fine as far as it goes. But I think the County should look at all the affirmative steps they could take to better protect this area. And I realize it's not a transportation study, but I assume you dialogue with VDOT. If there are any concerns about the road's carrying capacity, I suggest that you encourage them to look not at road widening, but look at what's been done up in Northern Virginia on Route 50 in Middleburg and Aldie and Upperville to increase the capacity by the use of rotaries and wider shoulders and traffic calming.

Finally, I urge you to work with these landowners of the agricultural land, especially in segments 1 and 2, which presumably are at the most risk. Encourage conservation easements, look at what you've done at Malvern Hill. Maybe there's a place for the County to actually purchase some of this open space to enhance it. It's going to take a team effort of a lot of people to make this corridor reach its potential, and I encourage you to look at every means.

Thank you.

Mr. Emerson - Madam Chair, those are the only two individuals we had signed up. I assume there may be others who would wish to speak. If they do, we'd ask at this time they come forward one at a time. You may want to queue up in the back of the room. I'm not sure how many there may be. Please, as you approach the podium, state your name and address, and remember the green, yellow, and red lights. Thank you.

Mr. Nelson - My name is Henry Nelson. I live at 3600 New Market Road. Appreciate the opportunity to speak tonight. I commend the Planning Commission for the excellent job they've done so far, but I do have some questions that still present me with a challenge.

First of all, what steps will we actually take to promote tourism? Are we going to give the Route 5 corridor a title that can be put on maps for people to look at in the future to come to this area as a designation? For instance, could it be called a historical corridor?

Secondly, in order to preserve the character of the community, it has to look like a community, it has to be enhanced like a community, and it has to be underscored as a community so that it has identifiable characteristics such as its architecture. Otherwise, it will become Anywhere, USA. To do that, Chesterfield County has led out on Route 10 with their architectural renderings and also their proffering to take their commercial buildings and give it a Colonial ambiance. We would like to see the Commission consider doing this in that they're going to be few in number but decisive in influence as to what the community looks like and whether a tourist would come, be attracted to it, and want to return.

1355

1356 I give you the comparison on a parallel to the state, which in their instances they
1357 don't do it for commercial buildings, but to promote tourism they have converted
1358 their welcome centers to have a Colonial ambiance design reminding people of
1359 the heritage of the state and welcoming them with that image in mind. Henrico
1360 just happens to be the second oldest settlement in the United States, predating
1361 all others with the exception of Jamestown. So we need to keep that in mind as
1362 we promote our tourism and do things that we can within the law to give that
1363 some kind of a boundary that has sustainable value to our future.

1364

1365 Thank you.

1366

1367 Mr. Mackey - Thank you.

1368

1369 Mr. Mauney - Thank you for allowing me this time to speak. My
1370 name is Darrell Mauney. I reside at 8027 Wood Mill Drive. That's right off of New
1371 Market Road. I've been there for thirty-five years. I traversed into the city as a
1372 retired rail conductor with CSX, a fourteen-mile round trip from my house to
1373 Orleans Street every day for thirty-two years.

1374

1375 Personally I'd like to know, by a show of hands, any of the Board members here
1376 that are directly affected or within the confines of the 500 feet from the center line
1377 out through this study. Any show of hands? Okay. Well I am within the 500 feet,
1378 and I can assure you at this location with Buffin Road in mind, of the 72 public
1379 schools that we have in Henrico County, one is split. That'll be Varina Elementary
1380 School and Mehfoud Elementary. And when I say "split," half go here and then
1381 the other half go to the other school. And there's a constant between the buses,
1382 the traffic on a daily basis.

1383

1384 Now we've got the Virginia Capital Trail, which I would highly recommend that
1385 there be a consistent study. Nobody wants to stop for these stop signs; they just
1386 continue on like they don't even exist. I have neighbors that have had people run
1387 stop signs and tear their property to pieces. And within the last nine months there
1388 have been three incidents. A lot of property damage.

1389

1390 But this one particular intersection, Buffin Road and New Market, it needs extra
1391 care. It just absolutely needs extra care, especially with the bike path, the bike
1392 trail.

1393

1394 Thank you.

1395

1396 Mrs. Marshall - Thank you.

1397

1398 Mr. Mackey - Thank you.

1399

1400 Ms. Troyer - Good evening. My name is Lisa Troyer. I live at 2230
1401 Mill Road, Henrico, Virginia, 23231. I have lived in Varina my whole life. I've seen
1402 changes, some for the good, some for the bad. I've seen where the highway
1403 came through so that people from Chesterfield could get to the highway or to the
1404 airport faster. I've seen people's houses torn down for that. I have seen many
1405 changes in my community. I lived here as a child. I moved, and now I'm back,
1406 living on the same road that I grew up on.

1407
1408 I understand change is necessary. I see that, and I understand it. The only thing I
1409 do not understand is why you would take, or even think about, building or making
1410 a highway out of Route 5. People do not understand what Route 5 is. Yes,
1411 there's going to be traffic. If you live here, you understand it. If you don't live
1412 here, and you move here, and you want to make a change, I suggest you move
1413 somewhere else, because this is our community. This is where I grew my kids
1414 up. This is my life. And I would honestly hate to see something so historic be
1415 destroyed because of other people's want to get here, there, and everywhere.

1416
1417 Those are my comments. Thank you so much.

1418
1419 Mr. Mackey - All right, thank you.

1420
1421 Ms. Ellis - Good evening. Madam Chair, members of the
1422 Commission, Supervisor O'Bannon, Mr. Emerson, thank you for letting us all
1423 speak tonight. My name is Nicole Anderson Ellis. I live at 1431 Chaffins Bluff
1424 Lane.

1425
1426 I'm here this evening speaking as co-chair of the Route 5 Corridor Coalition.
1427 We're a group of more than a dozen non-profit organizations from the Richmond
1428 region and across the state, as well as neighborhood associations from Varina,
1429 businesses and also residents such as myself.

1430
1431 I have spoken at many public hearings over the years. Some of them have been
1432 a little bit contentious. Varinians love their home. You're getting a taste of that
1433 tonight. And we haven't always had a strong trust in proposed changes and even
1434 well-intended guidance coming from the West End. In light of that history, it is
1435 particularly sweet for me to get to stand here tonight and give my wholehearted
1436 support for this draft of this study. I would like in particular to give thanks to
1437 Rosemary Deemer, who has been boots on the ground. Her hair didn't use to be
1438 purple; it's because of this study. Also, Mr. Emerson, who gave extraordinary
1439 resources from his department for this project. Supervisor Nelson, who from day
1440 one made sure that this study was done correctly and that its primary focus was
1441 always the values of the people in this community. And also my neighbors, the
1442 community itself, people who had to get sitters and drive a long way over and
1443 over and over again to make sure that their voice was heard. And I believe that it
1444 was heard.

1445

1446 This is not a perfect study. There are things that probably every single person in
1447 this room would change, if it was not a democracy. Thank goodness it still is. But
1448 it is a great leap in the right direction. Most importantly to me, and to our
1449 coalition, the process by which we got to where we are now really identified and
1450 then solved a number of the challenges that we faced in the past. There are
1451 some communication issues. The way people talk about their neighborhood
1452 when they're talking to their neighbors and the way planners talk about the same
1453 neighborhood, some stuff is lost in translation. And I think we figured out a lot
1454 about that through this process. And I think we're in a really great place to
1455 collaborate moving forward. And I'm really excited about it.

1456
1457 I would like to make one note with regards to translation. The August 3rd
1458 gathering that was referenced earlier, there were more than a hundred people
1459 there. That's a lot for Varina because we're pretty spread out. And we were
1460 asked to identify our priorities, as was mentioned earlier. And the number one
1461 priority that was identified was farmland preservation, and that got translated into
1462 the presentation that was given to you tonight, into preserving character. And I
1463 think it's important that we distinguish that those are different things, that
1464 character is really about aesthetics. And aesthetics are important, but the
1465 preservation of farmland was important to the people in that room and to the
1466 people I think in this room because farmland is the foundation on which our
1467 agriculture industry, our tourism industry, and the jobs in those industries
1468 depend. Open space is also what filters our drinking water for our families, and
1469 open space is what slows stormwater runoff during major storm events, the likes
1470 of which we're having so often now. So we want it to be pretty, sure, but we also
1471 want it to be open for other benefits.

1472
1473 So thank you again. I'm extremely grateful. And we're really looking forward to
1474 working together moving forward.

1475
1476 Mr. Mackey - Thank you.

1477
1478 Mrs. O'Bannon - I think we have more than eighty people here tonight.

1479
1480 Mr. Emerson - Yes ma'am, I believe so.

1481
1482 Ms. Powell - Hi, good evening, Madam Chair, Planning
1483 Commission members, Supervisor O'Bannon, your wonderful Planning staff, and
1484 everyone who's here tonight. My name is Leighton Powell, and I serve as the
1485 executive director of Scenic Virginia. Our address is 4 East Main Street,
1486 Richmond, Virginia, 23219.

1487
1488 I'm going to echo. I'm not going to repeat what Nicole said, because her
1489 comments were wonderful.

1491 Scenic Virginia is a statewide nonprofit dedicated to preserving, protecting, and
1492 enhancing the scenic view of our Commonwealth with a particular focus on
1493 preservation of significant views and vistas. In Varina, you have yourselves a
1494 wonderful gem. I think this presentation was fantastic. I really applaud Supervisor
1495 Nelson for moving this forward. Scenic Virginia can be a resource, if you need
1496 us. There are things you can do such as go after National Scenic Byway status
1497 for the entire Route 5 corridor. We're working on that in DC to get the money re-
1498 upped. And we're hoping to have some success on that.

1499

1500 But we are a resource. We love what you have. It's a wonderland. And I'm so
1501 glad that you see that and that you're working to make sure that it stays that way.
1502 Thank you very much.

1503

1504 Mrs. Marshall - Is there anyone else who would like to speak this
1505 evening? Mr. Nelson?

1506

1507 Mr. Nelson - Tyrone Nelson, 1448 Village Field Drive, Henrico,
1508 Virginia.

1509

1510 First of all, I just want to tell you guys thank you for your hard work, and staff, and
1511 then the greater community. There are a lot of people here tonight, and most of
1512 you are here for this corridor study hearing, and so that's a great thing. A lot of
1513 work went into this. We've been talking about this now for about two years.

1514

1515 Mr. Emerson - Yes sir.

1516

1517 Mr. Nelson - It's still a part of the process. So it's not over. This is
1518 just the corridor study. Then there will be some recommendations that will come,
1519 and then we'll talk about maybe some overlay districts and some other tools.
1520 Ultimately, thought this may not be perfect or agreed upon by everybody, I hope
1521 that as a community we understand that we want to preserve the rural character
1522 of Varina. This is what this is all about. It's hard. I'm sitting back there cringing
1523 when I hear stuff like we want to make this a highway. So hear me loud and
1524 clear—we don't want Varina to be Short Pump. That is just not even going to
1525 happen. All right? So hear me: We want to preserve the rural character of Varina,
1526 that is the point. All right? This is why we're doing this, because we want to be
1527 proactive about Route 5 versus being reactive. This conversation really started
1528 when, at Midview and Route 5, we had the whole conversation about a Dollar
1529 Store going there. It was out of that that we decided we need to start to set some
1530 parameters of what we want Route 5 to look like. And that is how this
1531 conversation started.

1532

1533 The second part of this is, again, just something that I heard, at Buffin and Route
1534 5, Mr. Mauney. VDOT is already committing somewhere between a million and a
1535 million and half dollars at that particular intersection. And so whether we agree
1536 with it or not, it's VDOT's road. They're doing some things there. We can't make

1537 them. We can try to influence. What they're doing now is better than what it is
1538 now. So I would just suggest leaning on your delegates in the General Assembly
1539 to get the state transportation authority to do something about that particular
1540 intersection.

1541
1542 You're going to hear more, so it'll come back two weeks from now for
1543 recommendation to the Board of Supervisors. Then the Supervisor O'Bannon
1544 and our colleagues will then get it in a couple of months. And we'll chew on it
1545 some more, and hopefully adopt it at some point, and we'll move forward.

1546
1547 It's hard for me to be here and not say I'm really excited that we're here. A lot of
1548 input from great people who've come forward even tonight. So I don't want to
1549 start naming names, but you know who you are who have been part of this
1550 process throughout the whole time. So I just want to say thank you for being
1551 great representatives for your neighborhoods.

1552
1553 Thank you.

1554
1555 Mrs. Marshall - Do we have anyone else who would like to speak?
1556 Please come forward.

1557
1558 Ms. Miller - Good evening. My name is Dana Miller, 6900 Indian
1559 Trail. I would like to thank you all for your study and for feeling like we are in a
1560 protected area in Varina. I grew up there. Won't say what year, but I was born
1561 there.

1562
1563 I'm looking back at some studies that were done in 1997 and 2010 from my
1564 father's files on Route 5, prohibited uses were trademarked buildings, standard
1565 fast food businesses, gas stations, communication towers, attention-getting
1566 devices. There were several things that were prohibited that we have seen come
1567 to fruition in years past. That is part of the reason for some of the trepidation you
1568 all probably feel at some of the meetings.

1569
1570 For anyone who was not there—I think I attended all of the meetings last year—
1571 one of the first meetings, a woman stood and asked who was in support of a
1572 widening of Route 5, which hopefully is no longer an issue, but other
1573 developments. No one in the room stood. And in the meeting where we had the
1574 keypads and we were being asked to vote on what style storefront, what style
1575 sign, whether we liked one or four entrances, there was no option for "we don't
1576 want another store sprawling along Route 5." That was voiced during the
1577 meeting. We felt like we were being asked to make decisions on things we did
1578 not want in the area.

1579
1580 There are some people who like to be rural, and we do not want to end up like
1581 the first fifteen miles north, south, and west going out of Richmond. I think I'm
1582 hearing some appreciation tonight of that. I hope that continues.

1583
1584 One thing I did not hear tonight was there's so much concern about congestion.
1585 There is a toll, 895, going out to the Southside. I believe it's an Australian [?] toll
1586 that keeps people from using that way out of Varina. If that toll could be removed
1587 or reduced to make it reasonable for people to travel that way, they still go into
1588 the city to pick up the next leg of their commute because that toll is so expensive.
1589 So that is something I would like to see addressed if possible.

1590
1591 Since July, we're getting a ton of requests at our family's property for every kind
1592 of thing, hunting largely. So if some of these farms down the road could offer
1593 hunting, I think they could do very well at that. And that's just a suggestion for
1594 outdoor recreation that I've not heard addressed.

1595
1596 We appreciate your continued concern going forward, and thank you for your
1597 time.

1598
1599 Mr. Mackey - Thank you.

1600
1601 Mrs. Marshall - Is there anyone else that would like to speak this
1602 evening on the Route 5 corridor? Please come forward.

1603
1604 Ms. Goodwin - Good evening, Madam Chair, Supervisor O'Bannon,
1605 members of the Planning Department, Mr. Secretary, ladies and gentlemen.

1606
1607 In 1973, a state-initiated comprehensive study of the critical environmental
1608 values—

1609
1610 Mrs. Marshall - Can I interrupt you for a moment? Do you mind
1611 stating your name for the record.

1612
1613 Ms. Goodwin - Oh, I'm sorry.

1614
1615 Mrs. Marshall - Thank you.

1616
1617 Ms. Goodwin - My name is Ashley Goodwin. I live at 1107 Greenview
1618 Drive.

1619
1620 In 1973, a state-initiated comprehensive study of the critical environmental
1621 values and sensitivity of what was identified as the Richmond-Williamsburg
1622 natural scenic and historic corridor as particularly unique in that it is most
1623 doubtful that a comparable area exists anywhere in the Commonwealth or indeed
1624 in the nation. The abundance of historical, architectural, and archeological sites,
1625 the gently sloping fertile coastal plain soils, the large farms and their crops,
1626 pasture and forest lands penetrated by a highway deserving of scenic byway
1627 status connecting Richmond and historic Williamsburg and Jamestown make this
1628 a truly critical environmental area. Its ability to contribute to the economic,

1629 aesthetic, and cultural well-being of both individuals and society is enormous.
1630 And it is essential that land use be planned and managed to protect these limited
1631 and unique values in a manner that recognizes and promotes their contributions
1632 to society.

1633
1634 This is from a report to the Commonwealth of Virginia, Virginia Division of State
1635 Planning and Community Affairs in 1973. Not much has changed since that time.
1636 From there in 1975, of course, Route 5 was designated as scenic byway. And
1637 then, as you had in your documents, in 1990, 1991, 1992, 1994, and 1995 Route
1638 5 continued to be studied. In 2010 and 2011, VDOT undertook a \$400,000 study.
1639 And I would ask—and I hope other people believe this too that in response to all
1640 of these prior eleven studies, all of which have received public involvement and
1641 input, massively weighed in favor of the preservation of the Route 5 corridor—
1642 that you please allow actual preservation actions to be implemented to preserve
1643 Route 5, that all of these studies that have been undertaken without being
1644 implemented weigh in favor of what is still being looked at today.

1645
1646 Thank you.

1647
1648 Mr. Mackey - Thank you.

1649
1650 Mr. Cumbo - Good evening, Madam Chairman and to your
1651 staff. Thank you for letting—my name is Michael Cumbo. I live at 2401 Turret
1652 Court.

1653
1654 I appreciate the depth of the study that's going on for this. I recently retired from
1655 the military. The primary thing that attracted me and my family to the property
1656 was the character that's been preserved on the Route 5 area of Varina. It was
1657 very appealing to us when we were looking for a new property to make our
1658 home. We appreciate the history in that area. Even very close to the proximity of
1659 the study there is some history about some of the Civil War battlegrounds. Fort
1660 Harrison is there, Deep Bottom Boat Landing. It's important to preserve some of
1661 the history and integrity for future generations. I think that allows for attraction of
1662 tourism as well as land use for hunting, as the lady who spoke before me said.
1663 There is an organization called Outdoor Access that could be capitalized to draw
1664 tourists to come to that area too and gain more interest in that area.

1665
1666 All these combined with James River access I think should be looked at to be
1667 preserved and to make that a property that is more important to be preserved.
1668 That's all I ask to be considered.

1669
1670 Thank you.

1671
1672 Mrs. Marshall - Thank you.

1673
1674 Mr. Mackey - Thank you.

1675
 1676 Mrs. Marshall - Is there anyone else that would like to speak this
 1677 evening?
 1678
 1679 Mr. Emerson - Madam Chair, if there is no one else left to speak, it
 1680 would appropriate for the Commission to take action closing the public process
 1681 and deferring to November 8th.
 1682
 1683 Mr. Mackey - All right. Mr. Secretary, Madam Chair, I would like to
 1684 make a quick comment. I'd like to thank Supervisor Nelson for having the good
 1685 idea of bringing the hearing out here into the community of Varina tonight. We
 1686 had a very nice showing of residents. I'd like to thank all the residents for your
 1687 input, and I'd definitely like to thank staff for all the work they've done on this
 1688 study. It's very intense. I wish I'd been here longer to enjoy more of it.
 1689
 1690 Having said that, I move that we close the record for public comment and this
 1691 public hearing on the Route 5 Corridor Study and defer action for decision only to
 1692 the Planning Commission meeting on November 8, 2018.
 1693
 1694 Mrs. Marshall - Second. We have a motion by Mr. Mackey, a second
 1695 by Mrs. Marshall. All in favor say aye. Those opposed say no. There is no
 1696 opposition; this motion passes.
 1697
 1698 Mr. Emerson - Madam Chair, moving on to the next item on your
 1699 agenda, we do have two discussion items this evening. They are both for setting
 1700 public hearings for November the 8th. You do have both of these items—we can
 1701 pause for a moment, Madam Chair, if you'd like. Thank you everyone for coming
 1702 this evening. We appreciate it.
 1703
 1704 Madam Chair, I think we're ready now to move on to our next items. You do have
 1705 two discussion items, as I mentioned, both of which will be on your October 24th
 1706 agenda to be presented more in depth. However, to meet the requested
 1707 schedule of both of these items, I need to request of you this evening to schedule
 1708 the public hearings because we do have to meet advertising deadlines.
 1709
 1710 The first item is to set a public hearing for November 8th to amend the 2026
 1711 Comprehensive Plan to implement recommendations of the Glen Allen Small
 1712 Area Plan.
 1713
 1714 **DISCUSSION ITEM:** To set a Public Hearing for November 8, 2018 to
 1715 Amend the 2026 Comprehensive Plan to Implement Recommendations of the
 1716 Glen Allen Small Area Plan.
 1717
 1718 Mr. Emerson - As you know, we've worked on this for quite some
 1719 time. It's been through several different Board member representations. The
 1720 current Board member has requested that we move this item forward to public

1721 hearing. There have been several changes made to the document that you will
1722 hear about on the twenty-fourth. And of course then a public hearing on
1723 November 8th. But in order to move it forward at the requested schedule, I do
1724 need to request to the Commission tonight that you set this for public hearing so
1725 we can get the advertisement in the paper.

1726
1727 Mrs. Kotula - Do we need a motion?

1728
1729 Mr. Emerson - Yes I do.

1730
1731 Mrs. Kotula - All right. Then I move that we set a public hearing for
1732 November 8, 2018, to amend the 2026 Comprehensive Plan to implement
1733 recommendations of the Glen Allen Small Area Plan.

1734
1735 Mr. Baka - Second.

1736
1737 Mrs. Marshall - We have a motion by Mrs. Kotula, a second by
1738 Mr. Baka. All in favor say aye. Those opposed say no. There is no opposition;
1739 this motion passes.

1740
1741 Mr. Emerson - Madam Chair, again we have a similar situation with
1742 the Westwood study.

1743 **DISCUSSION ITEM:** To set a Public Hearing for November 8, 2018 to
1744 Amend the 2026 Comprehensive Plan and Henrico County Zoning Ordinance to
1745 Implement the Recommendations of the Westwood Small Area Study.

1746
1747 Mr. Emerson - The Westwood study is a little bit newer than the
1748 Route 5 study. It has been presented to both you and the Board. It's been
1749 delivered to you. We will discuss it further on October 24th. We do have some
1750 changes that we want to bring forth to you along with the Overlay code that we're
1751 anticipating. We do have several developments and developers interested in the
1752 Westwood area. We do need to move this forward to meet some deadlines for
1753 some exciting economic development projects that are proposed in that area. So
1754 I would ask also that you schedule this for November 8, 2018.

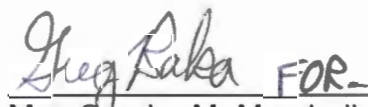
1755
1756 Mrs. Kotula - All right. So, I move that we set a public hearing for
1757 November 8, 2018, to amend the 2026 Comprehensive Plan and the Henrico
1758 County Zoning Ordinance to implement the recommendations of the Westwood
1759 Small Area Study.

1760
1761 Mr. Archer - Second.

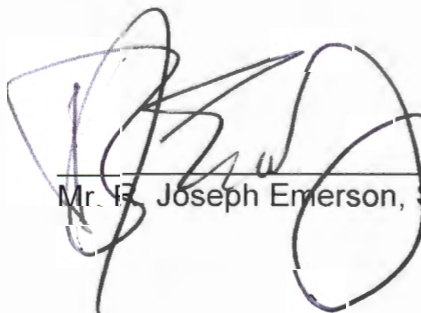
1762
1763 Mrs. Marshall - We have a motion by Mrs. Kotula, a second by
1764 Mr. Archer. All in favor say aye. Those opposed say no. There is no opposition;
1765 this motion passes.

1766

1767 Mr. Emerson - Madam Chair, the next item on your agenda is
1768 consideration of approval of the minutes from your September 13, 2018 meeting.
1769 We have no errata sheet for those minutes.
1770
1771 Mr. Baka - I move approval of the minutes as written.
1772
1773 Mr. Mackey - Second.
1774
1775 Mrs. Marshall - We have a motion by Mr. Baka, a second by
1776 Mr. Mackey. All in favor say aye. Those opposed say no. There is no opposition;
1777 this motion passes.
1778
1779 Is there any more business to conduct this evening?
1780
1781 Mr. Emerson - Madam Chair, I have nothing further for the
1782 Commission this evening.
1783
1784 Mrs. Marshall - If not, a motion to adjourn would be in order.
1785
1786 Mr. Archer - So moved.
1787
1788 Mrs. Kotula - Second.
1789
1790 Mrs. Marshall - This meeting is adjourned.
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 FOR

Mrs. Sandra M. Marshall, Chair



Mr. Joseph Emerson, Secretary