

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico
2 County held in the County Administration Building in the Government Center at
3 Parham and Hungary Spring Roads, beginning at 7:00 p.m., Thursday, August 13,
4 2020. Display Notice having been published in the *Richmond Time-Dispatch* on
5 July 27, 2020 and August 3, 2020.
6
7

8 Members Present: Mr. C. W. Archer, C.P.C., Chairman (Fairfield)
9 Mr. William M. Mackey, Jr., Vice Chairman (Varina)
10 Mr. Robert H. Witte, Jr. (Brookland)
11 Mrs. Melissa Thornton (Three Chopt)
12 Mr. Gregory R. Baka (Tuckahoe)
13 Mr. R. Joseph Emerson, Jr., AICP, Director of Planning
14 Secretary
15 Mr. Tyrone E. Nelson (Varina)
16 Board of Supervisors' Representative
17

18 Also Present: Ms. Jean Moore, Assistant Director of Planning
19 Mr. James P. Strauss, PLA, Senior Principal Planner
20 Mr. Ben Blankinship, AICP, Senior Principal Planner
21 Ms. Rosemary D. Deemer, AICP, County Planner
22 Mr. Seth Humphreys, County Planner
23 Mr. Ben Sehl, County Planner
24 Mr. Livingston Lewis, County Planner
25 Mrs. Lisa Blankinship, County Planner
26 Mr. Michael Morris, County Planner
27 Ms. Kristin Smith, County Planner
28 Mr. Ed Mekalian, Support Specialist, IT
29 Mr. Thomas J. Tokarz, County Attorney
30 Mr. John Cejka, Traffic Engineer, Public Works
31 Mr. Justin Briggs, Education Planning Specialist, HCPS
32

33 Mr. Archer - This is the August 13, 2020 rezoning meeting, and we'd like
34 to welcome everyone here. And just before we start I would -- Mr. Secretary, if you could
35 give us some insight on how we should be spaced. I think we're -- I think we're okay.
36

37 Mr. Emerson - Yes, sir, Mr. Chairman. I believe we're okay. As you know
38 with the pandemic we do have certain requirements that we have to abide by. The seats
39 in this room are marked with blue tape. The ones that are available to sit in. And we'd
40 request that everyone make sure that they're sitting in a -- in a seat marked appropriately.
41

42 And with that said also, Mr. Chairman, our capacity to the room is really limited at 50. We
43 estimate with the Commission and staff we can get about 40 in. I think it runs just a little
44 bit less than that depending upon the number of staff. So if everyone would be
45 considerate of others as they come in, as your item on the agenda is taken care of you
46 might want to consider stepping out of the room so if somebody is in the lobby waiting to
47 get in to speak to a case, they can be allowed in.

48
49 Mr. Archer - All right. Thank you, Mr. Secretary. I'm sure everyone heard
50 that. And if you heed that accordingly. Okay. Before we start, I'd like to ask everyone if
51 you would please to mute or turn off your cellphones. And, to begin, we will stand and
52 honor the flag.

53
54 [Recitation of Pledge of Allegiance]

55
56 Okay. We are resuming our meeting. We had a work session that began at 5:30 and we
57 recessed when it was over, so now we are back in session. And I will -- is there anyone
58 here from the news media? No one. Okay.

59
60 Well with that then I will welcome Reverend Nelson who was not at our first meeting, he
61 was feeling a little under the weather, and I'm glad to see he's here now. And then I'll
62 turn things over to Mr. Emerson, our secretary. Mr. Emerson.

63
64 Mr. Emerson - Thank you, Mr. Chairman, and as you noted, we did -- or the
65 Commission did -- have a work session this evening. Began at approximately 5:30 and
66 it was to discuss updates to the zoning ordinance currently under way. The mill -- the
67 meeting was recessed at the end of that session, which I believe we recessed around
68 6:45. And, of course, you reconvened this meeting now.

69
70 I do apologize to the audience here and the -- and the viewing audience. We are having
71 some difficulties with our lighting system, but our folks in General Services, IT, and Media
72 Services have worked very diligently to make the room as accommodating as possible.
73 We do need to remain in this room because we are simulcasting this meeting and we also
74 have participants via WebEx and this is the room where we can accommodate that as
75 best -- as best that we can.

76
77 So, with that said, we would like to welcome the people that are here tonight and also
78 those joining us via WebEx or livestream for this hearing. And I do want to -- want to
79 provide you with a little information on that. Following the introduction and presentation
80 of each case this evening the public will have an opportunity to comment.

81
82 Staff will send a message, and this is for the folks that are viewing via WebEx, staff will
83 send a message asking if anybody would like to speak about the proposal or the agenda
84 item at that time that's under consideration. That will be done using the chat feature which
85 can be found by hovering your mouse over the WebEx screen at the bottom of the page
86 and then you have a little talk bubble, or a cartoon bubble, that will appear. As you click
87 on that, on the right-hand side of your screen, a little chat box will open up and you can
88 select a person to communicate with.

89
90 We would ask that you go on to that chat box, select Kristin Smith, and type in your name
91 and what case that you are -- you are viewing and would like to speak to. And with that
92 Kristin will communicate back with you and get you queued up to the appropriate case
93 that you're trying to speak to or that you wish to speak to.

94
95 When it is your turn, the Chairman will ask for the participants via WebEx or remote, and
96 they will -- they -- you will be queued up and allowed to speak in the order in which you
97 have entered the queue.

98
99 I want to make everybody aware, and we'll talk about this again before beginning the
100 public hearing, but there is a time limit on speakers. The Commission provides the
101 applicant and any proponents 10 minutes to speak. That's a cumulative 10 minutes. The
102 opposition is also given 10 minutes. And, again, that is cumulative, meaning everybody
103 should speak within that 10-minute timeframe. Now questions from the Commission do
104 not count towards that time limit, so we stop the clock on those, and begin it again when
105 the comments resume. The applicant may reserve time to answer questions, and the
106 Commission at its discretion can extend those timelines for either party.

107
108 So, we do ask that all individuals keep the comments brief. Don't be repetitive. If you
109 want to just say ditto to the comments that somebody else has already made, if you have
110 the same concerns, certainly that's acceptable. Because we do want to make sure that
111 everybody does get the opportunity to speak. We do ask that each speaker identify
112 themselves and provide their address, because we do keep verbatim minutes and we
113 need that information for the record.

114
115 So, with that said Mr. Chairman, the first item on your agenda this evening are the
116 withdrawals and deferrals. And while Mr. Strauss is up going through those, I'll also ask
117 that he go through the expedited items.

118
119 And I would note, for the Commission, that this is Mr. Strauss' encore presentation of his
120 career with the county tonight, so we wish him well in his upcoming retirement. And any
121 opportunity you have to give him a hard time that -- I would take that. But that's the --

122
123 Mr. Nelson - Hold on for a second. So, you -- I'm sorry. You say tonight's
124 your last night?

125
126 Mr. Strauss - No. Well actually this is my last public hearing.

127
128 Mr. Emerson - It's his last meeting.

129
130 Mr. Nelson - Okay. How did I miss this? I mean, like, we need a hold on
131 all these retirements. I'm just -- I'm getting --

132
133 Mr. Emerson - Let's start right now.

134
135 Mr. Nelson - I'm getting overwhelmed with all these retirements.

136
137 Mr. Strauss - Well, thank you, Mr. Nelson.

138

139 Mr. Archer - Mr. Strauss, sir, do not leave until the end of the meeting.
140 Because we want to address you in a much better way.

141
142 Mr. Strauss - Well thank you very much. And thank you, Mr. Secretary, and
143 Mr. Chairman, and members of the Commission. I will try not to make any mistakes in
144 this last meeting of mine. We have not any requests for deferrals this evening, however
145 we do have a request for the withdrawal of the two companion cases on page 3 of your
146 agenda in the Tuckahoe District. And the first one is Rezoning 2020-00019, Rebkee
147 Company.

148
149 **REZ2020-00019 James W. Theobald for the Rebkee Company:** Request to
150 conditionally rezone from B-2C Business District (Conditional) to R-6C General
151 Residence District (Conditional) Parcels 739-754-5257 and 739-754-6982 containing
152 7.912 acres located at the southwest intersection of John Rolfe Parkway and Church
153 Road. The applicant proposes a mixed-use community. The R-6 District allows a
154 maximum gross density of 19.8 units per acre. The uses will be controlled by zoning
155 ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
156 recommends Commercial Concentration. **Staff – Ben Sehl**

157
158 That is being withdrawn by the applicant, along with the companion case, Provisional Use
159 Permit 2020-00007, Rebkee Company again.

160
161 **PUP2020-00007 James W. Theobald for the Rebkee Company:** Request for
162 a Provisional Use Permit under Sections 24-36.1(b) 24-120 and 24-122.1 of Chapter 24
163 of the County Code to allow a mixed-use community on Parcels 739-754-5257 and 739-
164 754-6982 located at the southwest intersection of John Rolfe Parkway and Church Road.
165 The existing zoning is B-2C Business District (Conditional). R-6C zoning district is
166 proposed for with REZ2020-00019. The 2026 Comprehensive Plan recommends
167 Commercial Concentration. **Staff – Ben Sehl**

168
169 And no action by the Commission is required. So now we can move on to the expedited
170 cases.

171
172 Mr. Strauss - Okay.

173
174 Mr. Archer - Thank you, Mr. Strauss.

175
176 Mr. Straus - Thank you.

177
178 Mr. Strauss - Thank you. And we have two cases requesting approval on the
179 expedited agenda this evening. The first request is in the Fairfield District on page 2 of
180 your agenda. That's Rezoning 2020-00026, Amy Learn Tucker.

181
182 **REZ2020-00026 Christopher Mackenzie for Amy Learn Tucker:** Request to
183 conditionally rezone from O-2 Office District to B-2C Business District (Conditional) Parcel
184 788-754-9960 containing .544 acres located on the north line of Wilkinson Road at its

85 intersection with Ridge Road. The applicant proposes a hospital or clinic for small
186 animals. The use will be controlled by zoning ordinance regulations and proffered
187 conditions. The 2026 Comprehensive Plan recommends Commercial Concentration.

188 **Staff – Mike Morris**

189

190 Staff is recommending approval and we are not aware of any opposition.

191

192 Mr. Archer - All right. Is there anyone present either here or on the WebEx
193 or any other form of communication who is opposed to the -- I'm sorry -- this case being
194 here on the expedited agenda? Don't have any opposition.

195

196 Ms. Deemer - We have no one on WebEx.

197

198 Mr. Archer - Thank you. All right, with that, then I will move that Rezoning
199 2020-00026, Amy Learn Turner be sent to the Board of Supervisors with a
200 recommendation of approval.

201

202 Mrs. Thornton - Second.

203

204 Mr. Baka - Second.

205

206 Mr. Archer - Motioned by Mr. Archer and seconded by Mrs. Thornton. All
207 in favor of the motion say aye.

208

209 The Commission - Aye.

210

211 Mr. Archer - Anyone opposed say no. The ayes have it. That motion is
212 passed.

213

214 **REASON:** Acting on a motion by Mr. Archer and a second by Mrs.
215 Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board
216 of Supervisors **grant** the request because it would not be expected to adversely affect
217 the pattern of zoning and land use in the area and it conforms with the objectives and
218 intent of the County's Comprehensive Plan.

219

220 Mr. Strauss - And moving on to the Three Chopt District on page 3 of your agenda.
221 We have a Provisional Use Permit 2020-00015, Mitchell Trak.

222

223 **PUP2020-00015 Mitchell Trak:** Request for a Provisional Use Permit under
224 Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow
225 outdoor dining on part of Parcel 747-757-0157 located at the southeast intersection of
226 Church Road and Three Chopt Road. The existing zoning is B-2C Business District
227 (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration.

228 **Staff – Lisa Blankinship**

229

230 This is a request for a Provisional Use Permit to allow outdoor dining at the popularly
231 known Grapevine restaurant. And again, staff is recommending approval and we are not
232 aware of any opposition.

233

234 Mr. Archer - Okay. Is there anyone present here, online, or on WebEx who
235 is opposed to this case, PUP2020-00015, Mitchell Trak?

236

237 Ms. Deemer - We have no one on WebEx.

238

239 Mrs. Thornton - Okay. Well, Mr. Chairman, I move that PUP2020-00015,
240 Mitchell Trak, be approved with the conditions 1 through 15 in the staff report.

241

242 Mr. Baka - Second.

243

244 Mr. Archer - Motioned by Mrs. Thornton and seconded by Mr. Baka. All in
245 favor of the motion say aye.

246

247 The Commission - Aye.

248

249 Mr. Archer - Those opposed say no. The ayes have it and that motion has
250 passed.

251

252 **REASON:** Acting on a motion by Mr. Archer and a second by Mrs.
253 Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board
254 of Supervisors **grant** the request because it would provide added services to the
255 community and would not be expected to adversely affect public safety, health or general
256 welfare.

257

258 Mr. Emerson - Mr. Chairman, that completes those items for the evening and
259 now we move into our public hearing agenda. As I noted earlier, the timeframes regarding
260 speakers and presentations are 10 minutes respectively and they have to be 10-minute
261 cumulative for those comments. Questions from the Commission do not count into those
262 time limits and of course the Commission can waive those time limits at their discretion.

263

264 We are going to approach our public hearings a little differently in terms of presentations
265 this evening, Mr. Chairman, and Commission. What we're going to do, each planner will
266 approach versus me standing up each time and introducing a case in order to try to run
267 this a little smoother than we have in the recent past. I think it was running fine, but I
268 believe this approach will run a little bit better.

269

270 I will kick it off and introduce the first one, and after that each individual planner will step
271 forward, do the introduction to the case, Mr. Chairman, and then of course pause so you
272 can ask for input as to whether or not there's opposition in the room and whether or not
273 there is any opposition or speakers on the WebEx.

274

275 And with that said, Mr. Chairman, the first item on your agenda this evening is an
276 ordinance amendment.

277
278 **ORDINANCE** – To Amend and Reordain Section 19-2 Titled "Definitions,"
279 Section 19-89 Titled "Final plat required; construction plans," Section 19-90 Titled "Form
280 and contents," Section 19-98 Titled "Family subdivision plat," Section 24-3 Titled
281 "Definitions," and Section 24-106.3 Titled "Chesapeake Bay preservation," All to Amend
282 the County's Chesapeake Bay Preservation Act Program.

283
284 And our -- our newly appointed County Attorney, Mr. Tom Tokarz, is with us tonight to
285 present these items to you.

286
287 Mr. Archer - Thank you, Mr. Secretary. Good evening Mr. newly appointed
288 County Attorney Mr. Tokarz. Congratulations, sir.

289
290 Mr. Tokarz - I am not -- this is not my last meeting, so you don't have
291 permission to give me a hard time. I am here tonight to review with you the proposed
292 amendments to Chapter 19 and 24 of the County Code to update the Chesapeake Bay's
293 Preservation Act program.

294
295 This is de ja vu for me, because the Chesapeake Bay program was my first major project
296 when I came to General Government from Schools in April of 1991. And over the years
297 there have been changes in the Code of Virginia and in the state regulation for the
298 program that we now wish to formally incorporate into the Henrico County Code.

299
300 This effort has been lengthy because of the federal and state regulations and statutes
301 that are involved. It's required the input of many County departments.

302
303 I want to emphasize that the amendments do not include any substantive changes that
304 are not required by state law. Instead, the overwhelming majority of the changes merely
305 update the County Code to reflect current regulatory language that is already binding on
306 the County.

307
308 In addition, we have deleted ordinance language that is now outdated, updated
309 references to current state code and regulations, corrected internal cross-references to
310 change sections, and clarified some language to make the requirements more precise or
311 easier to understand. And, finally, we've taken the opportunity to make some changes to
312 the internal numbering scheme and the organization of some of the sections.

313
314 In preparation for tonight's public hearing, Planning staff advertised a July 21, 2020 draft
315 of the proposed changes and posted that draft on the website for public review. Since
316 that advertisement was placed, the Virginia Department of Environmental Quality at our
317 request has suggested -- has reviewed and suggested some additional changes, and I
318 have prepared and updated draft to incorporate those changes.

319

320 In order to assist persons who may wish to comment on either the July 21st draft or the
321 additional changes during the public hearing, I would like to go through the changes on
322 the screen. My understanding is that the staff has provided a copy of an updated draft
323 with the changes highlighted. But for the benefit of public, I'd like to run through them
324 very quickly. Minor changes, but I do think it's appropriate to bring them to the public's
325 attention.

326
327 What you have on the screen here is the August 12, 2020 draft. And the only purpose of
328 this draft is to highlight the changes from the 7/21/2020 draft. And there are not changes
329 on every page. I'll just go through them very quickly.

330
331 None on page 2. On page 3, we simply change the title of Director of Public Works to
332 County Engineer. Page 4, we've made two changes, both out of four, changing Director
333 of Public Works to County Engineer.

334
335 Page 5, this is a change that was requested by the Department of Environmental Quality.
336 Staff had proposed a surface flow definition in order to implement the program. DEQ staff
337 advised us that they did not have the expertise on staff to currently evaluate this proposed
338 definition. They've offered to review it with the County at a later date if we wish to provide
339 engineering and scientific information. But in the interest of moving this along we would
340 propose to delete the definition of surface flow from 24-3. And staff is in concurrence with
341 this deletion.

342
343 Page 6, no changes. Page 7 this is a deletion of outdated language. The deletion is to -
344 - for a reference to the stormwater management regulations in subsection something. E
345 -- G or E of the section. I can't read it with my eyesight right now. But it is outdated
346 because -- it is no longer necessary -- because we refer to the Stormwater Management
347 Act and their attendant regulations up above as well as following that. So there's no
348 longer any need for that language.

349
350 Page 8 this is simply we are spelling out -- instead of saying WQIA we're actually stating
351 water quality impact statement. Page 9 this is just a rephrasing for clarification. This
352 does not change the substance at all. We're simply stating now that section 24,
353 106.3(f)2(b).

354
355 Page 10 no changes. Page 11, no changes. Page 12, no changes. Page 13, no
356 changes. Page 14. On page 14 and 15 and 16, all we have done here is at the request
357 of the Department of Environmental Quality, we have inserted the language of section 8,
358 of 9 VAC 25-830-130 dealing with agricultural lands. And the reason DEQ made that
359 request is rather than make citizens go and find that regulation they wanted it stated in
360 the ordinance. And staff has concurred with that recommendation. So that's on 14, 15,
361 and 16. This is verbatim out of the state regulations. So there's no change from what the
362 state regulation provides with the exception of, at the top of page 16, we have inserted
363 the word, "Henricopolis instead of the word "Local" which is in the state regulation.

364

65 Page 17, no change. Page 18, and this is the exceptions section of the ordinance. And
366 here, DEQ had requested that we add language to refer to the requirements of the state
367 regulations for reserve drain fields when there is a plat that has a sewage -- on-site
368 sewage system. They wanted that reference included and they also wanted a statement
369 explicitly noting that an environmental site assessment and a water-quality impact
370 assessment is required in all three instances where an exception from Ches Bay
371 requirements are. So, this is the first one. This is -- these are the exceptions, the
372 subsections (d) and (f).

373
374 Page 19, these are the exceptions to other subsections. The exact same changes. Page
375 20, no changes. Page 21, no changes. Page 22, no changes.

376
377 And page 23, the exact same changes with respect to the exceptions language. So, once
378 again, adding language referring to the reserve drain fields and to the environmental site
379 assessment and the water quality impact assessment.

380
381 So, those are the changes from the July 21, 2020 draft. Once again, all of these changes
382 are simply to conform to state code and state regulations. We have not attempted to
383 make any change in the Bay program itself. This would simply be implementing what we
384 are doing right now. And that concludes my description of the proposed changes. I'd be
385 happy to answer any questions.

386
387 Mr. Archer - Okay. Thank you, Mr. Tokarz. Are there questions from the
388 Commission? And this is a public hearing, so I suppose we'll have to entertain questions
389 from the audience if there are any.

390
391 Mr. Tokarz - Yes, sir. One thing, I'll just add. Certainly, when the public
392 comments are done, I would ask the Commission to consider making a recommendation
393 to the Board of Supervisors on the July 21, 2020 draft as amended by the changes that
394 I've just gone through.

395
396 Mr. Archer - Okay. So, are there questions from the audience or from the
397 WebEx or any other form of communication that anyone would like to express?

398
399 Ms. Deemer - We have no one on WebEx.

400
401 Mr. Archer - And we have no one live, apparently.

402
403 Mr. Baka - Mr. Chairman, if there is no questions or no comments, I'm
404 prepared to make a motion at this time.

405
406 Mr. Archer - Go right ahead, sir.

407
408 Mr. Baka - Mr. Chairman, I would move that we recommend for approval
409 the amended ordinance as presented and revised as of July 21, 2020, as presented by
10 the County Attorney this evening.

411
412 Mr. Witte - Second.
413
414 Mr. Archer - Was that Mr. Witte?
415
416 Mr. Baka - Yes.
417
418 Mr. Archer - Okay. We have a motion by Mr. Baka and a second by Mr.
419 Witte. All in favor of the motion say aye.
420
421 The Commission - Aye.
422
423 Mr. Archer - Opposed say no. There are no nos, the ayes have it. The
424 motion is passed.
425
426 Mr. Tokarz - Thank you members of the Commission. I will note, for the
427 record, if I could that the Commission has also been provided with a copy of the revised
428 ordinance with the changes that I've just gone through and that is what I would ask the
429 Commission to recommend to the Board of Supervisors. And that'll be in the record. So,
430 thank you.
431
432 Mr. Archer - Okay. So, can we have a motion to -- Mr. Baka you can do it
433 over again if you'd like.
434
435 Mr. Baka - Okay. I'll move that --
436
437 Mr. Archer - We have -- we have copies of the revisions.
438
439 Mr. Baka - I'll move -- I'll move that we recommend approval for the
440 revised ordinances presented tonight by the County Attorney.
441
442 Mr. Witte - Second.
443
444 Mr. Archer - Okay. Motioned again by Mr. Baka and seconded by Mr.
445 Witte. All in favor of that motion say aye.
446
447 The Commission - Aye.
448
449 Mr. Archer - Anyone opposed say no. The ayes have it. The motion is
450 passed. Thank you, Mr. Tokarz. And, in all seriousness, congratulations on your
451 promotion, sir. You've been around a long time. It's well deserved.
452
453 Mr. Tokarz - Thank you.
454
455 Mr. Archer - You're welcome.
456

57 Ms. Blankinship - Next on your agenda is the Varina District. This is H&M
458 Investment Corporation.

459 **REZ2020-00024 Andrew M. Condlin for H&M Investment Corp:** Request to
460 conditionally rezone from R-4C One-Family Residence District (Conditional) to R-5C
461 General Family Residence District (Conditional) Parcels 810-716-9590, -9796, 810-717-
462 7634, -9803, -9808, -9815, -9822, 811-716-1588, -1695, 811-717-1808, -1901, -1914, -
463 2020, -2045, -2126, -2133, and -2140 containing 11.12 acres located on the north line of
464 Gay Avenue at its intersection with Chipoax Avenue. The applicant proposes a multifamily
465 development. The use will be controlled by zoning ordinance regulations and proffered
466 conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density
467 should not exceed 3.4 units per acre. The site is in the Airport Safety Overlay District.
468

469
470 Mr. Archer - Okay. Is there any opposition to Rezoning 2020-00024, H&M
471 Investment Corporation here, online, or on WebEx?

472
473 Ms. Deemer - We have no one on WebEx.

474
475 Mr. Archer - Thank you, Ms. Deemer.

476
477 Ms. Blankinship - The proposed development would be an expansion of the
478 existing Lakefield Mews Community, which contains 395 garden-style and two-story
479 townhouse style units. The applicant proposes to rezone approximately 11.12 acres from
480 R-4C to R-5C to allow for the construction of no more than 132 townhouse-style
481 apartments.

482
483 The proffered concept plan, seen here, shows how the subject site would be developed.
484 Two drive aisles would branch off the western line of Lakefield Drive and form a circular
485 loop with units and parking areas on either side. An additional drive aisle would lead to
486 the northwest portion of the site with six additional buildings and parking areas. Five four-
487 unit buildings would be located along the east line of Lakefield Drive, which is a public
488 road, through the subject property, and connect to the existing Lakefield Mews
489 community.

490
491 The applicant has submitted revised proffers dated August 7th that had been handed out
492 to you this evening. The revised proffers address concerns raised in the staff report and
493 discussed at the community meeting which was held on July 28th.

494
495 The revisions include the following: The buffer along the western and southern
496 boundaries of the property would increase from a minimum of 15-foot wide to 25-foot
497 wide. In addition, an opaque fence a minimum of 6 feet in height would be provided.
498 Sidewalks, a minimum of 4 feet wide, would be provided on at least one side of each
499 street either public or private. Benches would be provided along the pedestrian trails and
500 other gathering areas. Sunday construction hours would be prohibited.

501

502 Other proffers commit to building elevations, exterior materials, underground utilities,
503 sound suppression, parking-lot lighting, and screening of mechanical equipment. In
504 addition, commitments to recreational amenities include: a clubhouse; fitness facility, as
505 seen here; a pool and a pool house; kitchenette; meeting room; and outdoor recreation
506 areas such as grills, firepit, tot lot, and children's play equipment, and hardscape areas.

507
508 This request, while not consistent with the 2026 Comprehensive Plan's designation, could
509 be appropriate, as it would be an expansion of an existing, well-maintained apartment
510 community and would provide additional guarantees not currently provided. For these
511 reasons, staff supports this request. This concludes my presentation. I'll be happy to
512 answer any questions.

513
514 Mr. Archer - Thank you, Ms. Blankinship. I'm sorry I neglected to introduce
515 you when you first came up.

516
517 Ms. Blankinship - It's okay.

518
519 Mr. Archer - Are there questions for Ms. Blankinship from the
520 Commission?

521
522 Mr. Mackey - Yes, Mr. Chairman.

523
524 Mr. Archer - All right.

525
526 Mr. Mackey - Good evening Ms. Blankinship.

527
528 Ms. Blankinship - Hello, Mr. Mackey.

529
530 Mr. Mackey - At a community meeting on the 28th we had a few residents
531 with some concerns and questions. Have you had anybody else reach out to you since
532 then?

533
534 Ms. Blankinship - Actually, I did have one citizen call me today.

535
536 Mr. Mackey - Okay.

537
538 Ms. Blankinship - She's an adjacent property owner. And she called and just
539 wanted to know more information.

540
541 Mr. Mackey - Okay.

542
543 Ms. Blankinship - I sent her a copy of the staff report and told her about the
544 WebEx and to participate here tonight if she was interested. But I don't believe she is on
545 the WebEx.

546

547 Mr. Mackey - Okay. And, like you stated, all the other concerns that were
548 raised at the community meeting have been addressed and everything.
549
550 Ms. Blankinship - Yes, sir.
551
552 Mr. Mackey - Okay. I have one question for our traffic analyst about this
553 Gay -- right on Gay Road -- Gay Avenue about how much demand it -- with the extra units
554 come in how much demand it was going to put on that major thoroughfare?
555
556 Ms. Blankinship - Would you like to hear from the traffic engineer? Or --
557
558 Mr. Mackey - I would, yes. If you don't mind.
559
560 Ms. Blankinship - Okay. Okay.
561
562 Mr. Mackey - Oh. I mean if he has given it to you.
563
564 Ms. Blankinship - Well, it is in the staff report.
565
566 Mr. Mackey - Right. I saw the numbers, the 9,000 extra trips a week, or --
567
568 Ms. Blankinship - The total weekday trips 960 total, 480 in and 480 out.
569
570 Mr. Mackey - Yeah. Okay. All right. And then we don't think that'd be too
571 much of a strain?
572
573 Ms. Blankinship - Not in my opinion, but I could defer to the traffic engineer.
574
575 Mr. Mackey - Then we -- yeah let me hear from the engineer. In my --
576
577 Ms. Blankinship - Okay.
578
579 Mr. Mackey - Thank you.
580
581 Mr. Archer - Good evening, Mr. Cejka.
582
583 Mr. Cejka - Good evening, sir.
584
585 Mr. Mackey - Good evening.
586
587 Mr. Cejka - Good evening, Mr. Mackey. No. 960 vehicles a day, 480
588 going in, 480 coming out, would not have an adverse effect on Gay Avenue.
589
590 Mr. Mackey - All right. I appreciate that. Thank you.
591
592 Mr. Cejka - Okay.

593
594 Mr. Mackey - That was all the questions I had, sir.
595
596 Mr. Nelson - I had a question, Mr. --
597
598 Mr. Mackey - Go ahead, Reverend Nelson.
599
600 Mr. Nelson - Yes. Yes. For it. So, you said it wouldn't be a problem?
601
602 Mr. Cejka - Correct.
603
604 Mr. Nelson - So, an additional you said how many thousands of trips?
605
606 Mr. Mackey - No. I misspoke.
607
608 Mr. Nelson - Okay. Well, how many trips?
609
610 Mr. Cejka - 960 a day.
611
612 Mr. Nelson - A day, okay. All right. So, what would -- what would the numb
613 -- what would the number have to be, to have a light or something there?
614
615 Mr. Cejka - It is dependent on the traffic volumes of the area. The side
616 street would have to have, if I'm not mistaken, at least 200 vehicles an hour for 8 hours
617 on any given weekday.
618
619 Mr. Nelson - So 1600.
620
621 Mr. Cejka - Yes.
622
623 Mr. Nelson - Not 900.
624
625 Mr. Cejka - The 900 is the amount coming in and out of Gay Avenue. Yes.
626 And there'd be an addition --
627
628 Mr. Nelson - Okay. From either Laburnum or --
629
630 Mr. Cejka - Yeah. Any of the side streets coming from Williamsburg or
631 coming out of Gay.
632
633 Mr. Nelson - Yeah.
634
635 Mr. Cejka - I mean, Laburnum, down there.
636

637 Mr. Nelson - Okay. I mean, we already get some complaints about the
638 traffic on Gay, so I know this is just going to increase it. So, if this moves on if you could
639 give me a more definitive number by the time it gets to the Board of Supervisors.
640

641 Mr. Cejka - Yes, sir.
642

643 Mr. Nelson - Thank you.
644

645 Mr. Archer - Thank you, sir. All right. More questions for anyone? Need
646 to hear from the applicant, Mr. Mackey?
647

648 Mr. Mackey - Yes, sir.
649

650 Mr. Archer - I think he's on the way.
651

652 Mr. Mackey - All right. Thank you.
653

654 Mr. Condlin - Mr. Chairman, members of the Commission, Andy Condlin
655 here, from Roth Jackson on behalf of H&M Investment Corporation. I'm with Thomas
656 Hills and Taylor DeLauder and Clay Hough on the line as well to answer any specific
657 questions that they had, you know, I've got the PowerPoint available. As Ms. Blankinship
658 has done such a nice job covering really the essentials of the case I'd like my -- I'd like to
659 just be able to answer any questions specifically that you have. One of the things -- I
660 don't think I have the ability to go forward from here. I've got --
661

662 Mr. Mackey - Could -- Mr. Condlin, could you go over the elevations?
663

664 Mr. Condlin - Yes, sir. If I could get this to work. Doesn't seem to be
665 working, Ben.
666

667 Mr. Sehl - I can move it forward.
668

669 Mr. Condlin - I think you just missed a -- all right. I think if we can go to the
670 elevations, Ms. Blankinship.
671

672 Mr. Mackey - There you go.
673

674 Mr. Condlin - There we go. That's right. So, we have proffered specific
675 elevations and specific material on the -- on the -- on the case itself as well as the
676 elevations with respect to the pool, the clubhouse, specifically as well.
677

678 So, we've got -- what we've provided for is to try to have an upgrade in the number of
679 units, the type of units, that we currently have. It's a little bit less density than what you
680 typically find with multi-family because they are townhouse units. They don't have people
681 living above -- below them, so they're individual units that are attached together like a
682 townhouse development would be otherwise.

683
684 Fifty -- over 50 percent of our units will have an attached garage that go with the unit and
685 we'll be able to provide for additional for the car parking as well within the -- within the
686 development itself.

687
688 So with that, we'd be happy to answer any questions that you have specifically. Ask that
689 you recommend this and follow staff's recommendation to the Board of Supervisors.

690
691 Mr. Archer - Thank you, Mr. Condlin. Are there questions?

692
693 Mr. Mackey - Yes, Mr. Chairman, I have some questions. Would the
694 existing residents at the Lakeview Mews Apartments now have access to the new
695 amenities? The fitness center, the pool, and --

696
697 Mr. Condlin - Absolutely. So, this'll become one seamless part of the
698 overall development. One -- I mean, the existing development is on one side of the lake.
699 This would be on the other side. And with the focal point being as you come into the
700 development got to be available to clubhouse and the fitness facility and the pool.

701
702 We'll keep the existing facility as well and move all of the administration to this clubhouse,
703 but it'll be interchangeable. Be able to use both of those. So, we'll end up with two
704 clubhouses on this property so that people can use either one of them. They'll be
705 seamless for both of them.

706
707 Mr. Mackey - Okay. And in your proffers under the parking lot lighting, I saw
708 where it said that parking lot lighting shall be reduced or turned off after business hours.
709 What -- when would you turn the lighting down or turn it off?

710
711 Mr. Condlin - Well, specifically that was around the clubhouse. The idea
712 being that when that closes, and it closes obviously a little bit after dark, depending on
713 when it is and for the pool itself based on the operational hours. That was what the intent
714 is on that.

715
716 Mr. Mackey - All right. Do you -- do you know if the applicant will be
717 targeting any, like, will there be, like, any age restrictions on the townhouses? Or would
718 it be targeting maybe some older residents?

719
720 Mr. Condlin - Specifically, they're finding that under their -- they're expecting
721 to have the -- a similar market for their existing apartments that they have. And right now
722 what they're -- they currently have about one and a half residents per apartment is what
723 they have. They tend to have a lot of empty nesters and folks that are single, living in
724 these units themselves. And while they're not age-restricted they do find -- nor are they
725 specifically age-targeted, they do find that a lot of the senior and older folks are moving
726 in and it's just because of the location and the quality of the amenities and the quality of
727 the standards that they have within the apartments itself.

728

729 So that's why the -- a little bit lower than what you typically find in this market with about
730 one and a half residents per unit.

731
732 Mr. Mackey - All right. Thank you, sir. I don't have anything else, Mr. Chair.

733
734 Mr. Archer - Okay. Any other Commissioner have a question for Mr.
735 Condlin before he takes his seat? All right.

736
737 Mr. Archer - I'm sorry. Mr. Cejka.

738
739 Mr. Cejka - Yes. Just want to clarify -- just want to clarify something I
740 stated earlier to Mr. Nelson. The warrants for a traffic signal are 500 vehicles per hour
741 on Gay Avenue and 150 vehicles per hour on Lakefield Drive. So, 480 cars exiting. We'd
742 be able to do traffic counts between now and the Board Meeting. Determine what's on
743 Gay Avenue.

744
745 Mr. Nelson - So 150 cars an hour coming out of the complex.

746
747 Mr. Cejka - Correct, for eight hours.

748
749 Mr. Nelson - For eight hours.

750
751 Mr. Cejka - Eight hours.

752
753 Mr. Nelson - And 500 cars on Gay.

754
755 Mr. Cejka - For the same eight hours. Correct.

756
757 Mr. Nelson - Yeah. And who set that stand -- we set that standard? Or --

758
759 Mr. Cejka - It's the Federal Highway Administration. It's a national --

760
761 Mr. Nelson - Federal highway.

762
763 Mr. Cejka - -- national standard.

764
765 Mr. Nelson - Okay. All right. Thank you. And you going to run traffic
766 counts for us? Or did you already?

767
768 Mr. Cejka - Traffic counts on Lakefield Drive and on Gay Avenue between
769 now and the Board meeting.

770
771 Mr. Nelson - Between -- okay. Thank you.

772
773 Mr. Archer - Thank you, Mr. Cejka.

74

775 Mr. Cejka - You're welcome.

776
777 Mr. Archer - All right. Anybody else have questions? And there was no
778 opposition, so Mr. Mackey.

779
780 Mr. Mackey - All right, Mr. Chairman. I'd like to first thank staff and Mr.
781 Condlin for working together and getting all the issues that we had at the -- what the -- it
782 wasn't a lot of issues, but the few concerns that we had at the community meeting
783 addressed and everyone was pleased with that.

784
785 Although the Comprehensive Plan doesn't necessarily state for this type of development,
786 I do think that this expansion will fit in nicely with what is already currently at this location.
787 I think it'll be a good addition to the community. So, Mr. Chairman, having said that, I
788 move that REZ -- I need a little more light...I move that R -- I move that REZ2020-00024,
789 Andrew Condlin for H&M Investment Corp., be recommended for approval to -- with the
790 revised proffers number 1 through number 5 dated August 7, 2020.

791
792 Mrs. Thornton - Second.

793
794 Mr. Archer - Okay. The motion has been made by Mr. Mackey and
795 seconded by Mrs. Thornton. All in favor of the motion say aye.

796
797 The Commission - Aye.

798
799 Mr. Archer - Anyone opposed say no. The ayes have it, that motion is
800 passed.

801
802 **REASON:** Acting on a motion by Mr. Mackey and a second by Mrs.
803 Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board
804 of Supervisors **grant** the request because it would not be expected to adversely affect
805 the pattern of zoning and land use in the area and the proffered conditions will assure a
806 level of development otherwise not possible.

807
808 Mr. Archer - Mr. Morris, how are you, sir?

809
810 Mr. Morris - Good evening. Doing well, thank you. The next case is
811 REZ2020-00022, Green Clean Auto Wash, LLC.

812
813 **REZ2020-00022 Jeffrey P. Geiger for Green Clean Auto Wash, LLC:**
814 Request to conditionally rezone from B-3 Business District and B-3C Business District
815 (Conditional) to B-3C Business District (Conditional) Parcel 784-756-5766 and part of
816 Parcel 784-756-4368 containing 0.980 acres located at the northeast intersection of E.
817 Parham Road (State Route 73) and Brook Road (U.S. Route 1). The applicant proposes
818 a carwash. The use will be controlled by zoning ordinance regulations and proffered
819 conditions. The 2026 Comprehensive Plan recommends Commercial Arterial and Urban

20 Residential where density should range from 3.4 units to 6.8 units per acre. The site is
821 located in the Enterprise Zone.

822
823 Mr. Archer - Oh, I'm sorry. I'm reading the case. Is there anyone here who
824 is in opposition to Green Clean Auto Wash, LLC, REZ2020-00022?

825
826 Ms. Deemer - Mr. Chairman, we have someone in opposition.

827
828 Mr. Archer - All right. I suppose we'll hear from that person then. Would
829 you like to finish your presentation?

830
831 Mr. Morris - Oh. Yes, sir.

832
833 Mr. Archer - Go ahead and do that and then we'll hear from the opposition.

834
835 Mr. Morris - Thank you, Mr. Chairman, members of the Commission. As
836 stated, this is a request to conditionally rezone 0.98 acres from B-3 Business District to
837 B-3C, Business District Conditional, to B-3C to allow a car wash. The site is located at
838 the northeast intersection of East Parham and Brook Roads.

839
840 The subject site consists of two properties. The property at the corner is improved with a
841 former bank building that will be removed as part of this proposal. The easternmost
842 property provides access and parking to the adjacent property and Hardee's to the north.

843
844 Previously this request only consisted of the eastern-most property, and the applicant has
845 now included the corner property to allow the entire site to fall under the same conditions.

846
847 Adjacent properties to the north and east are zoned R-3 and consist of single-family
848 residences and vacant residential parcels recorded at Garden City subdivision. The
849 adjacent property to the north is zoned B-3 and is the site of a Hardee's restaurant.
850 Parham One Shopping Center is zoned B-3 and is located to the south, across East
851 Parham Road and properties to the west across Brook Road are zoned B-2 Business
852 District, and B-3.

853
854 To mitigate potential impacts the applicant has proffered limiting uses on the property.
855 Additional proffers address: Fencing, restrict height of lighting, hours of operation for the
856 car wash and vacuums, hours of construction, access, and vehicular queueing, and
857 signage.

858
859 The applicant has submitted a concept plan showing a car wash facility oriented towards
860 East Parham Road surrounded by parking and drive aisles with the car wash exit facing
861 Brook Road here. A drive aisle for both the carwash and Hardee's is provided here and
862 a 5-foot-wide sidewalk will be provided along Brook Road. Under this plan the existing
863 access points on East Parham, right here, and Brook Road, right here, would remain.

864

865 The applicant has also provided elevations shown here. The single-story structure has a
866 number of building materials which are proffered. And, as shown, vacuums for
867 customers' use will be located in the parking lot on the north side of the car wash, here.

868
869 As proffered, centralized vacuum motors shall be located on the corner property with
870 vacuum apparatus located only within 20 feet of the west property line of the interior
871 parcel. The applicant has indicated that only car wash customers will have use of these
872 vacuums. And, for reference, that western property line would be right about here.

873
874 The applicant has submitted revised proffers, dated August 12, 2020, and new elevations
875 dated August 10, 2020. Both of these documents were just handed out. With these
876 proffers the applicant has addressed a number of concerns outlined in the staff report.
877 However, staff continues to have concerns regarding the lack of sidewalk along East
878 Parham Road, the wording of proffer 8, which ties the hours of operation on the property
879 to the car wash use, and the allowed use of a convenience store on the subject site.

880
881 The 2026 Comprehensive Plan recommends Commercial Arterial and Urban Residential
882 for the subject properties. The property is in the Enterprise Zone, and Brook Road
883 Corridor Revitalization/Reinvestment Opportunity Area. And while the proposed use is
884 not consistent with the Urban Residential designation, the site is already zoned B-3 and
885 B-3C and redevelopment of the site would be more appropriate, provided measures are
886 in place to protect impacts on the adjacent residential uses.

887
888 Should the applicant address the concerns as previously outlined, staff could be more
889 supportive of this request. The applicant held a virtual meeting on June 30, 2020 with
890 two residents in attendance. This case was deferred at the applicant's request at the July
891 9, 2020 Planning Commission hearing. This concludes my presentation and I am happy
892 to answer any questions you may have.

893
894 Mr. Archer - Thank you, Mr. Morris. So, the one indication that we would
895 like to see a sidewalk along Parham running, I guess, it's west along Parham. Is that
896 correct?

897
898 Mr. Morris - Yes, sir.

899
900 Mr. Archer - Okay. Brook Road sidewalk has been taken care of.

901
902 Mr. Morris - Yeah. That has been proffered, a 5-foot sidewalk, a 5-foot-
903 wide sidewalk along Brook right here. But along Parham that has not been. No sir.

904
905 Mr. Archer - Okay. Thank you so much. Are there any questions from the
906 Commission for Mr. Morris? All right. If there are no questions, then I think I would like
907 to hear from the opposition first so that the applicant can address whatever concerns
908 there are when he does his presentation. Thank you, Mr. Morris.

909

910 Ms. Deemer - Mr. Chairman, we have a Ms. Renee Young on the line. She
911 is now unmuted.
912
913 Mr. Archer - Okay. Thank you. Good evening, Ms. Young.
914
915 Ms. Young - Good evening. How are you?
916
917 Mr. Archer - I'm fine. Hope you are.
918
919 Ms. Young - I'm just good. I am the owner of the house that is adjacent or
920 next door to the Hardee's and the (Indiscernible) car wash. I'm at 1007 North Concord
921 Avenue.
922
923 My concerns -- I don't have an opposition for companies to prosper there. I have a
924 problem with the barrier between us. It is now a 6-foot fence which I believe is standard
925 and I understand that, but I would con -- I would like for them to consider maybe putting
926 a better barrier, maybe even a little taller.
927
928 I have had instances when they pick up the trash it flows over my -- over the fence into
929 my yard. Which did cause drainage problems because the drainage pipe is also located
930 in my yard. And I have had problems with the homeless living in the back yard because
931 they break through the fence. That's my concern.
932
933 Mr. Archer - All right, Ms. Young. The last thing you said we couldn't hear
934 you too clearly, but I believe you said something about the homeless breaking through
935 your fence?
936
937 Ms. Young - Yeah. They broke through the fence on the side of where the
938 bank is now and they were living in my back yard, pretty much. Because when they break
939 through the fence my yard is directly behind the bank and Hardee's.
940
941 Mr. Archer - Okay. Anything else, Ms. Young?
942
943 Ms. Young - No, not really. No.
944
945 Mr. Archer - All right.
946
947 Ms. Young - That's my only concern.
948
949 Mr. Archer - Well thank you for your comments and for your questions.
950 And with that I will hear from the applicant and see if we can address those issues.
951
952 Mr. Geiger - Good evening, Mr. Chairman.
953
954 Mr. Archer - Evening.
55

956 Mr. Geiger - Jeff Geiger with Hirschler --
957
958 Mr. Archer - Evening, Mr. Geiger. How are you, sir.
959
960 Mr. Geiger - I'm doing well, sir. Thank you. I'm here on behalf of the
961 applicant, Green Clean Auto Wash.
962
963 On the WebEx with me is a representative with Green Clean Craig Van Breeman. If there
964 are any questions that I need assistance with, I will ask staff to unmute him so he could
965 participate in the hearing.
966
967 I think Mr. Morris did a very good job kind of going through the request that's before you.
968 As he noted, this property is -- it is B-3. We'd like to keep it at B-3. And what this request
969 does is provides our neighbors, residential neighbors in the county, with some more
970 assurances as to the quality of the development. And, in particular, the protections that
971 we have designed into this request for the neighboring residences.
972
973 I appreciate hearing from Ms. Young again. We did hear from her at the outset of this
974 case. We are providing a new fence along the north side of our property that adjoins her
975 property. Right in there. It will be 8 feet high and is, based on her stated height, taller
976 than the existing fence, that I think the existing fence she was referring to is the one that
977 runs along the rear of the Hardee's on the west side of her property line.
978
979 She also mentioned a concern about trash. She did raise that to us as well. As you heard
980 from her, it occurs when the dumpster is emptied. I just want to let you know we don't
981 have a dumpster currently on this property that's the subject to -- subject to the request.
982 If you're familiar with this property, it's currently a bank building that is no longer in use.
983 It used to be a SunTrust.
984
985 I think the dumping that she's referring to, the trash that she's referring to, is coming from
986 the Hardee's. And so what I can say is, you know, if that trash migrates onto the property
987 that's before you, we will have two attendants on-site during those hours, 8 to 8, and part
988 of their job is making sure that the site stays clean. We will be adding a new dumpster
989 and have a location for that trash to go.
990
991 We did communicate -- one of the concerns that Ms. Young raised early on was the
992 drainage concern. My client went to the prop -- visit the property and from the property
993 observed her property and there is a culvert that takes the water from her property and
994 puts it into our stormwater system. Unfortunately the land right below that culvert isn't --
995 the land is lower than that culvert and we've -- and we've let her know she can add some
996 dirt underneath so that water then drains into the -- into the culvert and then into our
997 stormwater system.
998
999 She did alert us to the fact that the current unused building is attracting vagrants. But we
1000 did let her know we will have two attendants on-site during those hours and that should
1001 discourage that type of use during our restricted hours.

1002
1003 With that I believe we've -- with our resubmission we've -- addressed the comments that
1004 staff had in the staff report. And, on behalf of my client, would ask the Commission to
1005 recommend approval of the rezoning request before them.

1006
1007 Mr. Archer - All right.

1008
1009 Mr. Geiger - Be happy to answer any questions that you may have at this
1010 time.

1011
1012 Mr. Archer - Thank you, Mr. Geiger. Now there were a couple of things in
1013 the staff report, the original staff report, that I think you had addressed and one that you
1014 may not have. There was a -- the staff was wanting a clarification on the hours and
1015 locations of the vacuum system and I don't think you said that in your presentation, but
1016 could you state that for the rest of the Commission members and for the audience,
1017 please?

1018
1019 Mr. Geiger - Yes, sir, Mr. Chairman. The way we addressed that is we have
1020 proffered that the centralized vacuum machinery can only be on the parcel where the
1021 bank building is currently located. It cannot be located on the -- what we refer to as the
1022 access parcel, which is the parcel directly south of Ms. Young's lot.

1023
1024 In addition, we have stated that the vacuum stations themselves will be only on the bank
1025 parcel and if they need to encroach, they can encroach by no more than 20 feet onto the
1026 access parcel.

1027
1028 The layout that you have in front of you right now has no vacuum stations on the access
1029 parcel. The reason we're asking for that 20 feet is that we have agreed to provide that
1030 missing sidewalk section along Brook Road. If you're familiar with Brook Road on the
1031 east side, the sidewalk is -- comes down just to the north of Hardee's, Hardee's does not
1032 have a sidewalk. With this request we would then provide the sidewalk down to Brook so
1033 you'd have just one missing link there.

1034
1035 To do that we've got to shift the layout a little bit, and we're going to do our best to make
1036 sure it doesn't go on to the access parcel but if it does, we just didn't want to have to come
1037 back before you to ask for an adjustment to the -- to the proffer.

1038
1039 Mr. Archer - Okay. Now staff did also indicate that it would be much of a
1040 preference to have sidewalk along Parham Road.

1041
1042 Mr. Geiger - We understand that request. We look at it from this
1043 perspective. Just like with Brook Road, the sidewalk would require a shift. We are
1044 anticipating also a shift here. And so, with adding two sidewalks we'd be inching the
1045 building and the use closer to the residential lot. We believe that the existing sidewalk or
1046 the -- adding the sidewalk on the west side of the property, along Brook Road, is a benefit

1047 to the county in continuing the sidewalk that's on the east side and matches what's on the
1048 west side.

1049
1050 When you look at Parham though there's no sidewalk. The north side of Parham on our
1051 side and on the west -- on the west side of the intersection there's no sidewalk. I'm not
1052 -- to our east is residential lots and it takes you to the interchange. I'm -- in our mind we
1053 were trying to advance staff's interest in reducing impact to the residential lots and
1054 prioritize that over the addition of the sidewalks.

1055
1056 If you look at the layout that's in front of you, you can see how on the opposite corner to
1057 the west you've got that commercial property provided a sidewalk on Brook but did not
1058 provide a sidewalk on Parham. There are no crosswalks at this intersection.

1059
1060 Mr. Archer - Okay. I hear what you're saying, and I do understand that
1061 there is -- there's nothing that I know that connects between where this sidewalk is
1062 proposed and whatever else is going east on Parham Road. But now I will remind you
1063 that this the same staff report is one that the Board will use when they make their decision,
1064 so there may have to be some reckoning on that.

1065
1066 I think what you have explained does satisfy Mrs. Young's condition that she was
1067 concerned about. I don't -- I quite frankly don't know and I have a lot of compassion in
1068 my heart for people who are homeless. I don't think anybody volunteers to be a homeless
1069 person. And I have been by there and I've noticed where they tend to be under the drive
1070 through shelter for the -- well what would have been the bank window. And I have
1071 observed them being there. And I only hope that they can find some place to exist that
1072 would be better for everybody concerned.

1073
1074 Now are there any questions for Mr. Geiger from the Commission?

1075
1076 Mrs. Thornton - No, sir.

1077
1078 Mr. Mackey - No, sir.

1079
1080 Mr. Baka - No.

1081
1082 Mr. Archer - Okay. Is Ms. Young still online so I can ask if she feels better
1083 about her situation?

1084
1085 Ms. Young - Hello.

1086
1087 Mr. Archer - Hello, Ms. Young.

1088
1089 Ms. Young - Yes. Can you hear me?

1090
1091 Mr. Archer - Did you hear the explanation that Mr. Geiger gave concerning
1092 taking care of the fence there, as you said? And also the fact that the trash that apparently

1093 is being some kind of way shuffled on your property has to be coming from the Hardee's
1094 since there's nothing on this site to create trash at this point?

1095
1096 Ms. Young - Yes. Correct.

1097
1098 Mr. Archer - Okay.

1099
1100 Ms. Young - So, that's why I'm concerned whether that car wash is going
1101 to have a dumpster in the area or, I mean, how are they dumping their trash. I said --

1102
1103 Mr. Archer - Okay. Well, he did explain that there would be people on site
1104 who would be able to manage whatever is happening with the dumpster. So hopefully
1105 that does not become a problem. But it may be a good idea to speak to the Hardee's
1106 management about the current problem that you're having.

1107
1108 Ms. Young - That's --

1109
1110 Mr. Archer - But, anyway, we so much appreciate you coming on and
1111 expressing your concern.

1112
1113 Ms. Young - Thank you. I understand that, but of course, you know, once
1114 it comes in my yard it's my trash. And so, after the assistants are gone it doesn't matter.
1115 We can't pick it up from their side. I would -- will just keep an eye on it and if I have any
1116 more issues with it, I will let you know.

1117
1118 I am also concerned about sound. Is it going to be loud in that area with the washers and
1119 vacuums?

1120
1121 Mr. Archer - Okay. We can't hear you very well, Mrs. Young, but I think
1122 you said that you will be a good steward of your community and keep an eye on what's
1123 happening with the dumpster. And we appreciate that.

1124
1125 Mrs. Thornton - Well and she --

1126
1127 Ms. Young - Yes. And if there are going to be any --

1128
1129 Mrs. Thornton - She's concerned about the sound.

1130
1131 Mr. Archer - Oh. Okay.

1132
1133 Ms. Young - -- sound --

1134
1135 Mrs. Thornton - Sound.

1136
1137 Ms. Young - The vacuums, the car wash.

38

1139 Mr. Archer - Yeah. Mr. Geiger, could you address that? Give us an idea
1140 of what the sound decibel level would be. I suppose from the vacuums. I don't think the
1141 carwash itself would produce that much noise, since it's enclosed.

1142
1143 Mr. Geiger - Be happy to, Mr. Chairman. To just pick up where you asked
1144 particularly about the car wash, I do want to point out that, you know, Green Clean was
1145 very intentional in their design.

1146
1147 As you know, when you leave a car wash there are blowers and those blowers are pointed
1148 towards Brook. We did not want to point them towards the residential units.

1149
1150 Mr. Archer - That was the question I had had early also.

1151
1152 Mr. Geiger - We -- from a -- from our perspective in the operations that we
1153 have, the sounds that will be generated from the vacuums, from those blowers, will be no
1154 louder than the noise that is generated by Parham Road.

1155
1156 Mr. Archer - Okay.

1157
1158 Mr. Geiger - Those state -- and we have that proffer as was discussed that
1159 the central machinery for that vacuum cannot be located on the parcel behind her home.

1160
1161 Mr. Archer - Okay. Thank you, sirs. That sort of answers the questions
1162 that I had. And Mr. Morris did have, when the first presentation was made, or the
1163 application was made, did have several concerns that Mr. Geiger seems to have taken
1164 care of. I don't know how the Board's going to look at the sidewalk issue. Generally, we
1165 sort of used to what you just said about the sidewalk where it goes and where it comes
1166 from. But I think that's something that they will have to look at. I can sort of understand
1167 in this case where you're coming from.

1168
1169 So, if there are no more questions, with that I will move that Green and Clean -- Green
1170 Clean Auto Wash, LLC, REZ2020-00022 be forwarded to the Board with a
1171 recommendation for approval.

1172
1173 Mr. Baka - Second.

1174
1175 Mr. Mackey - Second.

1176
1177 Mr. Archer - Motioned by Mr. Archer and seconded by Mr. --

1178
1179 Mr. Mackey - Mr. Baka.

1180
1181 Mr. Archer - Mr. Baka. All in favor of the motion say aye.

1182
1183 The Commission - Aye.

1184

85 Mr. Archer - All those opposed say no. The ayes have it and the motion is
1186 passed.

1187
1188 **REASON:** Acting on a motion by Mr. Archer and a second by Mr. Baka,
1189 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
1190 Supervisors **grant** the request because it continues a form of zoning consistent with the
1191 area and it would not be expected to adversely affect the pattern of zoning and land use
1192 in the area.

1193
1194 Mr. Archer - Mr. Sehl, is that you behind the mask?

1195
1196 Mr. Sehl - It is, Mr. Chairman. Thank you. Good evening Mr. Chairman,
1197 members of the Commission.

1198
1199 The next two items on your agenda are in the Three Chopt District and are companion
1200 requests. The first is REZ2020-00018, Pouncey Place, LLC.

1201
1202 **REZ2020-00018 James W. Theobald for Pouncey Place LLC:** Request to
1203 conditionally rezone from B-2C Business District (Conditional) to R-6C General
1204 Residence District (Conditional) Parcel 740-765-2150 containing 9.7501 acres located at
1205 the southeast intersection of Pouncey Tract Road and Twin Hickory Lake Drive. The
1206 applicant proposes a mixed-use community. The R-6 District allows a maximum gross
1207 density of 19.8 units per acre. The uses will be controlled by zoning ordinance regulations
1208 and proffered conditions. The 2026 Comprehensive Plan recommends Commercial
1209 Concentration. The site is in the West Broad Street Overlay District.

1210
1211 Companion request PUP2020-00008, also Pouncey Place, LLC.

1212
1213 **PUP2020-00008 James W. Theobald for Pouncey Place LLC:** Request for a
1214 Provisional Use Permit under Sections 24-36.1(b) 24-120 and 24-122.1 of Chapter 24 of
1215 the County Code to allow a mixed-use community development on Parcel 740-765-2150
1216 located at the southeast intersection of Pouncey Tract Road and Twin Hickory Lake Drive.
1217 The existing zoning is B-2C Business District (Conditional). R-6C zoning district is
1218 proposed for with REZ2020-00018. The 2026 Comprehensive Plan recommends
1219 Commercial Concentration. The site is in the West Broad Street Overlay District.

1220
1221 This request applies to the same parcel as the rezoning and consideration of this request
1222 must follow action on the companion rezoning request. And that concludes my
1223 introduction to the -- to the two cases there. As I mentioned, they are companion cases
1224 and -- and with the Commission's agreeance I'll present them together.

1225
1226 Mr. Archer - Okay. Is there anyone present or online or on the web any
1227 opposition to these cases?

1228
1229 Ms. Deemer - Mr. Chairman, we have several people in opposition.

30

1231 Mr. Archer - Thank you, Ms. Deemer. And there's at least one here.
1232
1233 Mrs. Thornton - No there's --
1234
1235 Mr. Baka - Several. Several of them.
1236
1237 Mrs. Thornton - Several.
1238
1239 Mr. Archer - I'm sorry. I got this light shining in my face. I can't see them
1240 today.
1241
1242 Mr. Witte - I can't see it either.
1243
1244 Mr. Archer - All right. How would you like to proceed, Ms. Thornton?
1245 Presentation?
1246
1247 Mrs. Thornton - Yes, please.
1248
1249 Mr. Archer - Go ahead, Mr. Sehl, and then we'll hear what the opposition
1250 has.
1251
1252 Mr. Sehl - Thank you, Mr. Chairman. I would begin as well by
1253 mentioning if we could -- as those who would like to speak to the case would speak, as
1254 the applicants have previously, from the lectern at the rear of the room.
1255
1256 Mr. Archer - Okay.
1257
1258 Mr. Sehl - So anybody who would like to speak to that could --
1259
1260 Mr. Archer - Everybody understand that that's here? When you speak to
1261 the case, you'll have to go to the lectern that's in the back of the room if you would please.
1262 And if you do go back there in a group please make sure you stay at least six feet behind
1263 the person that's in front of you. We'd just prefer that you go one by one. All right? Go
1264 ahead, Mr. Sehl.
1265
1266 Mr. Sehl - Thank you again, Mr. Chairman. The subject site was
1267 rezoned from M-1C, A-1, and B-3C to B-2C in that 2005 via case C-27C-O5 to allow for
1268 the commercial development of approximately 90,000 square feet of various retail and
1269 service uses. Surrounding property contains a variety of zoning districts including a
1270 variety of residential and nonresidential zoning and includes the Townes at Pouncey
1271 Place Development, Colonial Trail Elementary School and undeveloped office uses to the
1272 north.
1273
1274 As shown on this concept plan, the applicant now proposes to rezone the site to R-6C to
1275 allow for a mixed-use master-planned development with up to 295 residential units.
1276 Approximately 20,000 square feet of retail uses are also proposed. I would note this

77 commercial square footage has been reduced to facilitate the reduction of the height of
1278 two of the buildings. This recent change, which has been distributed to you along with
1279 the updated proffers this evening, allows this building here, at the northeast corner of the
1280 property, and a portion of this building shown here, to be reduced to three stories in height.

1281
1282 Under recent changes to the R-6 District, an application for a Provisional Use Permit can
1283 be made for a master-planned community with mixed-use development as well as
1284 allowances for higher density and flexibility in setbacks and parking standards.

1285
1286 The proffered concept plan, which is also part of the companion PUP, reflects this
1287 flexibility. As proposed, the density of development would be approximately 30 units per
1288 acre, and certain setback requirements have been reduced to allow for more urban design
1289 and streetscapes that are shown on the plan.

1290
1291 The submitted and conditioned elevations and renderings depict this more urban design.
1292 Shown here is a view looking into the site from the adjacent intersection at Twin Hickory
1293 Lake Drive and Pouncey Tract Road, while this view shows a portion on the interior of the
1294 development.

1295
1296 The goal of the ordinance amendment was to encourage these types of communities,
1297 where a mixture of uses on in-fill sites could be integrated to form pockets of walkable
1298 communities.

1299
1300 These pockets, when connected to adjacent communities through sidewalks, can help
1301 form the core of a larger walkable area providing services to new and existing residents.
1302 This also allows for additional shared parking opportunities consistent with the submitted
1303 parking plan that is made a part of the provisional use permit.

1304
1305 As noted, the applicant has revised their plan to reduce the building height and remove a
1306 substantial portion of the previously proposed commercial uses. While the amount of
1307 commercial uses has been reduced, the applicant has retained their commitment to
1308 provide all transportation improvements recommended by the traffic impact analysis that
1309 has been approved by VDOT and the county.

1310
1311 That study was conducted using the previous approval, or proposal, of 45,000 square
1312 feet of commercial space versus the 20,000 that is now proposed. The applicant also
1313 previously revised the request to provide additional fencing and landscaping between the
1314 site and the adjacent townhouse community based on feedback received at the June 29th
1315 virtual community meeting.

1316
1317 The revised proffered conditions dated August 10th address items such as hours of
1318 construction, sound suppression measures, outside music, buffering, and building
1319 materials. All are consistent with other recent developments of this type.

1320
1321 In addition to the proffers, the staff report for the PUP contains 11 recommended
22 conditions that would regulate development of the site, including limitations on permitted

1323 commercial uses, regulations on outside dining, and requirements for sidewalks,
1324 pedestrian lighting, and crime prevention planning.

1325
1326 The proposed development is in keeping with the goals of recent changes to the Zoning
1327 Ordinance and is a reasonable use of an infill site previously planned for relatively intense
1328 commercial development.

1329
1330 The approved traffic impact analysis indicates trip generation from this development
1331 would be significantly reduced from that possible with the site's existing zoning and the
1332 recent reduction in building height should minimize impacts on those residents closest to
1333 the site.

1334
1335 The submitted proffers and recommended conditions should help mitigate potential
1336 negative impact from the development, and the more urban design proposed as part of
1337 the master plan will foster a more walkable development for future residents and the
1338 adjacent community.

1339
1340 For these reasons staff does support these requests subject to the recently amended
1341 proffers and the conditions recommended in the provisional use permit staff report. I
1342 would note that separate actions would be necessary for each item, and I'd be happy to
1343 try and answer any questions you might have.

1344
1345 Mr. Archer - Thank you, sir. Are there questions for Mr. Sehl from the
1346 Commission?

1347
1348 Mrs. Thornton - Just real quick, could you tell us, right now, how it's zoned?
1349 What could go on there so the audience and everybody on the web could know?

1350
1351 Mr. Sehl - Yes, ma'am. So the site was zoned B-2C in 2005. B-2C
1352 allows for a variety of commercial uses. At that point in time they were come -- proposing
1353 a convenience store with 12 fueling stations, I believe, a drug store or similar grocery-
1354 level use of about 20,000 square feet, an additional 45,000 square feet of general retail
1355 uses, as well as some restaurant uses and a bank. So approximately 90,000 square feet
1356 of overall commercial uses on the property.

1357
1358 Mrs. Thornton - So right now they have that right to do any of those that you
1359 just stated.

1360
1361 Mr. Sehl - Yes, ma'am.

1362
1363 Mrs. Thornton - Okay. Thank you.

1364
1365 Mr. Archer - Anybody else with questions of Mr. Sehl.

1366

67 Mr. Baka - One quick question. When the building to the south proposes
1368 to transition from three stories to four stories, at that break point, what happens to the
1369 architecture there? Is it -- it's just a straight line building wall?
1370
1371 Mr. Sehl - Yeah. So, Mr. Baka, the applicant is working -- this is a
1372 relatively recent change to reflect those requests of the adjacent residents. The applicant
1373 is working to -- they had submitted elevations, you know, consistent with their previous
1374 plan. I do believe they have some drafts that show where that would step up.
1375
1376 Mr. Baka - Okay.
1377
1378 Mr. Sehl - Yes. It would be -- in the building that's going to step up there
1379 would be a portion of it that would be three story and then step up to four.
1380
1381 Mr. Baka - Okay. Thanks.
1382
1383 Mr. Archer - All right. Anyone else?
1384
1385 Mrs. Thornton - I'll have many more, but not now.
1386
1387 Mr. Sehl - All right. Thank you very much.
1388
1389 Mr. Archer - Okay. All right, Ms. Thornton, would you like to hear from the
1390 opposition first?
1391
1392 Mrs. Thornton - Yes. If we could do the ones that are here and then -- explain
1393 the time limit -- and then the ones on the WebEx.
1394
1395 Mr. Archer - Okay. Mr. Secretary has explained the time limit and the time
1396 limits are as -- 10 minutes are allowed for the opposition, that's a cumulative 10 minutes,
1397 so it would be expedient not to repeat yourself or repeat what the first person in front of
1398 you, or any person in front of you, has said. And I guess we'll reserve the right that if we
1399 feel additional time is required, then Ms. Thornton can make that decision. But, at this
1400 point, we will hear from the first of the people who are present that are in opposition. So,
1401 come right up to the mic and state your name for the record, please.
1402
1403 Mr. Darsi - Good evening, Mr. Chairman and members of the Commission and the
1404 staff, for spending your time and proposing this. My name is Ravikumar Darsi and I live
1405 in -- I live in, like, 407 Harben Place, Glen Allen, Virginia. And right behind that one play
1406 -- One Pouncey community what we have is a typical neighborhood with 70 townhouses.
1407
1408 Okay. We have multiple concerns we raised when we had a chance to meet the Planning
1409 Commission team on the site. And, unfortunately, we -- none of our requests were
1410 incorporated into the changes, okay, from the July 9th report.
1411

1412 First thing is, we have only one -- it's kind of a 30-foot road to enter into our community,
1413 and that's one of the main things we live on the Pouncey Place. And to take the
1414 westbound left turn, going into the Short Pump area or anything. Right? Like, okay, it's
1415 very difficult for the egress out to the westbound left and also the ingress coming from the
1416 southbound to the Pouncey Place.

1417
1418 And currently we have five minutes of delay to get into the community or go out. And by
1419 adding 295 rental units into the community and having an exit and entering to the Pouncey
1420 Place will create a heavy traffic. That's one of our concerns.

1421
1422 The second concern is already the schools near the community are pretty much in full
1423 capacity. And all the classrooms are pretty much more than, like, the size of the
1424 community members. And currently right, like this problem is going to be extended to the
1425 schools also.

1426
1427 That's -- those are the primary concerns for the community living on the Townes at --
1428 Townes at Pouncey Place.

1429
1430 Mr. Archer - Okay. Thank you, sir. Next person.

1431
1432 Mr. Darsi - Okay.

1433
1434 Mr. Archer - Excuse me sir, the first speaker. Could you spell your last
1435 name -- no, before you. The last speaker. Can you spell your last name for me, please?
1436 I'm sorry I didn't get it.

1437
1438 Mr. Darsi - Yeah. Ravikumar Darsi, D-a-r-s-i.

1439
1440 Mr. Archer - Thank you.

1441
1442 Mr. Darsi - We sent a fleet of emails with our comments and concerns.

1443
1444 Mr. Archer - Okay. I got it. Thank you. Good evening, sir.

1445
1446 Mr. Mena - Hey, good evening members of the Commission. My name is
1447 Ashok Mena. I live in the Pouncey Place. My address is 613 Haven Mews Circle, Glen
1448 Allen, Virginia. So, mean we are a part of the Homeowner's Association.

1449
1450 First thing is, I mean, we had couple of concerns. We didn't receive any communication
1451 from the development for all the residents. They sent only a couple of people in my
1452 community got a letter on the new development. From the HOA and homeowner's
1453 association we didn't receive any communication.

1454
1455 The second concern, like, and I mean, as Ravi told, like, we have 70 houses in our
1456 community. Especially in the morning time and the evening time when all the people are
1457 going outside or entering into the community, it's taking two to three minutes.

1458
1459 Also there is like a... when you're coming from the West Broad to, I mean, Pouncey Tract
1460 -- Pouncey Tract Road, there is, like, a lot of inflation chiefly in -- the speed limit is 45.
1461 People are coming very fast and you're trying to enter into the community. It's taking at
1462 least 4 to 5 minutes in the evening time. There a lot of been accidents happen, so that is
1463 the mainly second concern.

1464
1465 Third one is, I mean, as told, like, schools are very over-loaded. Like, I mean, I don't
1466 know, I mean, how much, I mean, should adding 290 houses there's a lot of -- even our
1467 community members they didn't get, I mean, seats in the nearby schools. They're
1468 requesting that go to some other schools.

1469
1470 Within the same community, like, in a -- the same family, one kid is going to one school,
1471 other kid is going to other school. Their third concern.

1472
1473 The fourth one is, like now, they're requesting that in one of the traffic studies, they're
1474 recommending that opening the entrance from our community. Like, now if you look at
1475 that one of the near to our community, the first thing that enters that inside a community
1476 there are three entrances. There's a roundabout. When the kids are dropping at the
1477 roundabout at the same spot, here are entering the cars.

1478
1479 The other major concern, like in a request, and they try to reduce them in a number of
1480 minutes, and the request with the traffic team, and reduce the speed limit at the, like, you
1481 know, fromn West Broad to Pouncey Tract from 45 to lower the speed. That way you can
1482 reduce the number of accidents.

1483
1484 Mr. Archer - All right. Thank you, sir. Any questions for the speakers?

1485
1486 Mrs. Thornton - Thanks.

1487
1488 Mr. Archer - All right. Next.

1489
1490 Mr. Akkala - Hi. My name is Mahesh Akkala. So, my main concern is the
1491 uses of Pouncey Place Road for the entering and exiting of the traffic at One Pouncey.
1492 Because most of the time whenever they did traffic study what we have gone through,
1493 they proposed 50 percent of the traffic that's based on Pouncey Place Road.

1494
1495 If the person wants to take a left on -- basically he wants to go to West Broad Street, they
1496 will be using Pouncey Place Road but they were coming. So, they'll be lot of load,
1497 especially when they're talking about 295 units and around maybe 600 cars. They're all
1498 entering through that small, narrow piece of road. We are very concerned about that
1499 particular topic.

1500
1501 Mr. Archer - Okay.

1502
1503 Mr. Akala - That's all.

1504
1505 Mr. Archer - All right. Thank you. Is there anyone else in the back -- in the
1506 back of the room that's here that wants to speak?
1507
1508 Mr. Emerson - That's it.
1509
1510 Mrs. Thornton - Nope. That's it.
1511
1512 Mr. Archer - Okay. That being the case then, Ms. Deemer, we will go to
1513 the people online who wish to speak. And, Mr. Secretary, did you keep the time to see
1514 how much time we got left?
1515
1516 Mr. Emerson - Yes, sir. The first speakers used up 4 minutes and 46
1517 seconds, so you have approximately 5 minutes left.
1518
1519 Mr. Archer - Okay. All right. That is for the consumption of the people that
1520 are listening virtually. You have approximately 5 minutes left cumulatively to express your
1521 concern. So, the first person please identify yourself and your address and go right
1522 ahead.
1523
1524 Ms. Deemer - Mr. Chairman, we have approximately eight people signed up.
1525 And the first person to speak is Mr. Raam.
1526
1527 Mr. Archer - All right.
1528
1529 Mr. Raam - Good evening. My name is Aravind Raam. I live at 4840
1530 Chislehurst Drive. I -- the three people that I know I have already listened to them saying
1531 I have the same exact concerns. I do not -- I strongly object to opening up the traffic to
1532 Pouncey Place from the south side of the development. That will cause a lot of traffic
1533 congestion and accidents waiting to happen.
1534
1535 Mr. Archer - Okay.
1536
1537 Mr. Raam - Thank you so much.
1538
1539 Mr. Archer - Thank you, Mr. Raam.
1540
1541 Mr. Baka - Can our next speaker speak louder?
1542
1543 Mr. Archer - Yes. The Commission has asked the next speaker, could you
1544 please speak a little louder? We're having a little bit of difficulty hearing you. Thank you.
1545
1546 Ms. Deemer - Mr. Chairman, your next speakers is Mr. Hafker.
1547
1548 Mr. Hafker - Hello and thank you for the opportunity to talk. My name is
1549 Robert Hafker. I live at 4712 Trail Wynd Court, Glen Allen as part of the Twin Hickory

1550 community. This proposed project sits at the main entrance way to the Twin Hickory
1551 community.

1552
1553 I'm opposed to this on a number of different points. The first of which is, if my
1554 understanding of the zoning guidelines are correct, the R-6 site, if it's rezoned as R-6 is
1555 recommended at a maximum density of 19.8 units per acre. With this being a 9.75-acre
1556 site, that would indicate a maximum recommended number of units for that site at 194.
1557 What is being proposed is 295 units, which is 52 percent, or 101 units greater than the
1558 maximum recommended density of units for that site. And that's excluding the retail units.

1559
1560 My belief is that the excessive density of this site is contributing to the ongoing, and I
1561 believe, legitimate concerns both from the Twin Hickory neighborhoods as well as from
1562 the Pouncey Place neighborhood -- neighborhoods on the traffic patterns and volume
1563 concerns.

1564
1565 I -- the second major concern that I have is the traffic issue as it would relate to forcing
1566 southbound traffic for residents that desire to go southbound on Pouncey Tract towards
1567 Broad Street would also be forced out on to Twin Hickory Lake Drive and be forced into
1568 the Twin Hickory community, which is already highly congested traffic at Twin Hickory
1569 Lake Road -- Twin Hickory Lake Drive during many different parts of the day.

1570
1571 In particular, as you listen to the complaints of the prior two speakers I understand and
1572 sympathize with their concern about pushing southbound traffic towards Broad Street
1573 onto Pouncey Place. But if that were closed up at their request, and I understand their
1574 request, it would then force all of the excessive traffic going southbound onto Pouncey
1575 Tract Road on to Twin Hickory Lake Drive to either attempt to make a left turn or a U-turn
1576 within the Twin Hickory communities.

1577
1578 So, so summarize my request of the Planning Commission is I would like to see that this
1579 site be maintained in the guidelines that exist of having no greater density than 19.8 units
1580 per acre. I would hope that the Planning Commission would abide by its own rules and
1581 guidelines to protect the existing residents of those communities.

1582
1583 Mr. Archer - All right. Thank you, sir.

1584
1585 Mr. Hafker - Thank you.

1586
1587 Mr. Archer - Okay, Ms. Deemer, if you can unmute the next speaker and
1588 at the same time let me remind them that time is running short, so if you are being
1589 encouraged to repeat what someone has already said, please make better use of your
1590 time. Thank you.

1591
1592 Ms. Deemer - Mr. Chairman, your next speaker is Ash.

1593
1594 Ms. Ash - Good evening, everyone. I -- without taking much time, my
1595 name is Ash. I live in 614 Haven Mew Circle at the Townes at Pouncey Place. And my

1596 concerns were voiced by all my other neighbors regarding the traffic entering the Pouncey
1597 Place through their south entrance. I oppose against it. Thank you.

1598
1599 Mr. Archer - Thank you. Next Person, Ms. Deemer.

1600
1601 Ms. Deemer - Mr. Chairman, your next speaker is Mr. Hite.

1602
1603 Mr. Hite - Good evening. This is Collin Hite. I live at 11808 Shadow Run
1604 Drive in Twin Hickory Neighborhood.

1605
1606 What no -- I also agree that the traffic is going to be an unmitigated nightmare. If you look
1607 at the rendering on the screen you can see that every turn is a right-turn only. What that's
1608 going to result in is everybody trying to figure out how to make U-turns to get back onto
1609 Pouncey Tract to go the opposite direction and there's no need to do that in the Twin
1610 Hickory Lake Drive Road where there is nothing now. And then you are going to have
1611 people trying to make U-turns to go back out to Pouncey Tract around the corner. And I
1612 don't believe the rendering accurately depicts on the second exit that there is a break in
1613 the median that close to Pouncey Tract.

1614
1615 What nobody has focused on, and I don't know why the staff is ignoring it, but the HHHunt
1616 development across Twin Hickory Lake Drive is also going to add an entrance/exit onto
1617 Twin Hickory so you're going to have them trying to make U-turns to get back into the
1618 neighborhood when they want to go to the high school or the elementary school.

1619
1620 This design is literally disastrous considering the amount of traffic that races down
1621 Pouncey Tract towards Twin Hickory Lake. Half the people don't realize they're in a right-
1622 turn only lane and everybody's going to be shooting across in very short spaces to make
1623 U-turns.

1624
1625 In the morning you have all of the high-school students coming into the neighborhood and
1626 the Bacova neighborhood, on the other side of Pouncey Tract, just added hundreds of
1627 homes that are trying to come in.

1628
1629 So, I don't disagree with the development. I understand that Blackwood bought a very
1630 bad site that they have been unable to develop for 20 years and they want to monetize it.
1631 But what they're proposing is a traffic nightmare that really needs to be completely
1632 rethought here before this is approved in any respect based on the drawings provided.
1633 Thank you.

1634
1635 Mr. Archer - Thank you for your comment, sir. I'm sure we're running short
1636 on time, so, again, please don't be repetitive if what you've already heard summarizes
1637 what you have to say. Next person.

1638
1639 Mr. Emerson - Mr. Chairman, you are past 10 minutes, so you are correct.

1640
1641 Mr. Archer - Okay. Ms. Thornton, would you want to allow any more time?

1642
1643 Mrs. Thornton - How many more do we have on WebEx? Rosemary?
1644
1645 Ms. Deemer - Mr. Chairman, we have five more.
1646
1647 Mrs. Thornton - We'll extend it five minutes. Is that okay with you all,
1648 Commission?
1649
1650 Mr. Witte - One minute each?
1651
1652 Mrs. Thornton - Yeah.
1653
1654 Mr. Witte - Okay.
1655
1656 Mrs. Thornton - Because I think we've heard several of the same concerns.
1657
1658 Mr. Archer - That is correct.
1659
1660 Mrs. Thornton - Okay. Five minutes, if that's okay.
1661
1662 Mr. Archer - Yeah. Five minutes has been allotted, so if there are five
1663 people left to speak just please be reminded that you have a maximum of one minute
1664 each, and if you think there's one person who can summarize what you have to say, well
1665 you can't see each other, so maybe not. So, go ahead, please.
1666
1667 Ms. Deemer - Mr. Chairman, the next person is a Mr. Rosenthal.
1668
1669 Mr. Rosenthal - Good evening.
1670
1671 Mr. Archer - Good evening.
1672
1673 Mr. Rosenthal - I have several concerns as a very long-term Short Pump
1674 resident I have seen the traffic on Pouncey Tract and the development go crazy.
1675
1676 I think this should be put off until all the residents along Pouncey Track because it impacts
1677 all of us. I live further down Pouncey Tract, but it gets more and more difficult for me to
1678 get out of my neighborhood and get to Broad Street. And I don't think any of that's been
1679 looked at, because Pouncey Tract is a state road. They're in no hurry to do anything to
1680 widen it or improve it.
1681
1682 And we have thousands of square feet of empty retail space in the Broad Street corridor.
1683 I don't think we need to add to it. So, I think this needs to be looked at a lot closer in
1684 addition to the traffic studies which are being done during a pandemic with schools out of
1685 session. The traffic in this area is unbelievable when everything is as it used to be. Thank
1686 you.
1687

1688 Mr. Archer - Thank you, sir. All right. Next person.
1689
1690 Ms. Deemer - Mr. Speaker -- Mr. Chairman, the next person to speak is Mr.
1691 Brosnihan.
1692
1693 Mr. Archer - Thank you.
1694
1695 Mr. Brosnihan - Good evening all. I appreciate the opportunity to speak. I
1696 voice the opinion of everyone that has spoken before me about my concerns, but I
1697 specifically want to identify that during a previous conversation regarding the traffic study
1698 that had been done for this, the only considerations that were made were the traffic
1699 patterns that would be flowing into the Twin Hickory neighborhood. And it was specifically
1700 excluded the traffic that would be traveling south on Pouncey Tract and the impact at
1701 Broad Street, which is, as everyone has indicated, already prior to this development is
1702 extremely bad during rush-hour times trying to get through there.
1703
1704 So, I think that traffic study needs to be expanded and revisited to understand specifically
1705 what is going to be dumped into Short Pump. Thank you for your time.
1706
1707 Mr. Archer - Thank you for your comments. Next person.
1708
1709 Ms. Deemer - Mr. Chairman, your next person is Mrs. Rowell.
1710
1711 Mrs. Rowell - Hi, thank you. This is Donna Rowell and I would just support
1712 many of the statements that have already been made and add one to it. The building
1713 height at four stories I am in opposition of. That is unlike anything that is in this immediate
1714 area of Twin Hickory. And, in addition, the density is a huge issue. I don't believe the
1715 parking is sufficient for what is currently proposed. But I do want to commend the
1716 developer for making changes to reduce the height of one and a portion of another
1717 building. And that is it. Thank you for your time.
1718
1719 Mr. Archer - Thank you. By my count I believe we have one person left.
1720 Do we not?
1721
1722 Ms. Deemer - Yes, Mr. Chairman. The last speaker that we have is Mr.
1723 Gordon Miller.
1724
1725 Mr. Archer - Okay.
1726
1727 Mr. Miller - Thank you for the time. My name is Gordon Miller. I live at
1728 11805 Cobblers Stone Place in the Twin Hickory subdivision. I agree with most of the
1729 previous speakers. We'd also add the Westmont building that is being developed at
1730 Shady Grove and Pouncey Tract will also be adding additional traffic to this area. And I
1731 agree wholeheartedly that we need to be looking at it at a regional level, not just specific
1732 to this intersection. Thank you for your time.
1733

34 Mr. Archer - Thank you. Okay, I think that concludes all the opposition,
1735 and Mrs. Thornton, we'll proceed as you see fit. Do you want to call the applicant forward,
1736 we'll do that now? All right.

1737
1738 Mr. Theobald - Can't see without the glasses. Can't see through the fog on
1739 the glasses. Okay. And someone will help me run the PowerPoint I presume? Fred
1740 maybe?

1741
1742 Mr. Chairman, ladies and gentlemen, my name is Jim Theobald. And I'm here this
1743 evening on behalf of Pouncey Place, LLC the principal of which is Blackwood
1744 Development, which is a privately owned, local family-run company which has been in
1745 the development community for quite some time throughout the Richmond area.

1746
1747 And as you've heard the request is to rezone -- if I could have the next slide, please. And
1748 the next. Thank you -- approximately 10 acres of -- on the site which is currently zoned
1749 B-2C for retail in the entirety of the site to an R-6 classification to allow residential with
1750 provisional use permit to also allow a mix of retail uses and office in a walkable village-
1751 like setting.

1752
1753 And this development, to be known as One Pouncey, will include 295 one- and two-
1754 bedroom high-end rental units with approximately 20,000 square feet of neighborhood
1755 retail and office space. Next, please.

1756
1757 This site was originally zoned, as you've heard, for primarily light industrial uses. People
1758 don't recall that was originally an M-1 site which allowed for those uses plus some very
1759 intense retail.

1760
1761 In 2005 we rezoned the entire site to B-2C for retail uses with approximately 90,000
1762 square feet of anticipated retail, which included a convenience store with gasoline sales
1763 which the zoning remains in place this evening.

1764
1765 Later effort was made to amend the zoning to allow a convenience store to be open on a
1766 24-hour basis, which was not supported by Twin Hickory, and that was withdrawn.

1767
1768 The current request will not permit any 24-hour operation for any use and specifically
1769 precludes service stations and fueling pumps all together. Next please.

1770
1771 Our plan depicts the orientation of buildings with the carriage homes for rent in the back
1772 of the property adjacent to the Townes at Pouncey Place. Building number one, which is
1773 the large building in the upper left-hand corner on your screen is the four-story building
1774 which is -- now contains only residential uses.

1775
1776 Building to the right, in the upper right-hand corner, is a three-story building, again being
1777 all residential uses. The commercial having been removed. And then the building, large
1778 building below, is the one that transitions about a third of the building closest to the
179 Pouncey Place Townhomes would be three stories transitioning to four stories in height.

1780
1781 The plan depicts significant plantings and pedestrian walkways throughout, sidewalks
1782 along Twin Hickory Lake Drive will be extended. There are -- basically sidewalks all
1783 around the property plus pedestrian crossings within. We're also adding a pedestrian
1784 crossing across Twin Hickory Lake Drive to allow people to transverse that intersection a
1785 little safe -- more safely. Next please.

1786
1787 This is a picture you've seen before. The elevations show a little more of an urban design.
1788 The quality of materials such as brick, glass, and HardiePlank. Next please.

1789
1790 I'm sure this is going to be very difficult to see, but what we're depicting here, there was
1791 some concerns that people in what were the four-story buildings might be able to see into
1792 the windows into the Pouncey Place towns. And this shows why that is really not possible.
1793 It's not possible before we lowered the buildings.

1794
1795 But now there's a view line that shows a line going from the three-story section, it goes
1796 into about where the roof begins on our carriage homes, and there's a little man up there
1797 that I'm sure she can't see on the fourth floor looking out his window, and once again his
1798 view is going to be blocked also by the three-story thing that's in front of him and the
1799 carriage homes. And so .we have tried to demonstrate that one of those concerns by the
1800 Townes at Pouncey Place is not, in fact, a concern. Next please.

1801
1802 This is a -- just a plan that depicts the landscaping that has been proffered, particularly
1803 with regard to the area between our carriage homes and the Townes at Pouncey Place.
1804 We -- at their request we're adding a six-foot-tall fence. They already have a fence, but
1805 we're adding another fence with landscaping on our -- on our side within that area. And
1806 just so you know, there's a somewhere between a probably an 8- and 15-foot setback
1807 along that line and then on the Pouncey Place side of the line they have a 10-foot common
1808 area strip is required of all townhouse developments and a 30-yard building setback
1809 beyond that. Next please.

1810
1811 So, the proffers in this case, the concept plan, the elevations that you've seen have been
1812 proffered, so what you see is what you get. No more than 295 dwelling units can be
1813 developed on the property. Exterior construction hours limited 7:00 am, 7:00 pm Monday
1814 through Friday, 7:30 to 5:00 on Saturdays. No exterior construction whatsoever on
1815 Sundays. As we discussed, the height of the buildings and now the retail have been
1816 significantly reduced.

1817
1818 The proposed PUP conditions, with which we are in agreement, basically allows for some
1819 outdoor dining with restrictions. No three-bedrooms are permitted in an effort to cut down
1820 on potential school-aged children. And no gasoline sales. Next please.

1821
1822 So as described in the staff report, it's sort of an -- important to understand this site in
1823 context. We started long ago with an M-1 zoning classification to a B-2C for community-
1824 level retail, and now residential with some limited retail. This is a down zoning. Every
1825 fiber of this case is less of an impact than is previously permitted this evening. The traffic

1826 has been greatly reduced. The traffic study was done prior to the pandemic, prior to
1827 schools being closed. We were not asked to study the Broad Street intersection, which
1828 is way down Pouncey Tract Road from here.

1829
1830 And we've made a number -- a number of changes. We've -- we more than cut in half the
1831 amount of retail, lowered the buildings, we've added the fencing and the landscaping
1832 adjacent to the Townes. We've eliminated a stub road that had been planned over to the
1833 Townes at Pouncey Place, and we'll talk about that a little more in a -- in a moment.

1834
1835 We've added turn lanes everywhere. These intersections, we're doing the same amount
1836 of road improvements that we were doing prior to making the reductions in the amount of
1837 commercial.

1838
1839 The HHHunt property across Twin Hickory Lake Drive, the pending case will reduce their
1840 traffic by 80 percent what's currently allowed and they will provide, if approved, road
1841 improvements that will allow a dual-left turns from westbound Twin Hickory Lake Drive to
1842 southbound Pouncey Tract, an additional lane on Pouncey Tract for some distance to
1843 receive those turning movements, and they're also adding an additional lane across their
1844 frontage and a turn lane going north on Pouncey Tract.

1845
1846 So, this intersection is going to improve. In any event it's going to be light years better
1847 than it was currently permitted.

1848
1849 We've heard a number of comments about schools and we believe, as indicated in the
1850 staff report, that these types of developments with high-end one- and two-bedroom units
1851 generate very, very few school-aged children. We acknowledge there are some capacity
1852 issues in this area and many areas of the county that we hope and believe the school
1853 board is addressing.

1854
1855 We do think that there is a demand for this product. Believe it or not there is a shortage
1856 of rental units in both western Henrico and in the greater metropolitan area, and I think a
1857 demand for neighborhood retail. With the loss of big-box retail, the loss of community-
1858 level retail given the pandemic, people still need goods and services and will be looking
1859 for these neighborhood-level retails opportunities I think to obtain those goods and
1860 services.

1861
1862 A few comments on some of the speakers. Next slide, please. Thank you. I'm a little
1863 disappointed at the comments by some of the residents of the Townes in Pouncey Place.
1864 One speaker said we have made no changes whatsoever which is just not the case. I --
1865 we did add the fence, we did add the planting. This is a copy of the stub of the POD that
1866 was approved for the shopping center, the retail, back in 2007. And, Ben, if you can show
1867 both the entrance road off of Pouncey Place. Yes, there. And then the next slide.

1868
1869 This is a -- this is a little hard to see, but this is an exhibit that every purchase contract
1870 from the original developer of the Townes at Pouncey Place. This was attached to
1871 everybody's contract. And what it -- what it shows is that the townhouses are off to your

1872 right with the black squares, et cetera. But it shows and gives notice of first, that the land
1873 over there to the left was going to be retail. Secondly, there's an entrance off of Pouncey
1874 Place. And, lastly, there's a stub road that connected -- was in -- designed to connect
1875 through the townhomes into this retail site that would allow people to turn right and go out
1876 to Twin Hickory Lake Drive.

1877
1878 So, the Townes didn't want that stub road. We took it off our plan. But I worded it in such
1879 a way that if they want it back, and I think they will, that we can go to the Planning
1880 Commission and basically administratively amend a POD to make the connection. But
1881 only if the Townes HOA requests it. Which I think is a good idea.

1882
1883 But the discussion about Pouncey Place I think is -- I understand the issues of the traffic
1884 here. But that road was owned by my client and StyleCraft Homes. They dedicated --
1885 that's a public road. They dedicated that road at no cost to the county and they paid to
1886 have it -- to have it built, or to shown on their plan of development and again shown on
1887 these things.

1888
1889 I don't know why this particular piece of land doesn't seem to be allowed to use any of the
1890 public roads that it -- that it borders.

1891
1892 The comment about density, the speaker was correct in that the R-6 density in and of
1893 itself is 19.8 units per acre, but this is a -- this is a hybrid, or it's a new ordinance, an R-6
1894 with a PUP. And what that was designed to promote was infill development and higher
1895 density with these infill developments with appropriate restrictions. And, as such, that
1896 ordinance allows us to seek a density higher than the underlying R-6 density. Which, in
1897 fact, we have done.

1898
1899 I think that's it, ladies and gentlemen. I think we've worked long and hard on this case.
1900 We've made a lot of changes. We've reduced the impacts significantly. It's a good case.
1901 It truly is a downzoning. And I would respectfully request that you recommend approval
1902 to the Board of Supervisors. And I'd be happy to answer any questions.

1903
1904 Mr. Archer - Thank you, Mr. Theobald. Questions?

1905
1906 Mrs. Thornton - Did you actually know the exact height of the four-story
1907 building, what it will be so we can --

1908
1909 Mr. Theobald - I do. I do. I believe it's, like, 51 feet 8 inches, right up to 52
1910 feet.

1911
1912 Mrs. Thornton - Okay. Comparative anything around there that's that height
1913 that -- do you know? Westmoor -- How tall is that?

1914
1915 Mr. Theobald - I don't know that, you know, other buildings there's certainly a
1916 four-story building over -- I think it's the Sunrise Project at Ridgefield Parkway and Gayton.
1917 That's a four-story building next to residential, single-family residential. Or areas.

18
1919 Mrs. Thornton - Okay. And then any -- when you reduce the height are you
1920 going to put any terraces or anything on the top level? Their concern I know when we
1921 met with the Townes, the Pouncey Place, they were concerned with, you know,
1922 overlooking or security or, you know, like lighting?
1923
1924 Mr. Theobald - Okay.
1925
1926 Mrs. Thornton - Is there anything like that?
1927
1928 Mr. Theobald - There could be, I believe, on some of those. Although we had
1929 demonstrated earlier that even had the building been four-stories we couldn't see down
1930 through our carriage homes which acts as a -- as a barrier into the backs of those
1931 townhomes.
1932
1933 Mrs. Thornton - So potentially --
1934
1935 Mr. Theobald - Potentially there could be some rooftop amenities.
1936
1937 Mrs. Thornton - Rooftop amenities.
1938
1939 Mr. Theobald - I think that's something that's been promoted by staff, frankly.
1940
1941 Mrs. Thornton - Okay. And then just because we just had some presentation
1942 about bikes, do you have anything internally or within the apartments for bikes? Because
1943 this is supposed to be a --
1944
1945 Mr. Theobald - Bike storage?
1946
1947 Mrs. Thornton - Yes.
1948
1949 Mr. Theobald - Yeah. I think so.
1950
1951 Mrs. Thornton - Okay. And for residents or people coming into the
1952 community?
1953
1954 Mr. Theobald - That's a big -- yeah. Bike racks with the retail.
1955
1956 Mrs. Thornton - Yes.
1957
1958 Mr. Theobald - That's a -- that's a big deal these days actually.
1959
1960 Mrs. Thornton - Okay. And time frame. You have Phase I, Phase II. What --
1961 can you just kind of give us as a community an idea of what your, you know --
1962

1963 Mr. Theobald - Sure. Ben can we -- yeah. Can we go back to the plan, Ben,
1964 please? Thank you.
1965
1966 So, Phase II is basically that building in the upper right-hand corner. The three-story
1967 building that's along Twin Hickory Lake Drive. Everything else is Phase I. We would
1968 begin construction hopefully sometime next spring. If we're able to get through the
1969 permitting process and deliver our first unit sometime in 2022.
1970
1971 But what we have done, as requested by you, Ms. Thornton, and Mr. Branin, was that we
1972 install that back roadway to get out to Twin Hickory Lake Drive as well as the fence and
1973 the landscaping along the townhouse line with our neighbors. That notwithstanding that
1974 that's technically in Phase II, that we add those in our first phase of construction.
1975
1976 Mrs. Thornton - Okay. And so all the road improvements, the dedicated
1977 turning lane to the right off Pouncey Tract on to Twin Hickory Lake Drive will be done in
1978 the first phase?
1979
1980 Mr. Theobald - Yes, ma'am.
1981
1982 Mrs. Thornton - One to two bedrooms. No three bedrooms. Tell us the ratio.
1983
1984 Mr. Theobald - I think it's 62 percent one-bedrooms and that leaves, what, 38
1985 percent two-bedrooms.
1986
1987 Mrs. Thornton - Okay. So, that'll be a question I have for schools.
1988 Approximately 100 children, you know, potentially?
1989
1990 Mr. Theobald - No. I think the staff report suggests that in similar projects
1991 there, like --
1992
1993 Mrs. Thornton - Well I'm just saying if you have two bedrooms, technically you
1994 could. I'm not saying there's going to be. But.
1995
1996 Mr. Theobald - Well, okay, that's your assumption.
1997
1998 Mrs. Thornton - Okay. That's all I have right -- for him right now.
1999
2000 Unknown Speaker - May I ask a question?
2001
2002 Mr. Archer - Sir.
2003
2004 Unknown Speaker - I mean we can understand that traffic from any road is coming
2005 onto Pouncey Place Road --
2006
2007 Mr. Archer - Sir, you would have to go back to the mic to ask a question.
2008 But take, like, 10 seconds, because we've exhausted all the time.

09
 2010 Unknown Speaker - I mean the ask -- I mean, the question I'm asking is, is any
 2011 traffic is coming through Pouncey in the roundabout too?
 2012
 2013 Mrs. Thornton - There is nowhere for them to go.
 2014
 2015 Unknown Speaker - Yes. The only exits, like, I see one exit at the, I mean, the
 2016 Twin Hickory Drive and one in the Pouncey Tract Road.
 2017
 2018 Unknown Speaker - Are those the only exits for this community?
 2019
 2020 Mrs. Thornton - And the one out on Pouncey Tract, the one on Twin Hickory
 2021 Lake Drive, and then there's one -- can you use your mouse and show? Yes. Right there.
 2022
 2023 Unknown Speaker - Okay.
 2024
 2025 Mrs. Thornton - And that -- what he was describing before, if you use the
 2026 mouse by the carriage house, number four, there's a white line. That is the stub road he
 2027 was showing you prior to that when StyleCraft sold those homes, that was supposed to
 2028 come through. And they cut it off because of the concern from your neighborhood that
 2029 they put -- they wanted a fence.
 2030
 2031 Unknown Speaker - Yes.
 2032
 2033 Mrs. Thornton - Okay. Did I --
 2034
 2035 Unknown Speaker - Yes. You answered that to me.
 2036
 2037 Mrs. Thornton - Okay.
 2038
 2039 Mr. Archer - All right. Thank you.
 2040
 2041 Mr. Theobald - And just to repeat, Pouncey Place is a public road. It's not a
 2042 private driveway to the townhomes.
 2043
 2044 Mrs. Thornton - Okay.
 2045
 2046 Mr. Archer - Okay. Any other commission member have a question for Mr.
 2047 --
 2048
 2049 Mr. Witte - Mr. Chairman?
 2050
 2051 Mr. Archer - Go ahead. Go ahead, Mr. Witte.
 2052
 2053 Mr. Witte - I had a question for, I believe, staff. Mr. Sehl would probably
 '54 be the best one to answer it. It's my understanding that a service station, Wawa, car

2055 wash, auto parts store, any of these could go in without -- just by the zoning it is, without
2056 being here today. Is that correct?
2057
2058 Mr. Sehl - Some of those uses, Mr. Witte. Car washes would require B-
2059 3 zoning, so they wouldn't be permitted under the existing B-2 zoning. But auto fuel sales
2060 and then if they -- they could potentially request a provisional use permit to do some
2061 service and things like that.
2062
2063 Mr. Witte - Convenience store?
2064
2065 Mr. Sehl - But a convenience store with fuel sales is something that is
2066 permitted and was shown on the concept plan in the original rezoning.
2067
2068 Mr. Witte - Okay. Thank you. Just seems like this would be more
2069 conducive to the area than having those other options. But I have no further questions.
2070
2071 Mr. Archer - All right. Thank you. Anybody else?
2072
2073 Mrs. Thornton - I'd like to have schools, somebody from the schools, come up
2074 and address some of those concerns.
2075
2076 Mr. Archer - Okay. Someone from the school, please.
2077
2078 Mr. Briggs - Good evening. I'm Justin Briggs. I'm the school planner with
2079 Henrico County.
2080
2081 Mr. Archer - Good evening, sir.
2082
2083 Mrs. Thornton - Good evening. Okay. As we heard, they're already over
2084 capacity across -- like this we'll overlook Colonial Trail, so of course you would assume
2085 that that would be the school you would go to for an elementary school if we had
2086 elementary school kids purchase, you know, into this area.
2087
2088 Mr. Briggs - Correct. That is correct. Correct.
2089
2090 Mrs. Thornton - And as they said it's over capacity. So, what can you give us
2091 some information on how we can --
2092
2093 Mr. Briggs - So Colonial Trail is currently over capacity. I believe it's at
2094 102 percent. And these types of developments typically do not generate the number of
2095 students. If you -- if you look at the report it's -- we had -- we used the average number
2096 of students for countywide because Three Chopt typically doesn't have a lower -- typically
2097 doesn't have as many students in there. So, we did go back and look and see some of
2098 these other apartment complexes which are similar. For instance, Avia -- they have 320
2099 apartments. There's 40 students total in that apartment -- in that apartment complex.

2100
2101 Mrs. Thornton - Where is that?
2102
2103 Mr. Briggs - Which is -- it's over on Broad Street by Wegman's. Another
2104 one, the Marshal Springs Apartments. There's 420 students -- or 420 apartments and
2105 about 100 students. So it's -- while there is potential, those are -- you have to keep in
2106 mind that those are not mixed-use developments. If you looked at our mixed-use
2107 developments, for instance, West Broad Village, there are a lot of students in West Broad
2108 Village. However, there are only nine students in the apartments of West Broad Village.
2109 And there's 9 students out of 300 units and that's across all levels: elementary, middle,
2110 and high. Libbie Mill, there are students living in Libbie Mill but there're only two apart --
2111 there are only two students living in the apartment complex in Libbie Mill.
2112
2113 So, these types of developments we are -- we typically do not see a lot of students coming
2114 out of. That being said, things can change. We can't say that that will always be the
2115 case. However, based on the historical patterns we've seen so far, which are very limited,
2116 we do not see -- we do not see a lot of students coming out of there.
2117
2118 Mrs. Thornton - Okay. You might not know this, but Marshall Springs, off of
2119 North Gayton, do you know the three-bedrooms versus --
2120
2121 Mr. Briggs - I do not have that information. No.
2122
2123 Mrs. Thornton - Okay. That's not your -- okay. He mentioned timeframe would
2124 be 2021 slash the beginning of 2022 for the very beginning. I know that you can't tell me
2125 when you're going to have this redistricting, but I hope, on record, that they take into
2126 account that development is coming and plan ahead for the sake of these people that
2127 already live there that shouldn't have to go to another school that live right across the
2128 street. Because typically in Twin Hickory, it's a very desirable area, you will have families
2129 or just with one child, moving into this area.
2130
2131 Mr. Briggs - Absolutely.
2132
2133 Mrs. Thornton - Because you can walk to school, or it's accessible. So that's
2134 -- I understand their concern and I hope that we've got, you know, there's -- it's not like
2135 it's tomorrow. You know, plan ahead, look to the future. You know.
2136
2137 Mr. Briggs - Absolutely.
2138
2139 Mrs. Thornton - Okay.
2140
2141 Mr. Briggs - Okay. Any other questions?
2142
2143 Mrs. Thornton - Do you all have any questions?
2144
45 Mr. Archer - There's nothing.

2146
2147 Mr. Briggs - Thank you very much.
2148
2149 Mrs. Thornton - All right. Thank you. All right. I think traffic is maybe going to
2150 be our next one, if he could come up.
2151
2152 Mr. Cejka - Good evening.
2153
2154 Mr. Archer - Good evening again, Mr. Cejka.
2155
2156 Mr. Cejka - Good evening.
2157
2158 Mrs. Thornton - Okay. Can you give us a little, I guess, about the traffic study
2159 that was done and someone had mentioned a lot of right turns, right-turn onlys. So, if you
2160 can please explain to us exactly the traffic and the count, that would be great.
2161
2162 Mr. Cejka - Yes. As Mr. Theobald stated, the traffic study was completed.
2163 The counts were completed in early February, before the pandemic hit, so they are fairly
2164 accurate counts. They were projected to the year 2025 with a one and half percent growth
2165 rate taking into account all the other developments in the area. The intersection itself of,
2166 well, as the figure shows, there are a lot of right turns. That is correct.
2167
2168 The only way to go south on Pouncey Tract is to come out of Pouncey Place and turn left.
2169 Or, as some of the citizens stated, go down into Twin Hickory and make a U-turn and
2170 come back to the signal.
2171
2172 That is going to create a backup on Pouncey Place. There's no doubt about that. The
2173 signal up at Twin Hickory and Pouncey Tract, Twin Hickory Lake Drive and Pouncey
2174 Tract, will operate a little better because of optimizing timing and having the extra turn
2175 lane. And if the HHHunt development is approved they will do significant improvements
2176 to that intersection and that will hopefully alleviate some of the problems at Pouncey
2177 Place, because you'll have two lanes northbound and southbound, which will flush the
2178 cars out of the intersection, out of the area, faster, creating gaps in traffic.
2179
2180 Mrs. Thornton - Okay. So, to exit out of this development can you not just go
2181 straight across and take a left on to Twin Hickory Lake Drive?
2182
2183 Mr. Cejka - No, ma'am. That – this is just a schematic right up in here.
2184 That's just a left-turn in and a right-turn out. You won't be able to come out and turn left.
2185 It'll be designed so that it'll be a physical barrier that the median will prohibit coming out
2186 of the development turning left.
2187
2188 Mrs. Thornton - So then they have to go down to --
2189
2190 Mr. Cejka - They have to go down to Parsons Walk Court or come out the
2191 southern part. And then they just come backwards --

92
 2193 Mrs. Thornton - And then they come out -- if they come out there's no name to
 2194 that little middle road. Right there.
 2195
 2196 Mr. Cejka - Right here?
 2197
 2198 Mrs. Thornton - Nope. Up. Go back to Twin -- right here.
 2199
 2200 Mr. Cejka - That's a right-turn only as well.
 2201
 2202 Mrs. Thornton - Yes. And come over will there be, like, a turn? Right there.
 2203 Will they'll be, like, a left --
 2204
 2205 Mr. Cejka - A U-turn movement?
 2206
 2207 Mrs. Thornton - Yeah.
 2208
 2209 Mr. Cejka - No, ma'am.
 2210
 2211 Mrs. Thornton - And why is that?
 2212
 2213 Mr. Cejka - Well because --
 2214
 2215 Mrs. Thornton - Because you can't. Because they're only coming left-in.
 2216
 2217 Mr. Cejka - Correct. And this is, in reality, this median here will have a
 2218 little bit of a point to it to close off half of that median crossover or more. So, anybody
 2219 coming in will just be able to squeeze by and come in and they wouldn't be able to come
 2220 out and turn left.
 2221
 2222 Mrs. Thornton - Almost like a pork chop.
 2223
 2224 Mr. Cejka - Or make a U-turn. Yep.
 2225
 2226 Mrs. Thornton - Okay. So back out to Pouncey. There's two lanes coming
 2227 down off the bridge, so they're going to dedicated a right-turn into Pouncey Place? No.
 2228
 2229 Mr. Cejka - No.
 2230
 2231 Mrs. Thornton - No. Up.
 2232
 2233 Mr. Cejka - Right up here.
 2234
 2235 Mrs. Thornton - Yeah. Right there. And then they're going to move the road
 2236 over and have a dedicated right turn into Twin Hickory. Because right now it does go turn
 37 lane --

2238
2239 Mr. Cejka - Correct.
2240
2241 Mrs. Thornton - So they'll move it -- the road over.
2242
2243 Mr. Cejka - It's right where that -- my hand is here -- the mouse?
2244
2245 Mrs. Thornton - Yes.
2246
2247 Mr. Cejka - The northbound traffic would taper over here, and this existing
2248 asphalt would just be striped out until further -- until it could go through. Because the
2249 through lane is where the word "Pouncey Tract Road" is. That's going to be the through
2250 lane that goes through the intersection, crosses the signal, and keeps going northbound.
2251
2252 Mrs. Thornton - Okay.
2253
2254 Mr. Cejka - This current lane that turns right on Twin Hickory Lake Drive
2255 is just to the right between the yellow and the words. That's the existing right turn lane.
2256 And the -- when this is developed, if it's developed, the right turn lane would be moved
2257 over. And this will just be striped out temporarily until the HHHunt development, if
2258 approved, is -- would create the extra through lane. So, it'll be just reserved for future
2259 use, basically.
2260
2261 Mrs. Thornton - Okay. Mini accidents, so maybe it -- I know it's a VDOT road.
2262 It's not Pouncey Tract. Is there any way we could do some type of study to do a reduction
2263 in the speed along there? Like they said it's 45, 50, 55 coming down off the bridge. It's
2264 very dangerous.
2265
2266 Mr. Cejka - I can contact VDOT. I did actually look at the crashes from
2267 2017 to --
2268
2269 Mrs. Thornton - Yeah.
2270
2271 Mr. Cejka - Current systems a little bit old, a couple months old, but from
2272 what I have, 2020 that -- again, these are reported crashes, so there may be some fender
2273 benders that weren't reported. But from the reported crashes 2020 -- between the bridge
2274 and the signal there was zero.
2275
2276 2019 there were three rear ends and then two at the -- two rear ends northbound and
2277 then two at the signal. I'm sorry. Three rear ends northbound and then two crashes at
2278 the signal. So, five for 2019. 2018 had six crashes and 2017 had five. So, it's not a --
2279 comparatively, it's not a real high crash location of reported crashes.
2280
2281 But, yes. I'll be more than happy to contact VDOT and see if they'll do a speed study on
2282 here to see if it's warranted to lower the speed limit.
2283

2284 Mrs. Thornton - Okay. I appreciate it. Does anybody else have any questions
2285 about that? Traffic?
2286
2287 Mr. Witte - None.
2288
2289 Mr. Archer - No questions, Ms. Thornton.
2290
2291 Mrs. Thornton - Okay. Thank you.
2292
2293 Mr. Cejka - You're welcome.
2294
2295 Mr. Archer - All right, Ms. Thornton.
2296
2297 Mrs. Thornton - Well, I want to thank you all for coming out. Thank you. Thank
2298 the staff for we -- they've been working tirelessly on this and all the community and all
2299 their input. Tommy and I had the chance to meet with the town -- the Pouncey Tract One
2300 and I feel like we've addressed 99 percent of the concerns.
2301
2302 Unfortunately, the Pouncey Place entrance, that's a public road that there can maybe be
2303 some traffic. Maybe Tommy can work on that. But turning left out of there is dangerous,
2304 so that would be something that maybe we need to look at as a whole for the future just
2305 for your safety and, you know, the people going out of there.
2306
2307 And so, hopefully, the county and VDOT can take a look at that and maybe in the future
2308 do something about that. I feel like I'm at this intersection a lot and so I know -- I know
2309 the traffic there. I feel like this development has come a long way from where we started.
2310 The height of the buildings coming down, I've driven around and -- they will not have
2311 pitched roofs, so we envision if you drive by the Twin Hickory Apartments they have the
2312 pitch. Those are higher than the three stories will be here, because these are going to
2313 be flat roofs. So, I don't really think you'll be able to, I guess, see into their windows or
2314 them looking down upon you.
2315
2316 They will have to come back to us for landscaping, and they are going to do landscaping
2317 right up front. The fence will go in. The landscaping will go in. We will, the plans of
2318 development, it will come back to us. We aren't the final --- after here it has to go to the
2319 Board of Supervisors for the final. So, you can still express your concerns with Mr. Branin.
2320
2321 As far as the planning, I feel like they've accommodated most of everything. Traffic is
2322 never going to be an easy thing. I think it's better than having a Wawa with the gas
2323 station, how it could be right now. Yes, it will be more traffic because there isn't really
2324 anything there right now. So, I can't say that it's going to be a reduction in traffic. It's
2325 going to be more, but it's going to be less than what I actually -- could be proposed there
2326 right now.
2327
2328 I think with the one to two bedrooms they made -- that's a great accommodation, and I
2329 think it'll be a nice thing you'll really enjoy probably. Hopefully they'll have an ice cream

2330 shop or something like that, that you all can walk to and be more of a community and
2331 have access with the crosswalk and be able to go into Twin Hickory with the sidewalks.

2332
2333 So as for that, I, Mr. Chairman, would move that REZ2020-00018, James W. Theobald
2334 for Pouncey Place, LLC, be recommended for approval with proffers 1 through 15, dated
2335 August 10, 2020.

2336
2337 Mr. Mackey - Second.

2338
2339 Mr. Archer - Motioned by Mrs. Thornton and seconded by Mr. Mackey. All
2340 in favor of the motion say aye.

2341
2342 The Commission - Aye.

2343
2344 Mr. Archer - Anyone opposed say no. The ayes have it. The motion is
2345 passed.

2346
2347 **REASON:** Acting on a motion by Mrs. Thornton and a second by Mr.
2348 Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board
2349 of Supervisors **grant** the request because it would not be expected to adversely affect
2350 the pattern of zoning and land use in the area and the proffered conditions would provide
2351 for a higher quality of development than would otherwise be possible and should minimize
2352 the potential impacts on surrounding land uses.

2353
2354 Mrs. Thornton - Okay. Well, Mr. Chairman, I move that PUP2020-00008,
2355 James W. Theobald for Pouncey Place, LLC, be recommended for approval with
2356 conditions 1 through 11 in the staff report.

2357
2358 Mr. Witte - Second.

2359
2360 Mr. Archer - Motioned by Ms. Thornton and seconded by Mr. Witte. All in
2361 favor of the motion say aye.

2362
2363 The Commission - Aye.

2364
2365 Mr. Archer - Anyone opposed say no. The motion is passed.

2366
2367 **REASON:** Acting on a motion by Mrs. Thornton and a second by Mr.
2368 Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of
2369 Supervisors **grant** the request because when properly developed and regulated by the
2370 recommended special conditions, it would not be detrimental to the public health, safety,
2371 welfare and values in the area.

2372
2373 Mr. Archer - Mr. Lewis, how are you, sir?

2374
2375 Mr. Lewis - I'm well. How are you, sir?

76
2377
2378
2379
2380
2381
2382
2383
2384
2385
2386
2387
2388
2389
2390
2391
2392
2393
2394
2395
2396
2397
2398
2399
2400
2401
2402
2403
2404
2405
2406
2407
2408
2409
2410
2411
2412
2413
2414
2415
2416
2417
2418
2419
2420
2421

Mr. Archer - I didn't recognize you for a moment behind that mask. Go right ahead.

Mr. Lewis - Thank you, Mr. Chairman. The next item is on page 2 of your agenda. It's PUP2020-00014, Drew Patterson for Network Towers II.

PUP2020-00014 Drew Patterson for Network Towers II: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a monopole communication tower up to 164' in height with an external array on part of Parcel 735-770-6609 located on the north line of Kain Road approximately 1000' west of its intersection with Porsche Drive. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. **Staff – Livingston Lewis**

Mr. Archer - All right. Thank you, sir. Is there anyone present or on WebEx or on any other form of communication that is opposed to this case, PUP2020-00014, Network Towers II?

Ms. Deemer - Mr. Chairman, we have several people on WebEx in opposition.

Mr. Archer - All right. Thank you.

Mr. Baka - Some in the audience here, too.

Mr. Archer - Is someone here in opposition also?

Mr. Baka - Yes.

Mr. Archer - Okay. Sir, we'll call you. You don't have to get up right now. Okay, Mr. Lewis, proceed.

Mr. Lewis - Thank you. The applicant-proposed a 164-foot tower with full exterior antenna arrays, is shown here. The top spot on the structure would be for T-Mobile with Verizon potentially collocating below. The tower and related ground equipment would be located within a 50 by 50-foot fenced compound in the wood area at the rear of the parcel. The facility would be accessed via an easement extending from the existing driveway.

In this location seven homes would be within 550 feet of the tower and a total of 50 homes would be within a quarter mile, including the Bentley, Wellwood, and Shady Grove Estates subdivisions.

The applicant has provided a series of three maps to represent existing and projected T-Mobile coverage in the area. This one shows the extent and strength of existing

2422 coverage. This one illustrates the estimated coverage with antennas placed at 160 feet
2423 on the proposed monopole. And this third one shows the more extensive potential
2424 coverage with the proposed tower and two additional hypothetical towers to the northeast.
2425

2426 The 2026 Comprehensive Plan expresses a clear preference for avoiding residential
2427 areas when constructing a new cell tower. Because of their industrial nature and broad
2428 visibility, these structures should first be located on non-residential property or on larger
2429 parcels well separated from existing homes whenever possible.
2430

2431 This was the guiding principal the county followed when choosing the spot for its E911
2432 tower to the west with only three homes inside a quarter mile of that site. However, if a
2433 tower is proposed in a predominately residential area the applicant is encouraged to find
2434 ways to reduce its overall visual impact. Staff believes the revised conditions distributed
2435 this evening reflect reasonable accommodations in consideration of surrounding
2436 residents, several of whom have voiced concerns.
2437

2438 These conditions also acknowledge and remain balanced with the applicant's desire for
2439 additional coverage. A 110-foot-tall structure, as described in condition number one,
2440 would be approximately 30 to 40 feet above the tree canopy and would make several
2441 antenna positions available to provide additional service to the area. And it should be
2442 noted this does not include other antennas potentially added later via the FCC permitted
2443 20-foot height extension after the structure is built. At full build-out this tower would supply
2444 ample antenna space for two service providers.
2445

2446 Any parameters approved with this structure will set the precedent for other potential
2447 tower requests in the area, which are likely to be even closer to a greater number of
2448 homes. In light of this, and in support of the comprehensive plan's goals, objectives, and
2449 policies related to wireless facilities in residential areas, staff could support this request
2450 subject to the recommended conditions.
2451

2452 If the applicant feels they are unable to reduce the structure's proposed height, staff
2453 believes a different location farther from existing homes should be considered. To date,
2454 the applicant's request remains as originally filed.
2455

2456 This concludes my presentation. I'm happy to answer any questions.
2457

2458 Mr. Archer - Thank you, Mr. Lewis. Are there questions for Mr. Lewis from
2459 the Commission?
2460

2461 Mr. Baka - I have a brief question. Maybe related, Mr. Lewis, where you
2462 said -- you said the FCC now has a 20-foot height extension rule that you can -- that were
2463 required by-right. Allowed by-right?
2464

2465 Mr. Lewis - Yes. It is by-right. We've had some occur in the county. It's
2466 as a result of a rulemaking. They have updates to the rulemakings every so often, and it
2467 does allow 20 feet from the top of the highest antenna.

58

2469 Mr. Baka - Okay.

2470

2471 Mr. Lewis - And then you can add the additional antennas on top of that,

2472 so it really ends up being 20 feet plus.

2473

2474 Mr. Baka - I appreciate the clarification on the new rule. Thanks.

2475

2476 Mr. Archer - All right. Anyone with a further question? Okay. Ms.

2477 Thornton, want to hear from the opposition first?

2478

2479 Mrs. Thornton - Yes please.

2480

2481 Mr. Archer - I think we've got quite a bit. Sir, you in the back, I think you

2482 were in opposition. Please state your name and address for the record, if you would.

2483

2484 Mr. Rieder - My name --

2485

2486 Mr. Archer - Then we'll hear from the WebEx participants.

2487

2488 Mr. Rieder - My name is Reinhart Rieder. I live on 12506 Kain Road. My

2489 immediate neighbor off this parcel where the tower is going to be built. We have two

2490 properties there. One is a rental property directly on Kain Road and we live a little bit

2491 further set back on the -- on the neighboring property.

2492

2493 We were approached previously also by a tower company to have a tower built on our

2494 property. We considered not this offer mainly as consideration for the residents,

2495 neighbors, and character of the neighborhood, which is, you know, still a more rural

2496 setting. And it's, I consider it, a recreational area.

2497

2498 The impact to the further development of this area is also in question. Especially when I

2499 read that the 2026 Comprehensive Plan considered that a rezoning to R-1. So, I question

2500 the decision here to put the tower right there in the middle of it.

2501

2502 Another question I have is that the county owns significant amount of land along Kain

2503 Road, and I'm pretty sure that will be for multiple usage, and considering that there

2504 probably is some public usage involved, and if that would not be a more appropriate

2505 location of such a tower. Thank you.

2506

2507 Mr. Archer - Thank you, sir.

2508

2509 Mrs. Thornton - Thank you.

2510

2511 Mr. Archer - Mr. Secretary, do you have a count on how much time we

2512 have left, but I think we have several speakers.

2514 Mr. Emerson - Yes. Yes, sir. You have approximately eight minutes.
2515
2516 Mr. Archer - Okay. Ms. Deemer, if you could summon the next speaker,
2517 there are approximately eight minutes left. So, all of you who are still in line to speak,
2518 please be aware that eight minutes is the maximum that you have, and that's cumulative,
2519 so it includes everybody who wants to speak.
2520
2521 Ms. Deemer - Mr. Chairman, the speaker is Mr. Gelrud.
2522
2523 Mr. Gelrud - Yes. Thank you so much, Mr. Chairman. My name is Adam
2524 Gelrud. I'm at 12304 Porsche Drive.
2525
2526 I just wanted to bring up the 2019 and 2018 NIH studies. I'm an internal medicine
2527 physician that supplies care to this community and I'm definitely nervous around the
2528 impacts of these electromagnetic fields around the children that are in this area. The
2529 proposed schools that are along Kain Road as well.
2530
2531 And we're worried about the carcinogenic impact as well as low sperm counts for our
2532 male children that are well shown in those studies. Those studies recommend that the
2533 -- that the International Agency for Research on Cancer re-evaluate it's 2011 classification
2534 of human carcinogenicity of these RF frequency radio waves. So -- and that the WHO
2535 would complete a review of multiple other health effects. Thank you, Mr. Chairman.
2536
2537 Mr. Archer - Thank you, sir. Next person.
2538
2539 Ms. Deemer - Mr. Speaker, the next person to speak is Reena.
2540
2541 Mr. Archer - Good evening. Go right ahead.
2542
2543 Ms. Jain - Thank you, Mr. Chairman. My name is Reena Jain. I too am
2544 a physician living at 12305 Porsche Drive. And, as Dr. Gelrud has recently mentioned
2545 the NIH studies and also WHO classification. And I agree with him and I'm also concerned
2546 about the effect of the radio frequency and electromagnetic fields on the people.
2547 Especially the -- upon childrens, and they're growing neurological development and
2548 health. So, I would seriously request to you to look into it more closely why we need
2549 tower where the health of the children is at risk. Thank you, Mr. Chairman.
2550
2551 Mr. Archer - Thank you. Next person.
2552
2553 Ms. Deemer - Mr. Chairman, the next person is a Mr. or Mrs.
2554 Mukhopadhyah.
2555
2556 Mr. Mukhopadhyah - Hello, Mr. Chairman, this is Nitaid Mukhopadhyah. I
2557 am also a resident of Bentley community and thanks for giving me the opportunity. I work
2558 for Massey Cancer Center, and work in the radiation oncology department. I am familiar

2559 with several publications that shows the radiofrequency having some harmful effect, but
2560 the research is in its infancy at the moment.

2561
2562 The technology is moving way faster than research of long-term effect of this
2563 radiofrequency on human health. And also, some academical research has been
2564 published which shows that there is a bias towards industry-sponsored research on
2565 radiofrequency effect on human health versus non-industry-sponsored research.

2566
2567 So, I would like to point out that there is plenty of open land away from this residential
2568 area, closer to I-64, where this tower can be relocated. And I would like you guys to
2569 consider relocating this tower closer to that area where there is less likelihood of future
2570 -- in the future becoming residential area rather than this building it right in our backyard.
2571 Thank you, Mr. Chairman.

2572

2573 Mr. Archer - Thank you. Next.

2574

2575 Ms. Deemer - Mr. Chairman, the next speaker is Elliot Evans.

2576

2577 Mr. Archer - Good evening, Mr. Evans.

2578

2579 Mr. Evans - I first would like to thank -- yes. Good evening. I am Elliot
2580 Evans. I'm a resident of the Bentley community at 5001 Austin Healey Court. When I
2581 purchased this home with my wife about 15 months ago I -- one of the many criteria that
2582 I looked for was to avoid purchasing a home near a large communications cellular tower.

2583

2584 I am a recently retired Air Force officer with over 32 years of service in the Air Force.
2585 Much of my career was in the communication information systems: planning, programing,
2586 funding, organizing, ensuring proper satellite communication. So, I'm very aware of the
2587 radio frequency radiation risk and I would not want to live near a cellular tower of this size
2588 and this close to a residential area.

2589

2590 I -- at first, I would also like to thank Ms. Thornton, Mr. Baka, Mr. Archer, Mr. Mackey, and
2591 Mr. Witte and the rest of your Planning Commission staff for the hard work you have to
2592 do every week in preparing to evaluate things such as this proposal.

2593

2594 I ask that you research further the health impacts of such a tower. I've been told that the
2595 Planning Commission stated, "Well the FCC has already approved this, so health is not
2596 an issue for discussion."

2597

2598 However, if you look at the research, as one neighbor previously mentioned, the details
2599 show as Dr. Henry Lai at the University of Washington, he evaluated 326 studies looking
2600 into the biological effects of cellphone radiation. He found that while one half showed it,
2601 a harmful effect, and the other half didn't show, when he broke down who funded the
2602 research over 70 percent -- not -- well, 32 percent of industry studies showed only harmful
2603 effects. But when you looked at the non-industry studies, 70 percent showed a harmful
04 effect from such communication sites that are being planned in this residential community

2605 that your comprehensive plan, as already noted, should not be more than, like, 2.4 units
2606 per acre.

2607
2608 So I ask that the Planning Commission research further the health impacts of this
2609 proposed sites and future sites that improve our -- well, improve in our communication
2610 network we need to further evaluate the health impacts for our population. Thank you for
2611 your time.

2612
2613 Mr. Archer - Thank you, Mr. Evans. Thank you for your service.

2614
2615 Mrs. Thornton - Thank you.

2616
2617 Mr. Archer - Next.

2618
2619 Ms. Deemer - Mr. Chairman, the next speaker is Yasin Vohra.

2620
2621 Mr. Vohra - Thank you Mr. Chairman, the Planning Commission and the
2622 county staff for giving me an opportunity to speak today. As Dr. Gelrud and Dr. Reena
2623 mentioned in the -- in the -- and the additional residents, I don't need to harp in on the
2624 health issue. Radiation is number one.

2625
2626 I live in Wellwood. My address is 4916 Bowles Hill Court. My kids have a bus stop on
2627 Kain Road. Everybody from Wellwood has a bus stop in Kain, so we are exposing kids
2628 to constant radiation twice a day. That bus stop is at Porsche and Kain, so that's one
2629 issue.

2630
2631 There's only one lane road on Kain and when you have this tower you will have
2632 commercial traffic, trucks and all, coming for maintenance and expansion, like you said.
2633 With the additional rule they could very well have another 20 foot and be further sold to
2634 major -- other companies. T-Mobile and Verizon are on the spot. With the additional 20
2635 feet of growth you will have other companies come in. So, there'll be constant additional
2636 traffic, and the road is not designed to handle that traffic.

2637
2638 One lane road, school bus stop, heavy duty vehicles coming, and radiation. These are
2639 my primary issues. I think this project should be moved at some other location closer to
2640 I-64, as mentioned by some of the other residents. Thank you for your time and thank
2641 you for the opportunity to let me speak today.

2642
2643 Mr. Archer - Thank you, Mr. Vohra.

2644
2645 Ms. Deemer - Mr. Chairman, the last speaker is Andrew Castellano.

2646
2647 Mr. Castellano - Hi. Thank you. Andrew Castellano. I live at 4901 Belair Place
2648 over in the Bentley neighborhood. As the other speakers have mentioned, I'm in
2649 agreement with them on the health issues.

2650

51 I also am in agreement of not wanting this tower there because of the decrease in
2652 potential of the property value. Yes, we are in a somewhat rural area here, but as we've
2653 heard tonight, there's a lot of developments that are planned and as the trees are being
2654 cut down and the development's going up around them, this is going to be an eyesore.
2655 When you're talking 110 to 160 feet tower, you know, that's something that's going to be
2656 seen, you know, from quite a distance.

2657
2658 So, you know, definitely opposed to this tower for all the reasons. You know, I commend
2659 the one property owner for not wanting the tower to be put on his land for the
2660 considerations of others around him. And the, you know, the county does own this 200
2661 acres across the street where a tower could be placed closer to the power lines, and also
2662 within the Goochland line not too far up the road there is a dump over there where towers
2663 could be -- could be placed closer to that location.

2664
2665 So, you know, the consideration of approving it for one landowner to benefit monetarily
2666 from the tower being built. You know, it should not be -- plus the health aspects -- I would
2667 hope that you would not approve this plan. Thank you.

2668
2669 Mr. Archer - Thank you, Mr. Castellano. Okay. I think that was the last
2670 one. Ms. Thornton, I guess you need to hear from the applicant.

2671
2672 Mrs. Thornton - Yes, please.

2673
2674 Mr. Archer - All right.

2675
2676 Mrs. Thornton - Anybody for the case? We want to hear those. Anybody for
2677 the case?

2678
2679 Mr. Baka - Yes.

2680
2681 Mr. Archer - Yeah. If you want.

2682
2683 Mrs. Thornton - Yeah. There might be.

2684
2685 Mr. Archer - Okay.

2686
2687 Ms. Schweller - Good evening Mr. Chairman, Planning Commissioners, my
2688 name is Lori Schweller, attorney with Williams Mullen representing Network Towers II.
2689 There is a gentleman here to speak in favor. Should I let him go ahead of me?

2690
2691 Mr. Archer - All right. Since we've heard from the opposition, I think we
2692 can probably do that and keep it all in a succinct fashion. So yes.

2693
2694 Ms. Schweller - Yes, sir. Okay.

2695
96 Mr. Archer - Go right ahead.

2697
2698 Ms. Schweller - Thank you.
2699
2700 Mr. Casey - Good afternoon. Tom Casey, 12550 Heather Grove Road.
2701 Living at community just down Kain Road. So, thanks for letting me speak, Mr. Chairman
2702 and Commission. So, we have some houses have zero cell service in our neck of the
2703 woods. And so I'm in favor of it so that we can have better communications like in my
2704 house where the cellphones don't work. So it'd be great to be able to have one tower
2705 with multiple carriers on it versus four towers or more as we get -- build out with other
2706 carriers that want to, you know, serve that area.
2707
2708 You know, it's kind of safety and then also as we see 5G and broadband moving in might
2709 actually be cheaper to use cellular communications for our in-home WiFi than it is to use
2710 Fios or the cable provider. So those are another couple of the reasons.
2711
2712 I know why they picked the site, and there's going to be more sites as we all need more
2713 and more communications. There's a basic physics, as the gentleman who was on who
2714 -- from the military will probably know there's, you know, only so much that one tower can
2715 do.
2716
2717 And I'm sort of in opposition to the -- to the staff's recommendation of the smaller tower
2718 with a single carrier on it. I'd rather have one tower with more carriers than more towers
2719 with -- or how do I say that? With -- rather have one tower with four than four towers with
2720 one. If that makes sense.
2721
2722 Mr. Archer - Thank you for your remarks, sir. Appreciate it.
2723
2724 Ms. Schweller - Good evening again. Lori Schweller.
2725
2726 Mr. Archer - Good evening, Lori.
2727
2728 Ms. Schweller - I do have a PowerPoint presentation for you if I may. Network
2729 Towers II is an affiliate of NB&C. You can change the slides. We're requesting a
2730 recommendation of a provisional use permit, of course. On behalf of Network Towers II,
2731 which is affiliated NB&C, which has been in the tower development business for 35 years.
2732
2733 I want to start by talking about why this facility is so important. First, wireless is an
2734 essential utility, just like electricity. About 60 percent of Americans no longer have
2735 telephone land lines, and we know that 75 percent to 85 percent of 911 calls are made
2736 by wireless devices. So, we rely on our wireless devices for health, safety, and welfare
2737 of our citizens.
2738
2739 Data usage is increasing tremendously and constantly. The average household's internet
2740 data usage has jumped 38-fold in the 10 years from 2010 to 2020. Next slide, please.
2741

2742 Even just since the beginning of COVID-19, because of our working from home,
2743 participating in online education, and other uses, average homes consumption increased
2744 47 percent in the first quarter of 2020 compared to the same time last year. Next slide,
2745 please.

2746
2747 The benefits from this proposed facility are to provide improved voice data and internet in
2748 an area that has very serious detriments for its voice, data and internet services. A large
2749 residential area. Next slide, please.

2750
2751 This is the property location, and you can see extensive residential development to the
2752 northeast. This is what we're trying to cover with the site. Next slide.

2753
2754 The applicant did a drive test with T-Mobile frequencies and, as you can see from this
2755 slide, the worst coverage, basically no coverage, is represented by the black dots. Then
2756 the colors move up. Very poor service in this area. And the reason is that it's very hard
2757 to get a facility in a residentially zoned area. So, the beauty of this site is that it's backed
2758 away from the center of this area but serves the area. Next slide, please.

2759
2760 This shows you the drive test done with the frequencies of another major wireless
2761 provider, and you can see again not as bad, but very poor service in this area. Next slide,
2762 please.

2763
2764 The applicant also received propagation maps provided by T-Mobile, who's the dedicated
2765 first carrier on this site. The black areas show good service. The darkest area is good
2766 in-building service. As they get lighter, you might have better service outdoors and on
2767 the roadways. You can see that the site is proposed for an area that has extremely limited
2768 service, and these sites don't propagate for miles. Those black areas are only 0.8 mile
2769 across. 8/10ths of a mile across. So, your target zone for putting your cell tower is a very
2770 small area.

2771
2772 And you can see that we have a large area to cover. Three towers are going to be needed
2773 here. But T-Mobile's first priority is the southwest area, and that's what we're proposing
2774 here. So, we can't move to the west of Kain Road or to the north or to the south. This is
2775 the area where this site needs to be to provide the coverage to these people who are
2776 suffering from lack of coverage.

2777
2778 And as you can see with those additional sites we could fill that in and provide coverage.
2779 This site would provide coverage or provide service to an additional over 1600 individuals.
2780 Next slide, please.

2781
2782 I'd like to talk next about the legal framework you need to consider when you're thinking
2783 about this zoning application. In 2018 the General Assembly adopted a number of
2784 provisions to help us to provide better service to the Commonwealth. One of those is that
2785 the county may not disapprove a zoning application on the basis of the applicant's
2786 business decisions regarding service; customer demand; or quality of service from a

2787 particular site; the applicant's specific needs, including the need to provide additional
2788 wireless capacity; or the technology to be used at the project.

2789
2790 But what we've done is we've actually gone ahead and provided you with those
2791 propagation maps and those drive tests and the number of customers who would be
2792 served.

2793
2794 We are giving you that information because we want you to consider the health, safety,
2795 welfare, and convenience of your citizens. We do believe that this is a good zoning
2796 project.

2797
2798 I want to move next to the county may not discriminate between the applicant and other
2799 providers of functionally equivalent services or discriminate on the basis of ownership,
2800 including ownership by the locality.

2801
2802 We know that the county did approve in 2016 a tower 0.63 mile to the west of the proposed
2803 project on county property. This is far too far to the west to serve the area that needs to
2804 be served. We need to serve the citizens who are in that area.

2805
2806 This tower, I might add, is a 360-foot lattice tower so it's more than double the height that
2807 we're proposing. And, again, it's just not in the correct area to serve these citizens.

2808
2809 Finally, the county may not impose unreasonable requirements regarding the appearance
2810 of the project. The staff report suggests that a slick stick like the one pictured at 110 feet
2811 could serve the same purpose as what we're proposing. That's simply not accurate. In
2812 fact, wireless carriers today, the major carriers we're talking about: T-Mobile, AT&T, and
2813 Verizon, they cannot provide adequate service with a slick stick. They need -- let's talk
2814 about height and let's talk about the stand-off of the antennas.

2815
2816 First, we need 160 feet to propagate to the areas that we're trying to serve, as we showed
2817 on the propagation maps. And when you have a slick stick with flush-mounted antennas,
2818 it doesn't allow the carriers who are licensed on multiple frequencies to separate their
2819 antennas on the horizontal plane. They need to separate the antennas in order to provide
2820 all of those services. So, if you require them to flush mount the antennas within the
2821 encasement of a slick stick, they are going to have to use two or three points on that
2822 monopole to provide those technologies. And not nearly as good as that.

2823
2824 And so when you have a tree level of 80 or 90 feet you have to -- your lowest rad center
2825 is going to be around 115 and your -- so the center of your antenna is going to be about
2826 115. So, you would not even be able to get more than one carrier on a slick stick of 130
2827 feet, which is the max you could do with a proposal from staff.

2828
2829 So, what we're proposing is something that will work, which is 160 feet, and keeping those
2830 antennas separated from the monopole so each carrier only needs one antenna array.
2831 There would be no lighting at all and galvanized steel would be the surface. Next slide,
2832 please.

2834 I want to move through the photo simulations quickly because I think you've seen these
2835 and we have limited time. But even though, you know, all -- given all that I've said, this is
2836 an extremely well-sited project with the number of residents nearby it can only be seen in
2837 a few locations.

2838
2839 So, what we're showing you is the balloon at the balloon test. It's a three- to four-foot-
2840 wide red balloon and then we produced a photo simulation that shows you what that
2841 would look like once constructed. And you can just run through those at your own pace.

2842
2843 I'm also showing you there are locations where it wasn't seen at all. There again. This
2844 last shy -- slide that we show is roughly the location from the only person who came to
2845 the community meeting to speak in opposition who is developing property about a quarter
2846 of a mile to the north -- and you can move to the next slide -- on this location. And so,
2847 you can see that the visibility is right on the edge only. And when you have leaves on the
2848 trees of course you wouldn't be able to see it through there.

2849
2850 We did send notice to about 425 residences for the community meeting, and we only had
2851 one person show in opposition and one person in favor. So, there was very little interest
2852 at that time.

2853
2854 I would very much like to talk about health effects, but first I'll speak very briefly about
2855 property values. When home buyers are looking for new homes, good wireless service
2856 is the most important factor after good hospitals, 67 percent cite that as the most important
2857 factor.

2858
2859 There are a number of studies that have been done regarding the impact of wireless
2860 facilities on neighborhoods. One of those studies -- next slide, please. I think you skipped
2861 one -- was done in Henrico County. And it studied towers that were 150 feet and taller
2862 ranging from steel lattice towers to guy wired columnar towers. And the conclusion was
2863 that there was no market evidence suggesting any negative impact upon residential
2864 properties.

2865
2866 More recent study was done in the suburbs of Raleigh and in Boston. And in each
2867 location, there was no measurable difference in prices found from -- between homes that
2868 were close to a tower, like a quarter a mile, and those that were farther away, like a mile
2869 away. The majority of realtors reported, in fact, that home buyers asked about cell service
2870 or checked their phones for service signals. So, it's important for buyers to have that
2871 good service.

2872
2873 If we could move down a few slides to the safety slides, I'd like to touch on those. Radio
2874 frequency waves are all around us, and it's very important to understand that the Federal
2875 Communication Commission regulates wireless facilities. Using studies done by
2876 governmental bodies and respected scientists across the world and the country, the FCC
2877 adopted standards which have recently been revisited in December 2019 because of

2878 concerns about whether 5G had different ramifications. And they reconfirmed those
2879 standards. Next slide, please.

2880
2881 Reputable scientists have agreed and have -- the FCC has consistently said that there
2882 have been no health effects caused by cell towers such as these. The effective radiation
2883 that's permitted by these is hundreds to thousand times more than what they actually
2884 emit. Next slide, please.

2885
2886 You can check for yourselves. I know others have asked you to do some research. But
2887 if you look at the FCC websites, the FDA website, the American Cancer Society, all of
2888 these find that at ground level RF energy is thousands of times less than the FCC's
2889 exposure limits.

2890
2891 And, finally, as I'm sure you're aware, the Telecommunications Act, because the FCC
2892 regulates these facilities, preempts localities from considering health effects and RF
2893 emissions when making zoning decisions.

2894
2895 So those were our points. I'd be happy to answer any questions you might have.

2896
2897 Mr. Archer - All right. Thank you, ma'am. All right, Commission, she is
2898 open to questions.

2899
2900 Mr. Baka - Couple question -- go ahead.

2901
2902 Mrs. Thornton - Oh. You go ahead.

2903
2904 Mr. Baka - Couple questions if I may? Could you tell us a little bit about
2905 the acreage of the property and the setback from the proposed structure to the road?
2906 About how far is it set back from Kain Road? We haven't talked about dimensional
2907 attributes of the parcel. Right there.

2908
2909 Ms. Schweller - I do have a slide for that.

2910
2911 Mr. Baka - I -- so if I'm standing underneath the tower, I'm basically
2912 trespassing on someone else's property. Correct? This is his private property.

2913
2914 Ms. Schweller - I apologize. I didn't under -- I didn't hear the question.

2915
2916 Mr. Baka - Sorry. I wanted to ask if you might be able to speak a little bit
2917 to the dimensional aspects of the parcel. We haven't talked very much about the
2918 setbacks. So, a couple questions would be, What is the approximate setback,
2919 approximately, from the structure foundation to Kain Road? And then the setback to the
2920 property lines? And, lastly, clarify for me if I'm correct, if I'm literally on that property and
2921 it's private land I'm -- if I'm underneath the structure I'm trespassing on that property. Am
2922 I correct?

2923

2924 Ms. Schweller - That's correct.

2925

2926 Mr. Baka - And so what do the setbacks look like, Drew?

2927

2928 Ms. Schweller - I do have a slide for that, Mr. Lewis, if -- but Drew Patterson,
 2929 here representing the applicant can answer that more quickly, if you don't want to wait for
 2930 that. There it is.

2931

2932 Mr. Baka - There you go.

2933

2934 Mr. Patterson - Mr. Chairman, members of the Commission, good evening.
 2935 My name is Drew Patterson and I'm the Program Manager for Network Towers.
 2936
 2937 Real quickly on the question regarding setbacks. The setback to Kain Road is 361.9 feet.
 2938 The setback to the closest off-site residence is approximately, I believe, 160 feet. And
 2939 that off-site residence, the closest off-site residence, is the same property owner as the
 2940 property owner that's leasing to us. He owns both the property to the east and that
 2941 property where the tower is. So, he also owns the large chunk of property behind the
 2942 tower.

2943

2944 Mr. Baka - Okay. That's very helpful to see the setback particularly from
 2945 the road if people were driving down the road or perhaps they're walking in the road or
 2946 jogging or biking in the public road. They're approximately -- what I think you're telling
 2947 me is they're approximately 360 feet or so from that structure itself. They're not directly
 2948 underneath it. That's helpful.

2949

2950 Mr. Patterson - Yes, sir. And I should also mention that the -- we tucked the
 2951 tower into the existing wood line so that it would be concealed by the existing mature
 2952 wood line from adjacent properties to the extent possible.

2953

2954 Mr. Baka - Okay. I had a second question, or follow up, I'm not sure
 2955 which individual would be for, one of the -- you two. But on Ms. Schweller's PowerPoint
 2956 diagrams, one of the diagrams showed five different rad centers from 115 to 155. So, my
 2957 question is, with consolidation in the industry and merger, you're showing five -- you're
 2958 showing five antenna there. What about four carriers from 115 to 145? What about doing
 2959 four on a pole and lowering the structure 10 feet in height due to mergers and acquisitions
 2960 we've read about in the news?

2961

2962 Mr. Patterson - That's a -- that's a fair point. So, yes. There are -- there are
 2963 four major carriers right now: T-Mobile, Verizon, AT&T, and now Dish Network. A lot of
 2964 times other entities will get on the pole as well. But what this will allow us to do, a 160
 2965 height, will allow us to go 155, 145, 135 and 125. And that'll allow us to propagate over
 2966 the 80 to 90-foot trees that are in the area. They are mature trees.

2967

2968 Could we go down 10 foot and make this happen? Ideally, yes. We could go down 10
 2969 foot and make this happen. But what we could not do and serve the area, we could not

2970 go down beyond 10 foot and we could not use a slick stick. T-Mobile's technology that
2971 they're using right now, they need a four-sector platform with three antennas on each
2972 platform for a total of 12.

2973

2974 Mr. Baka - Right.

2975

2976 Mr. Patterson - The county's proposal with a slick stick limits us to three
2977 antennas per rad center. That means T-Mobile would need every single rad center on
2978 the tower just to get their own technology in. And even at that, they couldn't tilt their
2979 antennas, they couldn't put radio heads behind the antennas. Slick sticks are largely
2980 ineffective.

2981

2982 Mr. Baka - Okay. Thanks. That was all the questions I had.

2983

2984 Mr. Archer - Okay. Anyone else?

2985

2986 Mr. Witte - Just to verify this. I think you answered my question. But it
2987 says that the owners live at one address and your project is at another address. So, it's
2988 not a misprint?

2989

2990 Mr. Patterson - No, sir. The owners live next door in their residence, and this
2991 is a rental house on this property. So, this -- the tower would be at the rear of the property
2992 with the rental house.

2993

2994 Mr. Witte - Okay. I just wanted to verify that it wasn't a misprint.

2995

2996 Mr. Patterson - No, sir.

2997

2998 Mr. Archer - Okay. Other questions? Thank you.

2999

3000 Mr. Patterson - Thank you.

3001

3002 Mr. Archer - All right, Ms. Thornton.

3003

3004 Mrs. Thornton - Well -- is my mic on? In our general area we do not have any
3005 cell tower of this magnitude, of this height, and I understand they have to get above our
3006 tree lines. So, unfortunately, I don't feel like this is the best location. I know that they
3007 have to have it in this general location, but as they stated there's going to be a couple
3008 more that they're going to need in the near future. I don't want to set a precedent for 160,
3009 164 height of a tower going in our A-1 area.

3010

3011 So, Mr. Chairman, I move that PUP2020-00014 Drew Patterson for Network Towers II be
3012 sent to the Board of Supervisors with a recommendation of denial.

3013

3014 Mr. Mackey - Second.

3015

16 Mr. Archer - Okay. Motioned by Ms. Thornton and seconded by Mr.
3017 Mackey to send to the Board a recommendation of denial. All in favor of the motion say
3018 aye.

3019
3020 The Commission - Aye.

3021
3022 Mr. Archer - Opposed say no. The ayes have it. The motion has passed.
3023 All right. Moving right along. I believe we've got a work session coming up.

3024
3025 **REASON:** Acting on a motion by Mrs. Thornton and a second by Mr.
3026 Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board
3027 of Supervisors deny the request because the proposed tower would have a visual impact
3028 on the neighborhood and does not conform to the recommendation of the Comprehensive
3029 Plan nor the Plan's goals, objectives, and policies.

3030
3031 Mr. Emerson - Yes, sir, Mr. Chairman, that completes your public hearings
3032 for this evening. We do have a discussion item and that is merely a reminder of your
3033 work session. The next upcoming one, as you know you scheduled several, on
3034 September the 10th at 5:30 pm to continue discussing Module 3 of the Zoning Code. And
3035 also the form-based overlay district, which the Board of Supervisors at their meeting on
3036 Tuesday did adopt a board paper directing the Commission to pull that section of the code
3037 out and review it and then schedule for public hearing and make a recommendation on
3038 those.

3039
3040 And, of course, those include, as all of you are aware, the four areas that we have worked
3041 on and held the charette. We worked with Dover, Kohl & Associates as a subconsultant
3042 to Clarion. This group is an expert in this type of -- this type of code work. And, of course,
3043 they're out of Florida.

3044
3045 But those four areas are -- would be the Brookfield Office Park across from Reynolds
3046 Crossing there on Broad Street. It's the Parham and -- West Parham and West Broad
3047 Street intersection, the Virginia Center Commons Shopping Center, and also
3048 Williamsburg Road from Laburnum east to the airport. So those are the four areas that
3049 are included in that -- in those form-based code overlays and that'll be part of your work
3050 session on September the 10th.

3051
3052 Mr. Archer - All right.

3053
3054 Mr. Emerson - That said, the next discussion item is the consideration of
3055 approval of your 2021 Planning Commission calendar. There's really not a lot to say
3056 about this calendar other than the dates are worked out based on the parameters of your
3057 rules and regs.

3058
3059 You do see a schedule for the DRD meetings. It's hoped at some point we get back to
3060 some normalcy in the terms of our meetings, so we, you know, hope does spring eternal,

3061 so we're proposing our calendar for those second meetings. Of course, until the Board
3062 does rescind the emergency, your second meetings remain suspended and won't occur.

3063
3064 One thing I would note to you. You do have a canceled second meeting in August as you
3065 did on this year's calendar, but with the way we're processing those plans administratively
3066 while working very closely with each and every one of you, we did process plans this
3067 month, or we plan to. So, we were able to continue accommodating the development
3068 community who is -- they're seeing banner years, banner months at this point, with their
3069 -- with their activities even through this COVID event. So, we were able to accommodate
3070 them by processing plans this month.

3071
3072 So, with that said, Mr. Chairman, we do need a motion on the meeting schedule if the
3073 Commission is so inclined to approve it.

3074
3075 Mr. Archer - Okay. Is there a motion to adopt the meeting schedule?

3076
3077 Mr. Mackey - Yes, Mr. Chairman. If there are no concerns by any other
3078 members of the Commission, I move that we approve the Planning Commission calendar
3079 for next year as presented by the staff for 2021.

3080
3081 Mrs. Thornton - Second.

3082
3083 Mr. Baka - Second.

3084
3085 Mr. Archer - Okay. Motioned by Mr. Mackey and seconded by Ms.
3086 Thornton. All in favor of the motion say aye.

3087
3088 The Commission - Aye.

3089
3090 Mr. Archer - Anyone opposed say no. The ayes have it. That motion
3091 passes.

3092
3093 Mr. Emerson - Thank you, Mr. Chairman. The next item on your agenda is
3094 the consideration of the approval of your minutes from your July 9, 2020 meeting. And
3095 there is an errata sheet that I believe is at each of your seats containing the corrections
3096 that we have received to date. And, certainly, if there are other corrections and so if you'll
3097 bring those to our attention, we'll make those as well.

3098
3099 Mr. Archer - Okay. I believe we also have a work session minutes to
3100 approve.

3101
3102 Mr. Emerson - Yes, sir. You do. I'm sorry.


3103
3104 Mr. Archer - All right. Anybody want to move on those?

3105
3106 Mr. Emerson - I'm sorry, Mr. Chairman.

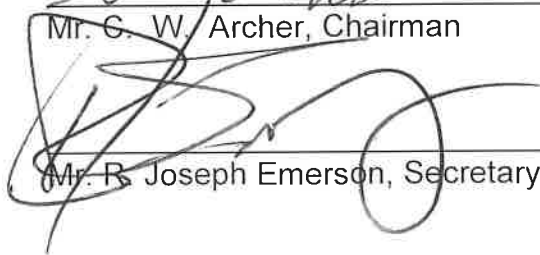
07
3108 Mr. Archer -- No that's quite all right.
3109
3110 Mr. Baka - Make a motion to approve the work session minutes.
3111
3112 Mr. Archer - All right.
3113
3114 Mr. Mackey - Second.
3115
3116 Mr. Archer - All right. Motioned by Mr. Baka. Seconded by Mr. Baka -- I
3117 mean Mr. Mackey -- to approve the work session minutes. All in favor say aye.
3118
3119 The Commission - Aye.
3120
3121 Mr. Archer - Opposition say no. The ayes have it. That's passed.
3122
3123 Mr. Baka - I make a motion to approve the Planning Commission meeting
3124 minutes.
3125
3126 Mrs. Thornton - I second.
3127
3128 Mr. Archer - Motioned by Mr. Baka, seconded by Ms. Thornton to approve
3129 the Commission min -- meeting minutes. Anyone opposed say no. So, I assume
.30 everyone else says aye. All right. Thank you. The motion is passed.
3131
3132 Mr. Secretary, before you go any further. Mr. Strauss, are you here? Come on up, sir.
3133
3134 Mrs. Thornton - We miss you.
3135
3136 Mr. Archer - Already had a discussion with Mr. Strauss this morning, so I
3137 don't know what else I can say except to say that -- how many years has it been? 23?
3138
3139 Mr. Strauss - Twenty-three.
3140
3141 Mr. Archer - Long, long time. And I have to just say that I have not only
3142 enjoyed, but I have depended on your being here to help us out. Bt you can still on a
3143 voluntary basis if you'd like. But, anyway, there's been a great association and I wish you
3144 all the best in your future endeavors, sir.
3145
3146 Mr. Strauss - Well thank you very much, sir. I just wanted to thank all of you
3147 and staff. I couldn't do what I do without the staff. We have a fantastic staff. And I want
3148 to also thank our leadership, our Director, Joe Emerson, and our Assistant Director, Jean
3149 Moore. Right up to all of you: All of our Commissioners, and our Board of Supervisors,
3150 that -- the department heads, the County Attorney, and the County Manager. I'm just a
3151 small part of this whole thing.
52

3153 Mr. Archer - You're a big part.
3154
3155 Mr. Strauss - And when I switched from the Division of Design Review to
3156 Comprehensive Planning in 2008, I had a lot of help in that transition from our staff. And
3157 particularly Jean and Joe. I recall when I first started Jean gave me the Comprehensive
3158 Plan Division calendar -- Comprehensive Division calendar -- and she reminded me, "Pay
3159 attention to this, because every day, every week, in Comprehensive Planning is a
3160 deadline for something. Whether it be legal ads, the notice letters, the staff report
3161 reviews." And that's quite true.
3162
3163 And I would be remiss if I didn't mention my wife, Janet. She's taking care of the home
3164 front while I've been going to the night meetings, the community meetings, and she's
3165 already given me a new calendar, a retirement calendar. And the retirement calendar is
3166 it's actually an app and I don't quite -- I haven't quite figured it out. Because there's no
3167 Mondays on it. It's all -- it's all Saturdays, and a Sunday. So, I'll figure it out eventually.
3168 But in closing I just want to thank all of you. It's been a real privilege to serve the
3169 Commission, the Board, and the citizens of Henrico County. So, thank you very much.
3170
3171 Mr. Archer - It's been our privilege, sir.
3172
3173 Mrs. Thornton - Thank you.
3174
3175 Mr. Archer - Thank you so much.
3176
3177 Mrs. Thornton - You can come back.
3178
3179 [Applause]
3180
3181 Mr. Archer - Jean stood up. You got to standing ovation.
3182
3183 Ms. Moore - Yeah. I didn't have anything prepared, but in a public forum
3184 like this in front of the Commissioners who we work with so closely, and you guys, I just
3185 want to, without crying, wish Jim well. I'm very excited about his retiring. Sorry, my hair's
3186 crazy. But he's been instrumental for me. He's been an exceptional employee and
3187 someone I work closely with. Looking forward to filling that position temporarily while we
3188 do. But I just think in addition to an excellent employee, he's just an incredible person.
3189
3190 Mr. Archer - He is.
3191
3192 Ms. Moore - He really is, so thank you.
3193
3194 Mr. Witte - Can you state your name for the record, please?
3195
3196 Ms. Moore - Jean Moore.
3197
3198 Mr. Archer - All right.

99
3200 Ms. Moore - Thank you.
3201
3202 Mr. Archer - Ms. Moore, I need to see you before you leave after we're
3203 adjourned for just a second. All right. Is there anything else to come before the
3204 Commission?
3205
3206 Mr. Witte - Motion to adjourn.
3207
3208 Mr. Archer - Is there a second?
3209
3210 Mr. Mackey - Second.
3211
3212 Mr. Archer - Motioned by Mr. Witte and seconded by Mr. Mackey. All in
3213 favor say aye.
3214
3215 The Commission - Aye.
3216
3217 Mr. Archer - Everybody else just go home. Thank you. Meeting
3218 adjourned.
3219
3220
3221
3222
3223
3224
3225
3226
3227
3228
3229
3230



Mr. G. W. Archer, Chairman



Mr. R. Joseph Emerson, Secretary