

Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico, Virginia, held in the Board Room of the County Administration Building, Parham and Hungary Spring Roads at 7:00 p.m., on December 7, 2000, Display Notice having been published in the Richmond Times-Dispatch on Thursday, November 16, 2000, and Thursday, November 23, 2000.

Members Present: Ernest B. Vanarsdall, C.P.C., Chairman, Brookland
Debra Quesinberry, Vice-Chairman, Varina
C. W. Archer, C.P.C., Fairfield
Allen J. Taylor, C.P.C., Three Chopt
Elizabeth G. Dwyer, C.P.C., Tuckahoe
Patricia S. O'Bannon, Board of Supervisors, Tuckahoe
John R. Marlles, AICP, Secretary, Director of Planning

Others Present: Randall R. Silber, Assistant Director of Planning
Jo Ann Hunter, AICP, Acting Principal Planner
Mark Bittner, County Planner
Lee Householder, County Planner
Judy Thomas, Recording Secretary

Mr. Vanarsdall - Ladies and Gentlemen, the Planning Commission will now come to order. Good evening to everyone. And since most of you will be gone when we finish, I'd like to take this opportunity to wish everybody a Merry Christmas and a Happy Hanukah and Happy Holidays no matter how you spend them. And I'd like to thank the staff over there for their work this year.

Mrs. Quesinberry - They did a good job.

Mr. Vanarsdall - And all the Commissioners up here, and John and Randy, and Mrs. O'Bannon. I'd like to recognize Tom Lappas over there on my left from the Henrico Leader and Jearmy Redmon from Times Dispatch, coming down the aisle.

Also, congratulations are in order, for those of you who haven't heard about it. It was on T.V. Congratulations are in order to Mrs. O'Bannon, there on the end, for her husband, John, who won the 73rd District primary to go to the House of Delegates this year. I know she helped him do that. So, we're glad for that. And, having said all that, now...

Mrs. O'Bannon - And there's one more election. Tuesday, December 19th, regular voting hours and regular voting places. There is an independent whose running. There is one more go around.

Mr. Vanarsdall - That's right. I forgot that.

Mr. Archer - The preceding was an unpaid political announcement.

Mr. Vanarsdall - We'll turn the meeting over to our Secretary and Planning Director on my left, Mr. John Marlles.

December 7, 2000

Mr. Marlles - Good evening, Mr. Chairman, members of the Commission, ladies and gentlemen. We do have a quorum tonight. All of our Commission members are present and we can conduct business.

The first item on the agenda is requests for withdrawals and deferrals. That will be handled by Mrs. Jo Ann Hunter.

Mr. Vanarsdall - Good evening, Mrs. Hunter.

Mrs. Jo Ann Hunter, Acting Principal Planner - Good evening. There is only one case that's requested for a deferral this evening, and that's on Page 1 of the agenda in the Three Chopt District. It's Case P-12-00.

Deferred from the November 9, 2000 Meeting:

P-12-00 Christopher King for Sprint PCS: Request for a provisional use permit in accordance with Sections 24-95 (a) (3) and 24-122.1 of Chapter 24 of the County Code in order to construct and operate a 120 foot cellular communications tower and antenna, on part of Parcel 49-9-A-3B, (North Carolina Furniture Company) containing 1,258 square feet, located on the south side of West Broad Street (U. S. Route 250) approximately 250 feet east of its intersection with Pemberton Road. The site is zoned B-2C Business District (Conditional).

They have requested a deferral to February 15, 2001.

Mr. Vanarsdall - Any one in the audience in opposition to the deferment of this case? This case is P-12. No opposition. Mr. Taylor.

Mr. Taylor - Mr. Chairman, I would recommend that Case P-12-00 Sprint PCS be deferred until February 15, 2001 at the request of the applicant.

Mrs. Quesinberry seconded the motion.

Mr. Vanarsdall - Motion made by Mr. Taylor, seconded by Mrs. Quesinberry. All those in favor say aye—all those opposed by saying nay. The vote is 5-0 (Mrs. O'Bannon abstained). It's the only one. Any one else have a case to be deferred? Any one in the audience have a case to be deferred? All right.

Mr. Marlles - Mr. Chairman, just for the ladies and gentlemen in the audience, I would like to point out that Mrs. O'Bannon is our liaison member from the Board of Supervisors, and, traditionally, does not vote on items on the agenda.

Mr. Vanarsdall - All right. So noted. Thank you.

Mr. Marlles - The next item on the agenda, members of the Commission, is requests for placement on the expedited agenda. And, again, Mrs. Hunter will handle those.

Mrs. Hunter - Also, one case on the Expedited Agenda, in the Fairfield District on Page 1 of your agenda. It's Case C-78-00.

C-78-00 Henry L. Wilton for Overlook At Brook Run Assoc., L. P.: Request to rezone from R-6 General Residence District and C-1 Conservation District to C-1 Conservation District, part of Parcel 95-A-2C, containing approximately 25.5 acres, located on the north line of Adumbration Road approximately 328 feet northwest of Old Wilmer Avenue. A conservation district is proposed. The Land Use Plan recommends Environmental Protection Area.

There's a picture of it on the screen for you (referring to slide).

Mr. Vanarsdall - Any one in the audience in opposition to this case? This is C-78-00 Henry Wilton, Overlook at Brook Run.

Ms. Anu Palo - What does it mean?

Mr. Vanarsdall - What did she say?

Mrs. Hunter - The question was, "What does it mean?" The C-1 District is the district that we use for environmental protection areas. It's limited to what can be developed. If you can see on the site plan, (referring to slide), this area, this is the Ukrop's here. This is the church. The apartments wrap around here. This area is located within the floodplain. Down here, they will have a stormwater management pond with some recreational facilities, and the rest of it will remain in its current state. It wouldn't be developed in any way. The open space could be used for recreation.

Mr. Vanarsdall - It won't be anything built on it.

Ms. Palo - Are you going to plant trees, plant bushes?

Mrs. Hunter - We can pull this off the Expedited Agenda and go ahead and hear the case, if you'd like.

Mr. Vanarsdall - Okay. Thank you. All right, Mr. Secretary.

Mr. Marlles - The first item on the agenda is in the Fairfield District and it is Case C-78-00.

C-78-00 Henry L. Wilton for Overlook At Brook Run Assoc., L. P.: Request to rezone from R-6 General Residence District and C-1 Conservation District to C-1 Conservation District, part of Parcel 95-A-2C, described as follows:

Beginning at the western terminus of Old Wilmer Avenue and Dumbarton Road, thence with the northern right-of-way line of Dumbarton Road N49°51'12"W 20.74' to a point; thence N49° 51'24"W 274.15' to a point, thence along a curve to the left having a radius of 1193.53', a delta of 1°35'07", a length of 33.03', a

chord bearing of N50°38'58"W, and a chord length of 33.02' to a point, said point being the true and actual Point of Beginning, labeled P.O.B.; thence along a curve to the left having a radius of 1193.53, a delta of 6°35'19", a length of 137.25', a chord bearing N54°44'11"W, and a chord length of 137.17' to a point, said point being 0.24' west of a right-of-way monument found; thence N48°0'34"W 160.99' to a point, said point being 0.34' west of a rod found; thence N23°04'40"W 71.41' to a point, said point being 0.23' west of a rod found; thence N46°01'14"W 58.52' to a point, said point being 0.47' west of a rod found; thence N80°59'24"W 479' +/- to the centerline of a creek, and 473.03' to a point, said point being the beginning of a survey tie line; thence along the centerline of a creek 2750'+/- to a point, (said creek having a survey tie line leaving the above referenced point N51°40'28"W 220.45' to a point; thence N59°09'30"W 671.18' to a point; thence N35°18'28"W 381.65' to a point; thence N43°38'29"E 497.09' to a point; thence S61°05'41"E 320.19' to a point; thence N62°48'17"E 348.97' to a point; thence N5°52'56"E 151.40' to a point;) thence with the lands of Brook Run General Partnership S87°44'48"E 223' +/- from the creek centerline and 187.27' from the above mentioned tie line to a rod found; thence S 2°15'12"W 25.00' to a rod found; thence along a curve to the left having a radius of 275.00', a delta of 64°07'10", a length of 307.75', a chord bearing of S29°48'23"E, and a chord length of 291.94' to a rod found; thence with the lands of Overlook At Brook Run Associates L.P. S 88°04'31"W 25.00' to a point; thence N61°58'39"W 80.00' to a point; thence N38°22'35"W 66.00' to a point; thence S67°34'02" W, 60.00' to a point; thence S39°13'07"W, 84.00' to a point; thence S29°48'28"W 52.00' to a point; thence S0°28'57"E, 206.00' to a point; thence S61°42'01"E 144.29' to a point; thence along the western line of Brook Run Drive, a variable width private road, S28°08'02"W 58.57' to a point; thence along a curve to the left having a radius of 325.00', a delta of 89°12'25", a length of 506.01', a chord bearing of S16°28'10"E, and a chord length of 456.43' to a point; thence S61°04'23"E 399.16' to a point; thence along a curve to the right having a radius of 350.00', a delta of 33°49'30", a length of 206.63', a chord bearing of S44°09'38"E, and a chord length of 203.64' to a point; thence S20°51'38"E 98.08' to a point; thence along a curve to the right having a radius of 146.77', a delta 61°57'30", a length of 158.71', a chord bearing of S10°07'23"W, and a chord length of 151.09' to the point of beginning and containing 25.5± acres of land.

Mr. Marlles - The staff report will be by Mrs. Jo Ann Hunter.

Mr. Vanarsdall - So we do have opposition this evening on this case. Mrs. Hunter.

Mrs. Hunter - This property is part of the Overlook At Brook Run Apartments which was approved by the Planning Commission on March 22, 2000. The purpose of this rezoning was to fulfill a commitment made by the developer at the time of Plan of Development approval to request C-1 zoning for 25.5 acres that was located in the 100-year flood plain. The total site for the entire project is 53.4 acres, and will have 282 apartment units in 27 buildings.

A large portion of the land proposed for the inclusion in the C-1 District is predominantly inundated with water. It has steep slopes and may have minimal usefulness as an active recreational area. This area should be promoted as an environmental preservation area, rather than a recreation/open space amenity for the neighborhood.

A small portion, as I showed you earlier here, (referring to slide), will be used for recreational amenities and for stormwater management. These uses are permitted in the C-1 District. This proposal implements the County's ongoing efforts to zone designated environmental protection areas to C-1, and staff finds the request reasonable and consistent with the Goals and Policies with the 2010 Land Use Plan.

The applicant is here, and he may be able to answer additional questions about whether he's going to be planting trees and things like that, but, staff does support this request.

Mr. Vanarsdall - Any questions for Mrs. Hunter by Commission members?

Mrs. O'Bannon - This is Upham Creek? This is part of the water shed? Is that correct?

Mrs. Hunter - Yes ma'am.

Mrs. O'Bannon - There's some ongoing studies along Upham Creek. Is this that part of it that's been studied?

Mrs. Hunter - I'm not sure. Public Works didn't indicate anything to us about that. They just indicated they didn't have any comments about it.

Mr. Vanarsdall - So, this C-1 area will be managed, maintained...?

Mrs. Hunter - By the management association of the apartment complex.

Mr. Vanarsdall - It's 25 acres, isn't it? Any other questions for Mrs. Hunter? All right, the applicant is here. We'd like to hear from the applicant, please. Good evening, Mr. Wilton.

Mr. Henry L. Wilton - Good evening. For the record, my name is Henry Wilton, and I represent Varina Station Associates, tonight, on this particular case. It was a commitment that we come back, after we found out exactly how much of the property of the R-6 property that we actually needed to develop for the 282 units. And then our commitment to come back after that to rezone it to C-1, so that the County and everybody else around it understood that nothing would be developed in there. We will maintain it. It will be owned by Varina Station Associates who owns the apartments, and maintain it in regard to dead, diseased trees, and cutting it when it needs it. Around the actual BMP area, we had suggested there be some walking trails, a gazebo, but that's further away, I think, from the residential area that you're speaking of. That's at the other end by the shopping center in that particular zone.

So, the area, basically, closest to the residential properties up on the hill, there will be no development. And the C-1 will guarantee that there will be no development for you.

Mr. Vanarsdall - Ma'am, you'll have to come down. We're taping this. It's on audio and we'd appreciate you coming down so we can hear your remarks. State your name please for us.

Ms. Anu Palo - My name is Anu Pallo and I live at 1223 Wilmer Avenue.

Mr. Vanarsdall - Thank you.

Ms. Palo - ...which is the house right at the cul-de-sac. I'm wondering why there are tractor tracks leading down that hill? It just looks like the land is being eaten up by larger vehicles. And, now, people are hot roding down the hill. They're not exactly motorcycles, but they have four wheels.

Mr. Wilton - It could be some of the people in the adjacent neighborhoods are coming down there. But, certainly, we can put some logs up to hopefully stop that type of traffic. We're in the development stage; construction stage right now. Obviously, probably some heavy equipment has also gone down there to get maybe to the BMP area, but I really can't tell you on that.

Ms. Palo - What I'm concerned about is, this area really has wild turkeys. We've seen deer there. There are peeping fogs in the spring. It's a really natural area. So, I don't want anything destroyed there. It's the concern of the whole neighborhood. So, I'm representing the whole street; eight houses.

Mr. Archer - Ma'am, you do understand that the purpose of the district is to preserve the area?

Ms. Palo - Right. I understand. I want them to be sure they're not just trying to get a lower tax base so they won't have to do nothing and not pay higher taxes and just leave it.

Mr. Archer - You wouldn't do that, would you?

Mr. Wilton - Actually, I believe this was your idea to come back and zone it C-1. I didn't have a problem with leaving it R-6.

Ms. Palo - I feel it should be undisturbed or made prettier, but not trashed up, is my point.

Mr. Wilton - And I'll be happy to go ahead and meet with the neighborhood out there and answer what we're going to do. I have no problem with that. And, as far as people trespassing on the property, we will find out some type of measure to go ahead and stop that also.

Mr. Archer - Will that be satisfactory to you, ma'am?

Mr. Vanarsdall - Thank you. Mr. Wilton, would you get her name and address and phone number?

Mr. Wilton - I will.

Mrs. Dwyer - Mr. Wilton, you said you represented Varina Station?

Mr. Wilton - Varina Station is one of the owners of the Overlook Apartments. There are a couple of LLC's in there, but, basically, Mr. Kornbleu and myself are the owners.

Mr. Vanarsdall - Any other questions? Thank you.

Mrs. O'Bannon - Can I just ask a technical question? I'm not sure who can answer this. Does the Upham Brook flow from north to south at this location, or south to north? It goes toward the north at that location.

The Environmental Protection Agency has been looking at Upham Brook. I think this is a good use of the land to keep it a conservation area. I know that was part of the plan in discussing it with the developers. But, our State Senator, Bobby Scott, has also been looking at this. I just thought I'd point that out to the members of the Planning Commission.

Mr. Vanarsdall - I think it's a good use for it. Thank you. If there are no other questions, Mr. Archer, are you ready for a motion?

Mr. Archer - I think so, Mr. Chairman. It appears as though, when it is finally finished, that it will be an amenity to the new neighborhood as well as the existing neighborhood. So, with that, I will recommend to the Board approval of C-78-00 Overlook at Brook Run Associates, L.P.

Mrs. Quesinberry seconded the motion.

Mr. Vanarsdall - Motion made by Mr. Archer, seconded by Mrs. Quesinberry. All those in favor say aye—all those opposed by saying nay. The vote is 5-0 (Mrs. O'Bannon abstained).

REASON: Acting on a motion by Mr. Archer, seconded by Mrs. Quesinberry, the Planning Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant** the request because it conforms with the objectives and intent of the County's Comprehensive Plan.

Mr. Vanarsdall - Good evening, Mr. Bittner.

Mr. Mark Bittner, County Planner - Good evening, sir.

Mr. Vanarsdall - All right, Mr. Secretary.

Deferred from the November 9, 2000 Meeting:

C-71C-00 Henry L. Wilton for Wilton Development Corporation: Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcel 10-A-15, described as follows:

Commencing at the Southwest corner of Lot 10, Bridlewood, as recorded in Plat Book 75 at page 85 and 86 in the Clerks office of Henrico County Virginia. Said comer is located on the right-of-way of Hames Lane and is also a common comer with Lot 9 of the aforementioned Bridlewood. Thence, North 29°-13'-

30" East 1145.69 Feet to the point of beginning. Thence, along said Lot 9 and the Southern line of the right-of-way for future Nuckols Road, North 57°-46'-43" West 351.19 Feet to a point. Thence, along said Lot 9 and the land now or formerly of Robert P. Bain et. al. South 52°-13'-25" West 460 Feet more or less to a point in a stream. Thence, crossing the land now or formerly of said Robert P. Bain et. al., in a Northwesterly direction along the said stream, 210 Feet more or less to a point in the line now or formerly of Dominion Land & Development Partnership. Thence, along the land now or formerly of said Dominion Land & Development Partnership, North 41°-43'-13" East 420 Feet more or less to a point in the line of Lot 10 Bridlewood. Thence continuing along the land now or formerly of Dominion Land & Development Partnership, North 50°-16'-05" West 281 Feet more or less to a point in a branch and in the line now or formerly of Southern Title Services Inc. Thence, in a Northeasterly direction along the centerline of the said Branch, being the line now or formerly of said Southern Title Services Inc. and now or formerly of Stephen F. Parrish, 950 Feet more or less to a point. Thence, leaving the said branch along the land now or formerly of Richard C. Brown, Gordon W. & B.L. Smith, Barbara L. Smith and Geraldine H. Lloyd the following courses and distances: South 17°-47'-10" East 667 Feet more or less to a point. Thence, South 46°-12'-50" West 124.09 Feet to a point. Thence, South 21°-49'-55" East 203.05 Feet to a point. Thence, South 27°-16'-10" East 151.80 Feet to a point. Thence, South 41°-15'-40" East 211.08 Feet to a point. Thence, South 47°-15'-40" East 326.70 Feet to a point. Thence, South 39°-15'-43" East 132.00 Feet to a point. Thence, South 45°-45'-40" East 146.52 Feet to a point in the line of Lot 12 Bridlewood. Thence along the Southern right-of-way line of future Nuckols Road and the Northern line of Lots 11 & 12 Bridlewood, the following courses and distances: on a curve to the right with a radius of 1455.00 Feet, a central angle of 13°-54'-24" and an arc length of 353.16 Feet to a point. Thence North 57°-46'-43" West 164.87 Feet to the point of Beginning and containing approximately 14 acres.

Less and except the right-of-way for future Nuckols Road described as follows: From the point of Beginning as described above, thence, along Lot 9 and the Southern line of the right-of-way for said future Nuckols Road, North 57 °-46'-43" West 351.19 Feet to a point. Thence, along the line now or formerly of Robert P. Bain and Dominion Land & Development Partnership, North 50°-16'-05" West 328.90 Feet to a point. Thence, along the Southern line of Lot 10 Bridlewood, the following courses and distances: on a curve to the right with a radius of 1455.00 Feet, a central angle of 12°-57'-02", a chord bearing of South 64°-15'-14" East and a chord distance of 328.17 Feet. Thence, South 57°-46'-43" East 516.09 Feet to a point. Thence, on a curve to the left with a radius 1375.00 Feet a central angle of 6°-37'-19" a chord bearing of South 61°-05'-23" East and a chord distance of 158.83 Feet to a point in the line of the land now or formerly Geraldine H. Lloyd. Thence along the land now or formerly of said Geraldine H. Lloyd, South 39°-15'-43" East 50.44 Feet to a point. Thence, South 45°-45'-40" East 146.52 Feet to a point in the line of Lot 12 Bridlewood. Thence, along the Southern right-of-way line of future Nuckols Road and the Northern line of Lots 11 & 12 Bridlewood, the following courses and distances: on a curve to the right with a radius of 1455.00 Feet, a central angle of 13°-54'-24" a chord bearing of North 64°-43'-56" West and a chord distance of 352.29 Feet to a point. Thence North 57 °-46'-43" West 164.87 Feet to the point of Beginning and containing approximately 1.8 acres.

The parcels herein described are located in the Three Chopt District of Henrico County Virginia and are shown as tax parcels 10 (1) 2-10 in part, 17-A-9A in part and contain approximately 12.2 acres.

Parcel 10-A-15:

Beginning at a point on the Western right-of-way line of Shady Grove Road, said point being located approximately 700 feet Northeast of the intersection of said Shady Grove Road and Old Nuckols Road. Thence, leaving the right-of-way of said Shady Grove Road, North 77°11'19" West 608.21 Feet to the point of beginning. Thence, along the land now or formerly of Gordon W. & B. L. Smith, South 11°22'17" West 199.70 Feet to a point. Thence, North 71°41 '43" West 158.00 Feet to a point. Thence, North 69°15'27" West 504.76 Feet to a point. Thence, North 54°05'06" West 393.00 Feet to a point. Thence, along the land now or formerly of said Smith and Richard C. Brown North 24°27'54" East 696.74 Feet to a point in the line now or formerly of Willie Alvin Bell Jr. Thence, along the line of said Bell and the land now or formerly of Ernest J. Wingo South 34°49'56" East 999.46 Feet to a point. Thence South 47 °-23'-56" East 61.27 Feet to a point. Thence South 64°44'56" East 83.14 Feet to the point of beginning and containing approximately 10 Acres.

Mr. Marlles - The staff report will be given by Mr. Mark Bittner.

Mr. Vanarsdall - Any one in the audience in opposition or here about this case. This is Case C-71C-00. We do have opposition. Thank you. Mr. Bittner.

Mr. Bittner - Thank you, Mr. Vanarsdall. This proposal would be an expansion of the recently approved Case C-39C-00. That case involved this property surrounding the property in question tonight.

The submitted proffers, which we are just handing out right now, contain the same items that were included with the adjacent rezoning. The applicant has added a proffer stating that an application for rezoning any flood plain or wetlands areas on the property to C-1 shall be submitted prior to final recordation of the subdivision. Staff finds this proffer to be acceptable.

The applicant deferred this case from the previous Planning Commission to try and address some issues raised by the residents of the adjacent Bridlewood Subdivision. Bridlewood is located here to the south of the area in question (referring to slide).

This application includes Lot 10 which is currently part of Bridlewood. This is Lot 10 right here (referring to slide). There are covenants in Bridlewood prohibiting the re-subdivision of any property within its borders unless approved by a majority of homeowners. The Bridlewood residents are concerned that if Lot 10 is removed from their subdivision, other property owners may seek to do the same.

They are also concerned with the possibility of automobile and pedestrian traffic entering their neighborhood. The County does not enforce covenants, but it does consider them when making zoning decisions.

From a Planning perspective, removal of Lot 10 from Bridlewood appears to be reasonable. Lot 10 is vacant and is situated at the outer edge of Bridlewood, far removed from the other lots in the subdivision. I think this other slide will show that a little bit better. Bridlewood is in yellow on the south side of this map, other than Lot 10 here (referring to slide). And, as you can see, it is at the outer edge of Bridlewood compared with the other lots in the subdivision.

The applicant has also proffered a conceptual plan showing no connection between Bridlewood and his proposed subdivision. The applicant has further proffered that there would be no road connection between his subdivision and Hames Lane, which is the road that serves Bridlewood.

If this request were to involve an interior lot of Bridlewood, instead of Lot 10, staff would not support it. Staff would prefer to see all issues related to the Bridlewood covenants and removal of Lot 10 settled before this application is approved. However, as stated before, covenants are not enforced by the County.

Staff feels this is a reasonable request and recommends approval. I'd like to point out we did receive those proffers in time, so there's no need to waive the time limit on them. With that, I'd be happy to answer any questions you may have.

Mr. Vanarsdall - Any questions for Mr. Bittner by Commission members?

Mrs. Dwyer - Mr. Bittner, how would access be obtained from Bridlewood to Lot 10 anyway? Is this some sort of access drive that we see coming from the end of the cul-de-sac?

Mr. Bittner - Yes. This thin strip or stem is actually part of Lot 10, when this subdivision was subdivided, I believe, in 1983. It is 20 feet wide. It goes Lot 10. Lot 10 is presently vacant. There is no house on it. But if a house were to be built on it today, that's how they would achieve access to it.

Mrs. Dwyer - From a Planning perspective, it seems to me it makes more sense not to have that lot as a part of Bridlewood because it doesn't even appear to be a part of it, looking at the lay of the land.

Mr. Bittner - Right.

Mrs. Dwyer - You agree?

Mr. Bittner - Yes.

Mr. Vanarsdall - That makes more sense.

Mrs. Dwyer - And this other purple sort of trapezoid that is next to Lot 10, what's the status of that piece (referring to slide)?

Mr. Bittner - That's part of Mr. Wilton's rezoning, and it is not a part of Bridlewood.

Mrs. Dwyer - So, that would be part of the new subdivision?

Mr. Bittner - Yes.

Mrs. Dwyer - That would be another lot sort of more adjacent to Briarwood?

Mr. Bittner - You might be able to see it better on the conceptual layout plan (referring to slide).

Mrs. Dwyer - I think we have a copy of that in the packet.

Mr. Bittner - This is the area you were just referring to, Ms. Dwyer, (referring to slide).

Mrs. Dwyer - That might not make as much sense to have in this subdivision looking at the arrangement of the lots. What are your thoughts on that piece?

Mr. Bittner - I agree that it doesn't square things off perfectly. But, I think, given the situation this is the property we're dealing with, and we are getting rid of a flag lot with an extremely long and narrow driveway, which a lot that could not be created today under our existing ordinance. So, again, all things considered, we think the proposal makes sense.

Mrs. Dwyer - What's happening to the property that's between, I guess, its Nuckols, and Lot 10, all that area apparently undeveloped, the white (referring to slide)?

Mr. Bittner - This area right here (referring to slide)?

Mrs. Dwyer - Yes. What's the status of that?

Mr. Bittner - No active status that I'm aware of. We would anticipate that some day it will probably be rezoned likely for single-family homes. But, I'm not aware of any case or rezoning application or inquiry on this property.

Mr. Vanarsdall - Any other questions?

Mr. Archer - Mr. Bittner, it's stated, in the notes, that the Bridlewood residents are concerned that Lot 10, if removed from this subdivision, other private owners will seek to do the same. How real is that possibility?

Mr. Bittner - Well, there are residents in Bridlewood here tonight. I think they can give you a better understanding as to how real it may be. Again, we looked at it from a planning perspective. If it were any other lot in Bridlewood, we would not support it. But, given the location of this one, which is almost sort of a tag along piece to the rest of the subdivision, we think this is reasonable.

Mr. Archer - Okay. Thank you.

Mr. Vanarsdall - Any other questions for Mr. Bittner? Thank you, Mr. Bittner. All right, somebody wants to be first?

Mrs. Dwyer - Shouldn't the applicant speak first?

Mr. Vanarsdall - I guess you want some rebuttal for this one. You didn't ask for any.

Mr. Henry L. Wilton - I hope I don't any. But, I'll go through this, but a lot of the case is pretty much a mirror image of the case that was approved earlier in October.

Again, for the record, my name is Henry Wilton, and I represent Wilton Development Corp. in this particular case.

Mr. Marlles - Mr. Wilton, before you get into your presentation, just let me remind, particularly the citizens, that when there is opposition to a case, it is the policy of the Commission to grant 10 minutes to the applicant and 10 minutes to the opponents to voice their comments. In the case of the applicant, obviously, its always a good idea to reserve some time for rebuttal.

Mr. Wilton - I'll reserve two minutes.

Mr. Marlles - ...for rebuttal. And, of course, that 10-minute time for both the opponents and the applicant does not include time answering questions from the Commission. So, I wanted to explain that before you got started.

Mr. Wilton - We are requesting approximately 22 acres be rezoned to an R-2AC for residential development. Again, this is a part of a larger case that was approved October 10th by this Commission. The case is actually split up in two parcels; one which is the donut hole, which I had told you I would be back here, once I got it under contract. And I finally got it under contract. And, then Lot No. 10, along with some additional acreage I guess to the south of Lot 10, where I've extended a cul-de-sac. It seems to make sense, if you look at the entire layout.

Again, the proffers are a mirror image of what we've done on the other 75 acres or 70 acres that I've rezoned previously.

I've entered into a letter of commitment with Bridlewood Subdivision to gain their support for this rezoning. I hope I have the majority of them.

I've also introduced proffers to address concerns, especially Proffer No. 12 in regard to not connecting to Hames Road.

I've also agreed to help them with an entrance and do some other things with them. But, again, overall, I'd like to go ahead and take this opportunity to thank them for working closely with me. And I would think we would have everything put together, so to speak, between now and the Board of Supervisors.

As the proffers are, and have been approved before, instead of going through the actual proffers, if you have any questions, I'd be happy to answer them.

In regard to the densities, it's proffered at 2.1. But my overall project will only be 1.9 when I finish, and, hopefully, I'll finish soon. But, we did proffer 2.1 in the case. But, again, the overall density; and there's

a letter to Mr. Hazelett, in regard to this entire 100-acre tract that my density won't be any greater than 1.9.

It does follow the Goals and Objectives of the 2010 Plan. And, again, the proffers, and I think we've proffered a quality development with the proffers. So, if you have any questions about those, I'd be happy to answer them. Otherwise, I'll stop my comments.

Mr. Vanarsdall - Any questions for Mr. Wilton by Commission members? Thank you, Mr. Wilton.

Mrs. Dwyer - Let me just follow up with that other question I had. That sort of rectangular shaped piece is dangling off the end there (referring to slide). It doesn't look, from your site plan, that can be used as full lots. Do you need to acquire additional property to be able to use them?

Mr. Wilton - I'm not planning to extend that any further. What we did we extended a cul-de-sac in there. I think we picked up approximately six large lots in that little dangling piece of the property. So, it fits in well. I have no plans to extend that cul-de-sac further down there. I think development will be coming from the other side. Pouncey Tract coming up that way from Mr. Pruitt's property and also Mr. Windsor's property that they own on that side of the Bridlewood Subdivision.

Mrs. Dwyer - The way you've drawn this, it looks like you do need to acquire some additional property to be able to acquire lots around that cul-de-sac.

Mr. Wilton - Yes ma'am. Some of that property is going to be in the vacated right of way of Old Nuckols Road extended, which was taken off the Thoroughfare Plan. We will request, or we have plans to request vacation of that road. And then the vacation will give me that property on the dangling part, part of that property. And, obviously, if you go further back, I think everybody knows what happened to the rest of that. The rest of that right of way, in question, would go to the different property owners. Some of them are here tonight. If you'd like me to put this up, I'd be happy to.

We've already met with Keith Adams, and he's been to one of the neighborhood meetings also. Everybody knows what they're getting from the County of Henrico when the Board of Supervisors chooses to vacate that property.

Mr. Vanarsdall - Any other questions? Thank you. Yes sir. Come on down and state your name.

Mr. Tom Cassara - This will be brief. My name is Tom Cassara. I am the owner of Lot 11 in Bridlewood, which will border Mr. Wilton's property. And, as a representative of Bridlewood, we'd just like to say that we are not opposed to this removal of Lot 10, based on the tentative agreements that we've reached with Mr. Wilton. So, we're not opposed, based on those agreements.

Mr. Vanarsdall - All right, thank you very much for that.

Mrs. Dwyer - Those are private agreements between the two of you, right?

Mr. Cassara - Between the neighborhood and Mr. Wilton.

Mr. Vanarsdall - All right.

Mr. Wilton - With the exception of that one proffer in regard to Hames Boulevard not being connected. Also that stem of 20 feet, which is 1,200 feet long between Lots 9 and 10 will have to be, obviously, given to each property owner before we plat the lots in Lot No. 10, and that's a part of the agreement too.

Mr. Vanarsdall - All right. Any one else? Thank you.

Mrs. O'Bannon - You had a question? Ma'am, you had a question back there? Did you want to come forward and just ask that?

Lady from Audience - (Comments unintelligible-not at microphone).

Mrs. Dwyer - You mentioned some agreements. And, those are private agreements not enforceable by the county. But, there were two agreements involving your neighborhood that are proffered, which are enforceable.

Lady from Audience - Thank you.

Mr. Vanarsdall - Thank you.

Mrs. Dwyer - One being the access to Hames Lane and the other rezoning to C-1.

Mr. Vanarsdall - All right, Mr. Taylor.

Mr. Taylor - Mr. Chairman, before I make my motion, I just want to make a few comments. First, I want to thank the residents of Bridlewood for their efforts in this project. By its geometric nature, it is somewhat complicated by virtue of the fact that there's a right of way that's in there for Nuckols Road extension. And because of what that does to the various property owners because of their rights when that is abandoned, it is somewhat complicated.

I wanted to thank Mr. Wilton for his cooperation and resolve in the concerns and the meetings that have been held to explain the complicated nature and the different lot aspects to everyone. And, particularly, Mr. Bittner who helped us through this. I'm happy that it has gotten to the stage that it has. So, with that, I will move approval of Case C-71C-00.

Mr. Vanarsdall - Do I have a second?

Mrs. Quesinberry seconded the motion.

Mr. Vanarsdall - Motion made by Mr. Taylor, seconded by Mrs. Quesinberry. All those in favor say aye—all those opposed by saying nay. The vote is 5-0 (Mrs. O'Bannon abstained). Thank you for coming.

REASON: Acting on a motion Mr. Taylor, seconded by Mrs. Quesinberry, the Planning Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors grant the request because it would permit development of the land for residential use in an appropriate manner; and it reflects the type of residential growth in the area.

C-79C-00 Archie Cribb for Branch Banking & Trust: Request to amend proffered conditions accepted with rezoning case C-105C-88 on Parcel 59-A-57, containing 3.36 acres located on the west line of Skipwith Road approximately 120 feet south of its intersection with (U. S. Route 250), W. Broad Street (3214 Skipwith Road). The amendment is related to Proffered Condition #10 with respect to signage on the site.

Mr. Marlles - The staff report will be given by Mr. Mark Bittner.

Mr. Vanarsdall - Any one in the audience in opposition to this case; C-79C-00? No opposition. Mr. Bittner.

Mr. Bittner - Thank you, Mr. Chairman. This request would amend the proffers for C-105C-88 to allow increased signage at the BB&T Bank on Skipwith Road, near W. Broad Street.

The site is zoned B-3C, but the applicant is proposing B-2 signage standards. On this site, B-2 standards would permit 360 total square feet for all signage. That would include attached and detached signage.

The proffers currently limit overall signage to 167 square feet. There is an existing non-conforming free-standing sign on the property measuring 180 square feet in size, and 32 feet in height. I have a picture of it right here (referring to slide).

The applicant originally intended on using this sign for his freestanding sign and simply replacing the face. However, he has since amended the proffers to say that this sign shall either be removed or altered to meet B-2 size standards. The B-2 standards would be 150 square feet of signage and a height of 30 feet. Staff feels that B-2 signage standards are a reasonable request. Much of the surrounding property is zoned B-3 unconditional. Signage permitted on this site would still be less than signage permitted on many surrounding sites.

The site is also near several offices along Skipwith Road. A step down from B-3 to B-2 signage would be a good transition between commercial development along W. Broad Street and office development along Skipwith Road.

Because the applicant has amended the proffers to require a freestanding sign that meets B-2 standards, staff recommends approval of this application. I'd be happy to answer any questions you may have.

Mr. Vanarsdall - Any questions for Mr. Bittner by Commission members?

Mrs. Dwyer - Does a B-3-zoned property in the area, do they have sign limitations as well? Do you know?

Mr. Bittner - Not if its unconditional B-3.

Mrs. Dwyer - Some of its B-3C.

Mr. Bittner - If you're referring to say for this property here (referring to slide), I'm not sure. I don't know if they have any sign limitations or not.

Mrs. Dwyer - It just seemed that this was the biggest sign in the neighborhood.

Mr. Taylor - Yes. And one of the older ones, too.

Mr. Vanarsdall - I know it.

Mr. Taylor - Is Mr. Cribb here tonight?

Mr. Bittner - I believe he is, yes.

Mr. Taylor - Welcome.

Mr. Vanarsdall - Was that the old skating rink sign?

Mr. Archie Cribb - Yes.

Mr. Taylor - And I understand from Mr. Cribb that dates from 1952? Somewhere I have been led to believe it dates from 1952.

Mr. Bittner - I'm not sure. It's a little bit younger than that, I think.

Mr. Cribb - 1972.

Mr. Taylor - Anybody have been skating that long?

Mrs. O'Bannon - There was nothing out there in 1952. Wasn't much out there in 1972 either.

Mr. Taylor - I think a lot of people from this part have skated there.

Mrs. O'Bannon - I was involved in a case in 1973, where the citizens wanted to put a signal at an intersection along there, West End Drive, and it was not warranted. It wasn't anything out there, which is very close to this, just west of this.

Mrs. Dwyer - Do they plan to put a 30-foot sign?

Mr. Bittner - Yes. With this proffer amendment they would have to have 30 feet or less in height.

Mr. Taylor - Commissioner Dwyer, what we did is, looking at this sign, it's a couple of feet over height limitation, and it was made of structural steel. So, when we looked at it, to meet the standards, the choices are that the sign could be removed. The structural steel could be modified. It could be taken to a shop, cut up, welded, re-welded and re-erected. And that's one alternative. But, looking at the economics of this, I recommended to Mr. Cribb, in a review that we had, to meet the standards of 150 and 30 feet, that he look at using a modern sign. Because I think the economics are going to be such that, if this sign is re-configured, it will be a certain expense that, perhaps, compares with a new sign. So, that's why we have left it in the proffer to use this landmark sign, and have it meet the standards or have him have the freedom to replace it with a modern sign. And, if you've been down there, the building that you're building is truly a striking building. And I hope that the sign matches the striking nature of the architecture of the building. With that, if I might, I will move approval of Case C-79C-00.

Mr. Archer seconded the motion.

Mr. Vanarsdall - Motion made by Mr. Taylor, seconded by Mr. Archer All those in favor say aye—all those opposed by saying nay. The vote is 5-0 (Mrs. O'Bannon abstained).

Mr. Taylor - Again, I want to thank Mr. Bittner.

REASON: Acting on a motion Mr. Taylor, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors grant the request because it is not expected to adversely impact surrounding land uses in the area; and it was determined to be reasonable.

C-80C-00 Henry L. Wilton for Wilton Development Corp.: Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcel 38-A-44, described as follows:

Beginning at a point on the Eastern right-of-way line of Springfield Road, said point being located approximately 1000 feet North of the intersection of said Springfield Road and Hungary Road and is the Northwest corner of the herein described parcel. Thence, leaving the right-of-way of said Springfield Road along the land now or formerly of Kenneth E. Mills Jr. et al, North 72°48'14" East 793.28 feet to a point in the line now or formerly of the Catholic Diocese of Richmond. Thence, along the line of said Catholic Diocese of Richmond, South 89°12'16" East 300 feet more or less to a point at the approximate location of the 100 year flood plain. Thence, along the meandering of the said 100 year flood plain a

Southerly direction 355 feet more or less to a point irt the line of Lot 10, Block F, Section A, Broad Meadows. Thence, along the line of said Lot 10, Broad Meadows and the land now or formerly Clarence E. and Marie M. Padgett South 01°59'48" West 730 feet more or less to a point, Thence, along the land now or formerly Robert S. Burnett, Jr. and Wands Burnett the following courses and distances: South 88°50'14" West 208.71 feet to a point. Thence, South 01°29'44" West 186.47 feet to a point on the Northern right-of-way line of Hungary Road. Thence, along the Northern right-of-way line of said Hungary Road the following courses and distances: North 89°54'41" West 567.75 feet to a point. Thence, North 83°04'07" West 100.72 feet to a point. Thence, North 89°54'41" West 143.86 feet to a point at the intersection of said Hungary. Road and Springfield Road. Thence, along the eastern right-of-way line of said Springfield Road the following courses and distances: North 45°26'09" West 55.10 feet to a point. Thence, North 12°43'49" West 146.72 feet to a point. Thence North 00°12'35" East 100.99 feet to a point. Thence North 11°10'35" West 76.80 feet to a point. Thence, North 25°07'57" West 122.94 feet to a point, Thence, North 12°10'22" West 431.75 feet to a point. Thence, North 73°-56'-20" East 113.94 feet to a point. Thence, North 12°-13'-00" West 66.54 feet to the point of beginning and containing approximately 29.06 acres.

Mr. Marlles - The staff report will be given by Mr. Householder.

Mr. Vanarsdall - Any one in the audience in opposition to this case? All right, thank you.
Mr. Householder, good evening.

Mr. Lee Householder - Mr. Chairman, members of the Commission, this application proposes to rezone approximately 29.75 acres from A-1 to RTHC Residential Townhouse District. The applicant is proposing townhouses for sale at a density of six units per acre. As you can see on this slide, the property is located at the northeast corner of Springfield and Hungary Roads.

The surrounding zoning in the area is varied. To the north, on this R-3 area, you have a church, St. Michael's Church, and some vacant A-1. To the south across Hungary Road is the Westbury Apartments. To the east, this subdivision here (referring to slide) is called Broad Meadows. And, then to the west across Springfield Road, we have a variety of office zoning with a veterinary office, apartments behind, and then the Woodbury Subdivision there.

It's at a prominent location where there have been many inquiries in the past as to possible development options for this property. It is also located at a very busy intersection. Recently VDOT has completed an extensive road widening project in this area which has significantly improved the traffic flow.

On the subject property, as you can see in this area here, (referring to slide), there's a significant amount of floodplain area which is associated with the Meredith Branch, and it is estimated to be about 13 acres of the subject property. It is currently undeveloped, mostly wooded. Originally, this zoning request did include this corner here I'm pointing to, outside of the floodplain area that they were going to rezone RTH. They had no intention of developing it for that purpose, and staff recommended they just remove it from the request and it remain A-1, and they have done so.

The 2010 Land Use Plan recommends Urban Residential and Environmental Protection Area for the site. The applicant has proffered the six unit per acre density. And this is consistent with the recommendation of the plan.

At the time the staff report was written, the applicant had proffered very few elements that would ensure a quality development on this site. Since that time, they submitted new proffers that were handed out to you tonight. And these proffers do address most of staff's concerns.

These elements include: minimum house size of 1,700 square feet; quality building materials, including sound suppression; road built to County standards; sidewalks, increased parking; lighting at a residential scale; commitment to zone the floodplain areas to C-1; and underground utilities. They've also proffered a conceptual layout, which I'll bring up and go over. You also have that attached in your proffers. Some of the elements of this plan that conform to that are, first of all, the landscape buffers along Springfield Road here (referring to slide). That's a 50-foot proffered landscaped buffer; a 30-foot landscaped buffer along Hungary Road. Also an element that we think helps this case is the fronting of these buildings along Hungary, along the private road within the subdivision to have the effect of setting the buildings back even further from the road. Therefore, we feel that justifies the 30-foot landscaped buffer as opposed to the 50-foot landscaped buffer that was in the staff report that was given out to you.

Also, along the north portion of the property is a 25-foot buffer, but it was not specified to be landscaped. The way it's proffered to be in its natural state.

Also, they have their lots set back from the RPA and floodplains that were mentioned in the staff report.

The staff does offer the following recommendations that we think would still add to improve quality in this development. The recreation areas, within this site, consist of a clubhouse right here, and then a walking trail which would follow this dotted line (referring to slide). Although we do feel like the walking trail is very beneficial to this development, we do feel like more centrally located recreation area would add to this request.

Also, in the staff report, tree protection. There are really some substantial hardwood trees on the site that we think are worth saving. If the applicant could take steps to identify these trees and incorporate them in the site layout, we think that would be beneficial.

Overall, this request is consistent with the 2010 Land Use Plan in terms of density and use, and applicant has addressed many staff concerns with the proposed development. Staff recommends approval of this request. And, I'll take any questions that you may have.

Mr. Vanarsdall - Any questions for Mr. Householder?

Mrs. O'Bannon - Is this layout being proffered?

Mr. Householder - Yes. It is.

Mrs. O'Bannon - Okay.

Mr. Householder - It's Proffer No. 18. I guess one other thing that I pointed out that I wanted to in my report I'm thinking of, because I think you're probably curious. This circular object (referring to slide) is kind of around about. Although we do think this is a unique design element, it maybe that it could be better utilized as recreation space if maybe the applicant could move this building and put it closer to the road and then maybe incorporate some open space in between some buildings. We have mentioned that to the applicant, as a suggestion for a better layout.

Mrs. Dwyer - Does this plan comply with your recommendation of a maximum of 40 percent impervious cover?

Mr. Householder - Most likely. Usually, there's a calculation on the plan. But when you have townhouses because they have a yard around them, and because of the amount of floodplain on a lot of this site, I am pretty sure it would meet the 40 percent.

Mrs. Dwyer - When you include the floodplain?

Mr. Householder - Yes.

Mrs. Dwyer - Are the lots included in the buffer or they exclusive of the buffer?

Mr. Householder - Exclusive, the way this concept plan is drawn.

Mrs. Dwyer - Is that in written language in the proffer?

Mr. Householder - No. It's not written. But, if the concept plan is proffered, and the buffers are specified to be landscaped.

Mrs. Dwyer - Okay. We didn't have this concept plan before tonight?

Mr. Householder - We did not. At the time the staff report was written, there have been significant changes since then.

Mr. Vanarsdall - We're applying the guidelines and so forth now?

Mr. Householder - We are, and they have met a large amount with the exception my comments about the recreation areas.

Mrs. Dwyer - How about the sidewalks along Hungary and Springfield? Was that discussed?

Mr. Householder - That was not. There are no sidewalks in this area to connect to, nor are there here to connect to. So, I don't know if they would really take people anywhere.

Mrs. Dwyer - I'm familiar with that problem in Tuckahoe.

Mr. Householder - Not to say that sidewalks are a bad idea.

Mrs. Dwyer - I think people do walk up and down this road to get to, you know, the Broad Street area.

Mr. Householder - If you wanted to walk from one end of the community to the other, you know, it's a place to walk.

Mr. Vanarsdall - Okay. Any other questions? Thank you. All right, Mr. Wilton? Do you want to read him the same rules?

Mr. Marlles - Is there opposition?

Mr. Vanarsdall - Mr. Wilton.

Mr. Hank Wilton - Yes sir. Two minutes for rebuttal please. Mr. Chairman, members of the Commission, for the record, my name is Henry L. Wilton. Again, I represent Wilton Development in the rezoning of approximately 30 acres; only 20 acres are actually useable for a residential townhouse development in the Three Chopt District.

We've now proffered the case to include the new guidelines, for the most part. And, in the past, this property has been proposed for commercial and apartment development unsuccessfully. We believe we can offer a better alternative with a quality townhouse development. We're talking about 1,700 square foot units starting at \$160,000 plus.

The recreational areas, I think these are nice recreational areas. What we're going to have here, which is becoming a standard, of about 1,800 square foot community center. There will be a workout room. We also have logged in the RPA area, not in the floodplain, not in the wetlands, but the RPA area. We have logged in a 8 walk station walk for those people to walk around within the area. You know, you come into a station actually on the larger plan. When I come back before this body, we already have the eight types of workouts. When you stop, you either chin up or chin down, or whatever you're supposed to do. Obviously, I've never walked through one of those things. But, we have planned to go ahead and have that proffered, and we have proffered this layout. So, we do think we've done a good job with the recreational area.

As far as sidewalks, I'd be happy to talk about those at the time of POD review. That question hasn't been brought up, except for tonight.

We've also done a couple of different things, and I'll go ahead and go to the proffers in a minute. But, one of the best things I think coming out of this and out of another townhouse development that you'll hear it later, is that we have a new standard of sound suppression within these units.

Sometimes its been said that, you know, you can hear what your neighbor is doing or whatever. But, basically, we have increased the standard for sound suppression for the County of Henrico by 22 percent. Going from 45, as far as the scale they use; going from 45 to 55. This is going to be a proffered condition. Actually, its going to be a standard of development for Ryan Homes. And Ryan Homes builds more townhouses in the County of Henrico than anybody else. So, we're looking at new standards, and, also, obviously, looking at your new guidelines too.

Looking at the case, in regard to the proffers, obviously, these proffers came from meeting with the staff and also the Planning Commission member also. What we did, originally, we had 1,500 square feet, as far as the units, looking at the proffers. We increased that to 1,700 square feet. Again, \$160,000 plus product.

Architectural treatments, and so on, are proffered with 50 percent of it to be brick of the front of the buildings. Originally, we had buildings backing up to Springfield Road. And, after meeting with the Planning Commission member and staff, we decided to side those. Put brick ends on them, so that we wouldn't have the continuous line of fencing as you drive down Springfield Road. What we did on Hungary Road, instead of backing those units up as they were originally on the first draft when we sent it through the Planning Staff to take a look at, we went ahead and reversed that. Flipped them over so that we have those houses facing out to Hungary Road to give it more of a residential look instead of, again, just driving down the street, and see, you know, fence after fence after fence.

As far as clearing limitations, if we can keep some big trees on this site, believe me, I would much rather go ahead and keep big trees and plant smaller trees. It saves me money, and I think its better looking for the entire project. And, we will do our best to do that. Again, I think that will be more of an issue at planning stages, when I come back before this body.

As far as the density at six units per acre, density allowed in here is up to 6.8 units per acre. Looking at the overall project, obviously, we're a lot less than that, because a lot of this project; 10 acres of this project is in wetlands.

The parking spaces; again, we've gone to 2.25 parking spaces per unit. In regard to the comment about RV's, boats, and alike when we started this, there wasn't that new guideline. We would request of Mr. Marlls, basically, an exception to that, because in our restrictive covenants, we're not going to allow RV's. We're not going to allow campers and boats to be placed in this facility. And, I believe the new guidelines suggest that I have to get an exception from the head of the Planning Department, if I'm reading the new ordinance right. Again, we've got a transition here. We put these in when we didn't have the guidelines. We tried to follow all of them.

Landscape buffer is 50 feet on Springfield Road, and 30 feet on Hungary Road. The 30-feet on Hungary Road, there's another 20 feet before you get to the front door. So, you're looking at a minimum of, I think its 60 feet, before you hit any building on either side. In those areas we will agree to go ahead and landscape. If, for some reason that proffer does not say that tonight, we will go ahead and adjust those proffers between now and the Board of Supervisors. It was our intent to have landscaped, buffered areas in both of those areas. And we brought – Mr. Taylor asked me to go ahead and get some site line

drawings as far as what we are proposing. We are proposing, and this can be entered as part of the case, that we're going to have landscaped areas on Springfield Road.

Again, the sound suppression I think is a good new standard that we've been talking about for some time.

The Conservation zone, within six months, again, I'll come back to you and I'll rezone the part we don't use for C-1 Conservation as we usually do to make sure there is no development takes place. And I have proffered the conceptual plan.

As, per the staff report, this request is consistent with the recommendation of the 2010 Plan in terms of density and use. It's consistent with the Goals and Objectives. It promotes increased home ownership, unlike the earlier proposals. The traffic generated by this development, I think, can be handled by the existing road network. And, therefore, I respectfully request approval of C-80C-00.

Mrs. O'Bannon - If I could ask one question?

Mr. Wilton - Yes ma'am.

Mrs. O'Bannon - You had mentioned something in your discussion about parking of recreational vehicles under Proffer No. 16 about restrictive covenants and homeowner's association. "Parking of recreational vehicles shall be prohibited in the development." But, you don't mention boats and campers. You had said they would also be...

Mr. Wilton - Yes ma'am. That is an oversight. We're not going to have – In fact, I'm actually developing mini-storage warehouses now in other counties. One of the things in the new facilities they want to have is areas for boats, RV's and that type of thing. So, there are other places to house these units. A townhouse subdivision is not one of them where kids are going to play on them; fall off of them, and do whatever they can to them.

Mrs. O'Bannon - By looking at this, it is my understanding that you're going to have no garages in these units?

Mr. Wilton - No ma'am. Each of these units do have garages.

Mrs. O'Bannon - Each does?

Mr. Wilton - Yes ma'am. At least a one car. Some of them may have two cars, but I can guarantee one-car garages.

Mrs. O'Bannon - Okay. They do have them?

Mr. Wilton - Yes ma'am.

Mrs. O'Bannon - But in that restrictive covenant, it reads as not including; you could put a boat or a camper, at least the way I read it.

Mr. Wilton - Yes ma'am. I'd be happy to add, "boats, campers, and so on.." That's an oversight on our part, because, again, we're not making provisions. We are going to the minimum of 2.25 parking slots per unit. But, we do not anticipate, or will allow the boats, RV's. And I will adjust that proffer.

Mrs. O'Bannon - Any idea how they're going to enforce that? By the homeowner's association will you enforce it?

Mr. Wilton - The townhouse community will be run by a townhouse association. It would be their responsibility to make sure they were towed away. Usually, they're given a short period of time. I used to live in a townhouse subdivision before I had children out in the west end. That was a long time ago. And, they would go ahead and put a note there and give them so many days to move it. And, if it wasn't moved, they would have it towed. And I'm sure that's the same type of standard that they have.

Mrs. O'Bannon - I only asked that, because the Planning Commission is considering doing it as an exception. I just wanted to get an idea.

Mrs. Dwyer - One thing I noticed on your buffer proffer, typically, we see that utilities and entrance roads will be generally perpendicular. I didn't see that in your...

Mr. Wilton - In what proffer is that?

Mrs. Dwyer - Nos. 11 and 11A.

Mr. Vanarsdall - 11 and 11A.

Mrs. Dwyer - Particularly, when we have a proffer, and there's a mention of utilities and access road, there's a statement that those roads will enter the property in a generally perpendicular angle or manner, so that you don't have utilities; compromising your ability to landscape.

Mr. Wilton - Yes ma'am. And we usually do have that. Again, this proffer is a little different from the other one. I guess that was left out. But, I'd be happy to go ahead and adjust the proffer for perpendicular access for utilities.

Mr. Vanarsdall - All right, anything else?

Mr. Taylor - Mr. Wilton, I'd like to ask a couple of questions going back to Commissioner Dwyer's comments on a walking trail and the tree protection and the sidewalks.

Mr. Wilton - Yes sir.

Mr. Taylor - In your comments, it looked to me like your statement is, in a way, responsive to her, in that, in this buffer area, while saving the trees, and recognizing that you've got the recreational trails, it seems to me it would be reasonable were we to weave a sidewalk or a walkway through that buffer, both as part of a nature trail as well as walkway. What say you to that?

Mr. Wilton - I don't think I understood you exactly. As far as taking the walkway down, proposing for the nature walk, and workout walk?

Mr. Taylor - I think so.

Mr. Wilton - Making that sidewalk?

Mr. Taylor - Or a combination of all of the above. If we put, within those buffers, we put either a nature trail, it, effectively, would suffice to be a sidewalk of a form.

Mr. Wilton - A nature trail; these people are going to get out and walk and do the workout and so on. I don't think they're going to want to run on concrete, particularly. I mean, you know, before I come back before this body, I would go ahead and give you the exact makeup of the size of the walkway, and what it's made of, whether it be crushed stone, or whatever, depending on what other people are using. Quite frankly, I don't think concrete would be the right thing for the walkway to be made out of.

Mr. Taylor - Neither do I, and I think that would increase the..

Mr. Wilton - But, again, I will go ahead and make sure that I have that designed, and all the particulars worked out before I come to the POD process.

Mrs. Dwyer - Are you talking about the interior walkways where you plant things; the external sidewalk?

Mr. Taylor - No. I was trying to support, by your concept, of putting some walkways through the buffer area and in the treed area, could both act as, let's say, a sidewalk, but that it would join nicely into the nature trail through there.

Mr. Wilton - We'd be happy to go ahead and connect the two, possibly, and have the sidewalk come into the nature trail to make it a full loop. But, certainly, I think we'll have to go ahead and massage that total plan when I come back at the time of Plan of Development review.

Mr. Taylor - I think that's a reasonable distillation of the comments.

Mr. Wilton - There are going to be all interior sidewalks coming across all of these units right in front. There are sidewalks that go in front of all of these units (all referring to slide). So, there can be a network of part sidewalk and part nature trail and hook them all together. And, certainly, that's what we would strive for. I understand what you're saying.

Mrs. Dwyer - It's up to you. I guess, when I was thinking sidewalk, I was thinking about serving. And I know you may not feel this is in your best interests, but a sidewalk that runs parallel to the public road is to ferry people who are walking along the public road and it doesn't really service the people who necessarily live in the subdivision, except to the extent they may take it to get somewhere else. But, generally, it serves others who are walking through the property to get to somewhere else. So, I don't know that you would even want to, necessarily, connect that kind of a sidewalk. I'm not sure you'd want to draw into the interior of your development people who don't live there. But, anyway, I just see your internal pedestrian network as being a different purpose from the sidewalk that would be parallel to a public road.

Mr. Wilton - Yes, Mrs. Dwyer, I understand. I will address the exterior sidewalk question at time of POD review. And, I'm not saying, "No. There shouldn't be any sidewalks." But I'd like to know where the sidewalks are going, and if the people really want them around there, and get a little bit of feedback before we make that decision.

Mr. Vanarsdall - Where would they walk if you didn't have the sidewalk?

Mr. Wilton - I don't know where they're walking now. I don't know how much walking traffic you have out there.

Mr. Taylor - Actually, when you look at the site there, the way it is now, I doubt there would be very much walking out there. But, I think when this is completed, there will be people that will walk to and from church and up and down Hungary Road. I understand Commissioner Dwyer's comments. And, I think that having some kind of a trail, in my mind, kind of a soft trail, not a hard straight sidewalk would help both that access as well as help be a part of your nature trail and your workout trail.

Mr. Wilton - Certainly, I'll try to integrate something. And, again, I think we need to discuss that a little bit more to find out what type of access along those two road networks you really need. But, I'm not opposed to doing something there.

Mrs. Dwyer - Yes. I would just encourage sidewalks, because its very inhospitable for pedestrians now, given the volume of traffic. You're certainly going to have a lot more traffic, especially, since we've taken Nuckols Road off all that traffic that's going to go the direction its going to go down Springfield and Hungary. And, so, you know, the wide roads, and the increased traffic, I think that sidewalks would be a real good idea.

Mr. Wilton - And, again, I'm not opposed to that. Again, I'll work on that as we get closer to POD stage.

Mr. Vanarsdall - I think you'll find sidewalks are more popular today in most every development and most every state in all the things I read about. I remember one of your remarks one

time, Mrs. Dwyer, was sidewalks move people, and people move vehicles. And that's a good way to look at it.

Mrs. O'Bannon - I know this area may not be the one. It's a little bit closer to Broad Street, but are there any mine shafts in the area?

Mr. Wilton - No. We've actually had, you know, the work done in regard to that. This is not in that area where they have problems with the mine shafts.

Mrs. O'Bannon - Okay.

Mr. Wilton - We've already done that preliminary study.

Mr. Vanarsdall - All right, any other questions?

Mr. Taylor - Is Mr. Craven here? Mr. Craven was a neighbor and I thought he might be here, tonight, because he wanted to make some comments.

Mr. Vanarsdall - Thank you, Mr. Wilton. We'll take the opposition now. You decide who wants to come down first, and state your name. We'd be glad to hear what you have to say.

Ms. Karen Mills DeJarnett - Good evening. My name is Karen Mills DeJarnett. My brothers and I are property owners of the property that's the north border of this property, the recently vacated A-1 property.

We don't have many objections; more questions I'd like clarified, first of all. From what I've been hearing, Meredith Brook is going to be protected because of the wetlands act, is that correct?

Mr. Taylor - Where is Meredith Creek?

Ms. DeJarnett - It's where this picture is (referring to slide). Meredith Brook would be in the upper right hand corner, along the curvy border. It comes all the way through that property, and, then, eventually, it comes under Hungary Road. Is that in the 10 acres that's not going to be touched?

Mr. Wilton - The property that she's talking about is signified by the A-1 at the top right hand part of the corner. That's a stub road that comes into that property. The only thing that would ever be done with that property, we're not zoning that tonight. We pulled that out of the case. The only thing that could be done there would be two single-family lots at a later time might be added.

Ms. DeJarnett - Okay. But, that's it.

Mr. Wilton - There is some useable property. But the wetlands area, basically, creates an extremely large buffer area that people aren't going ahead and traverse to come over to this area. This is not being zoned multi-family. In fact, it's not in the case. Anything here would be one or two lots right here if they extended that road out.

Ms. DeJarnett - Okay. My second question is, there is a lot of walking traffic there. There's walking traffic from Broad Meadows, that comes through the woods. Even since the home on our property was torn down, we've had a lot of trespassers that walk across the property; not only going to that church at St. Michaels, but they're just walking, walking their dogs, or whatever. Somehow, on the north border there may need to be some type of natural boundary to prevent that; trees. Anything that could be done to prevent trespassing on that property, would be much appreciated.

Mr. Vanarsdall - Are these people are in the area, in the general area?

Ms. DeJarnett - Well, its been years since I physically lived on the property. A lot of them came from the Broad Meadows area and come from the Greensprings Subdivision, which is across the street.

Mr. Vanarsdall - Taking a short cut?

Ms. DeJarnett - Yes. There are sidewalks, though, on Springfield Road that go toward Broad Street. So, they are already in place.

Mr. Vanarsdall - They go all the way up to Price Club...

Ms. DeJarnett - Yes sir.

Mr. Vanarsdall - All right.

Ms. DeJarnett - My other question is, where will be the road accesses into the property from Springfield Road, and Hungary Road, because the traffic there, despite the fact Springfield Road has been widened to four lanes, and the work done to improve where Hungary and Gaskins meet, the traffic there is incredible?

Mr. Wilton - Yes. There will be two major accesses. The Springfield Road access will have a divided access point right across from the entrance. What's the name of that subdivision? Is it Greensprings Subdivision?

Ms. DeJarnett - Greensprings is right up here (referring to slide).

Mr. Wilton - Whatever the newer subdivision is right there (referring to slide). And that'll be a dual lane access, and then we have one other access. It does have a crossover. So, that will be an entrance. There's another access point on Hungary Road down by the Burdette's property, and that is an access, but, again, more secondary. It doesn't have a crossover. I think your major access will probably be on Springfield Road.

Ms. DeJarnett - And how many total units will there be? I know there are six per acre.

Mr. Wilton - Six per acre. I think we've got about 100 units platted. We may lose some. The density is no more than six units per acre. But, right now, we've got less than that on the project. That will be adjusted depending on some of the wetlands may encroach on us a little bit. This, basically, sets up the points of access and so on where we are going to place the buildings. We may lose a couple of buildings here and there, but the density is factored in at six units per acre.

Ms. DeJarnett - Well, as long as some type of natural buffer can be addressed on the northern border of this property to prevent trespassing, and to kind of keep the people in that area, I would remove any objections. Is that reasonable, just maybe some natural trees to be put on the northern border or a fence or something?

Mr. Wilton - There will be a fence along the back of all these units. They will be fenced in along the back there.

Ms. DeJarnett - Okay.

Mr. Wilton - And, certainly, I would go ahead between now and the Board of Supervisors; I'd be happy to meet you out there and take a look at the trees that are sitting there, we've got to work with. If we need to supplement it, I'll work with her supplementing it.

Mrs. Dwyer - Did you say you're going to fence along the property line?

Mr. Wilton - There's going to be a fence along the back of all those units. Each of them will have a fence going to the back of their property line. So, there will be a fence going along the back there. We need to come in and maybe put a couple more trees, depending on what's there. I want to see what's naturally there. Again, we're going to try to leave as many trees as we can.

Mr. Vanarsdall - That's what I was going to suggest to you. Give him your name and work it out.

Ms. DeJarnett - Thank you for hearing me and letting me voice my concerns.

Mr. Vanarsdall - Any one else? All right, if there's no other questions, we'll hear from Mr. Taylor.

Mr. Taylor - Mr. Chairman, one of the things that's interesting in this project is, the new development standards I think were implemented in here, used to an extent. I think they were really a major help in the planning effort. I think Mr. Wilton has really done a major effort in structuring the project reflecting of those standards. This is one project that, let's say, is a step towards the adoption of standards as a part of our planning process. And with that, I would move approval of Case C-80-00 as proffered.

Mrs. Quesinberry seconded the motion.

Mr. Vanarsdall - Motion made by Mr. Taylor, seconded by Mrs. Quesinberry. All those in favor say aye—all those opposed by saying nay. The vote is 5-0 (Mrs. O'Bannon abstained).

Mrs. O'Bannon - May I ask staff one quick question? On this particular case on the sheet that we received, it has an outline of something called, "Springfield Road Apartments" and it is like C-14C-97 WD. I know, with the new G.I.S. system, you're going to do outlines, like current POD's and that sort of thing. Was this on there for a reason?

Mr. Householder - We were confused when I went to investigate why that was etched in, because, typically, we don't etch it in.

Mrs. O'Bannon - Because it was withdrawn?

Mr. Householder - Because it was withdrawn. But, in the future, with the G.I.S., when we do have an approved POD, even before its built, we have that now, actually, where we can bring up a property and see an outline of the footprint of the parking and get an idea.

In this case, it would look similar to that, if we had a proposed POD. But, in this case, it was withdrawn. It was on our zoning maps. But we will be using the G.I.S. in the future to generate those maps. You'll be able to delineate between built and not built.

Mrs. O'Bannon - So, this was just something that happened to just stay on there, and didn't get removed, and should be removed?

Mr. Householder - It should be removed, and it will be. But, at the time we did the maps, it was not.

Mrs. O'Bannon - Okay. Thank you.

Mrs. Quesinberry - Mr. Secretary.

REASON: Acting on a motion Mr. Taylor, seconded by Mrs. Quesinberry, the Planning Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant** the request because it conforms to the recommendations of the Land Use Plan; and the proffered conditions will assure a level of development otherwise not possible.

C-75C-00 **Ralph L. Axselle, Jr. for Lakewood Manor Baptist Retirement Community Inc.** Request to conditionally rezone from A-1 Agricultural District and R-5 General Residence District to R-6C General Residence District (Conditional), part of Parcel 76-A-8F and Parcel 77-A-2A, described as follows:

Parcel A:

BEGINNING AT A POINT, said point being on the south line of Lauderdale Drive approximately 915 feet west from the north line of Havenwood Drive extended. THENCE, leaving the south line

of Lauderdale Drive, S 25°35'45" W, 161.00 feet to a point; Thence, S 48°45'07" W, 107.12 feet to a point; Thence, S 30°38'56" W, 128.48 feet to a point; Thence, S 40°40'36" W, 190.45 feet to a point; Thence, S40°51'45" W, 106.70 feet to a point; Thence, S04°49'56" W, 138.98 feet to a point; Thence, S 79°19'20" W, 154.39 feet to a point; Thence, N 89°04'38" W, 244.27 feet to a point; Thence, N 54°12'21" W, 245.47 feet to a point; Thence, N 69°17'24" W, 132.09 feet to a point; Thence, N 88°06'44" W, 166.32 feet to a point; Thence, S 87°21'41" W, 128.00 feet to a point; Thence, N 22°48'36" E, 1424.72 feet to a point on the south line of Lauderdale Drive; Thence along the south line of Lauderdale Drive, S 48°11'26" E, 1182.80 feet to the point of beginning, containing 27.120 acres

Parcel B:

BEGINNING AT A POINT, said point being on the south line of Lauderdale Drive approximately 2101.5 feet west from the north line of Havenwood Drive extended. THENCE, leaving the south line of Lauderdale Drive, S 22°48'36" W, 576.77 feet to a point; Thence, along a non-tangent curve to the right with a radius of 450.00 feet, a tangent length of 198.42 feet, a central angle of 47°35'20", the radius of which bears N 66°32'27" E, the long chord of which bears N 00°20'07" E for a distance of 363.11 feet; Thence along the arc of said curve for a distance of 373.76 feet to a point; Thence, N 24°07'47" E, 273.34 feet to a point on the south line of Lauderdale Drive; Thence along the south line of Lauderdale Drive, S 48°49'5" E, 22.90 feet to a point; Thence, N 41°53'25" E, 12.00 feet to a point; Thence, S 48°49'58" E, 60.51 feet to a point; Thence, S 48°06'23" E, 52.30 feet to the point of beginning, containing 1.564 acres

Parcel C:

BEGINNING AT A POINT, said point being on the south line of Lauderdale Drive approximately 2245.5 feet west from the north line of Havenwood Drive extended. THENCE, leaving the south line of Lauderdale Drive, S 24°07'47" W, 273.34 feet to a point; Thence, along a curve to the left with a radius of 450.00 feet, a tangent length of 198.42 feet, a central angle of 47°35'20", the radius of which bears S 65°52'13" E, the long chord of which bears S 00°20'07" W for a distance of 363.11 feet; Thence along the arc of said curve for a distance of 373.76 feet to a point; Thence, S 22°48'36" W, 128.58 feet to a point; Thence, N 31°27'18" W, 12.50 feet to a point; Thence, along a curve to the right with a radius of 550.00 feet, a tangent length of 289.89 feet, a central angle of 55°35'07", the radius of which bears N 58°32'40" E, the long chord of which bears N 03°39'46" W for a distance of 512.90 feet; Thence along the arc of said curve for a distance of 533.58 feet to a point; Thence, N 24°07'47" E, 132.47 feet to a point; Thence, N 76°35'07" W, 23.84 feet to a point; Thence, N 08°29'56" E, 24.57 feet to a point; Thence, S 80°08'48" E, 31.01 feet to a point; Thence, N 24°07'47" E, 144.64 feet to a point on the south line of Lauderdale Drive; Thence along the south line of Lauderdale Drive, S 48°49'58" E, 104.59 feet to the point of beginning.

PARCEL - D

BEGINNING AT A POINT, said point being on the south line of Lauderdale Drive approximately 2353.8 feet west of the north line of Havenwood Drive extended. THENCE, leaving the south line of Lauderdale Drive, S 24°07'47" W, 144.64 feet to a point; Thence, N 80°08'48" W, 31.01 feet to a point; Thence, S 08°29'56" W, 24.57 feet to a point; Thence, S 76°35'07" E, 23.84 feet to a point;

36 Thence, S 24°07'47" W, 132.47 feet to a point; Thence, along a curve to the left with a radius of
37 550.01 feet, a tangent length of 289.89 feet, a central angle of 55°35'04", the radius of which bears S
38 65°52'14" E, the long chord of which bears S 03°39'46" E for a distance of 512.90 feet; Thence
39 along the arc of said curve for a distance of 533.58 feet to a point; Thence, S 31°27'18" E, 12.50 feet
40 to a point; Thence, S 22°48'35" W, 728.2 feet to a point; Thence, in a northwest direction, 2747.6
41 feet +- along the flood plain line to the south line of Lauderdale Drive; Thence, along the south line
42 of Lauderdale Drive, S 48°20'13" E, 273.7 feet - to a point; Thence, S 41°26'42" E, 100.00 feet to a
43 point; Thence, S 48°20'13" E, 95.45 feet to a point;

44
45 Mr. Marlles - The next case is in the Tuckahoe District. It's C-75C-00. The staff
46 report will be given by Mr. Mark Bittner.

47
48 Mrs. Quesinberry - Do we have any objection to Case C-75C-00 in the audience. Mr.
49 Bittner.

50
51 Mr. Bittner - Thank you, Mrs. Quesinberry. I'd like to point out, Mr. Director,
52 there is a companion provisional use permit case. I think it would be a good idea to hear that at the
53 same time. Of course, we have to make separate motions to those.

54
55 Mr. Marlles - Okay. Let me go ahead and read that case into the record.
56 (All testimony heard under P-14-00).

57
58 **P-14-00 Ralph L. Axselle, Jr. for Lakewood Manor Baptist Retirement**
59 **Community, Inc.:** Request for a provisional use permit under sections 24-36.1(a), 24-120, and 24-
60 122.1 of Chapter 24 of the County Code in order to permit a life care facility, on part of Parcel 76-
61 A-8F and Parcel 77-A-2A, containing 46.42 acres, located on the south line of Lauderdale Drive at
62 its intersection with John Rolfe Parkway. The site is currently zoned A-1 Agricultural District and
63 R-5 General Residence District but is proposed for R-6 General Residence District.

64
65 Mr. Marlles - Again, the staff report will be handled by Mr. Bittner.

66
67 Mrs. Quesinberry - Mr. Bittner.

68
69 Mr. Bittner - Thank you, again. This case involves the Lakewood Manor Life
70 Care facility on Lauderdale Drive, at its intersection with John Rolfe Parkway. This proposal would
71 establish a master plan for the future development and expansion of Lakewood Manor. Now, that is
72 contained in your staff report, but I would like to point out, that is not a proffered plan.

73
74 The master plan is designed for a 20 to 25-year buildout in phases. Most of the existing buildings
75 would be removed for the development of new facilities. This would not take place at one time, but
76 would occur in stages.

77
78 The property is well insulated from nearby development by surrounding C-1 floodplain area.

79

80 And, I'd like to point out, the applicant has submitted revised proffers, today. I do believe he gave a
81 copy to each of the Commissioners. We did hand them out in case you don't have those. You
82 would have to waive the time limit to accept them.

83
84 These new proffers do address all of the issues raised in our staff report. Some of the new proffers
85 include the provision for recreation facilities to include: garden area, walking trails, and a tennis
86 court, but it would not necessarily be limited to those.

87
88 It also addresses the major concern we had, which was the landscaped buffer along Lauderdale
89 Drive. And, that's what this drawing is that's up on the screen right now that you're looking at.
90 The applicant has proffered a 50-foot landscaped drive, beginning, you can't really see here
91 (referring to slide). But, if you see where it says, "A 40-foot setback," that is where the existing ring
92 road around Lakewood Manor currently is. As you can see, the applicant's plan is to start at that
93 point, and then, move gradually away from Lauderdale Drive to create a 50-foot buffer along most
94 of the frontage for Lakewood Manor. And, as I said, this would parallel our recommended
95 condition in the Provisional Use Permit case.

96
97 So, with that, we recommend approval of both cases: C-75C-00 and P-14-00. I'd be happy to
98 answer any questions you may have.

99
100 Mrs. Quesinberry - Any questions for Mr. Bittner?

101
102 Mrs. Dwyer - Mr. Bittner, this is an existing life care facility, or what we would
103 define as a life care facility now.

104
105 Mr. Bittner - Yes ma'am.

106
107 Mrs. Dwyer - But, its not zoned R-6 because it was zoned under an earlier law,
108 right?

109
110 Mr. Bittner - Yes. I don't know the precise history of it. But, I believe, one use,
111 which could have been the nursing home came in first, and then they later added assisted living and
112 so forth. They are now coming in as a single facility; a life care facility, which comprises senior
113 apartments, assisted living. And, actually, they would also have some single-family cottages as part
114 of their master plan. But, a life care facility, as you are aware, basically, is designed to help
115 accommodate retired people, who are very active, all the way up until they need nursing home care.

116
117 Mrs. Dwyer - Even though this is a rezoning, we're really not changing the use of
118 this parcel from its current use?

119
120 Mr. Bittner - No. We are not.

121 Mrs. Dwyer - That's all. Would you like to make a few statements?

122
123 Mr. Ralph L. Axselle - No. Not really.

124
125 Mrs. Dwyer - Okay. I didn't want to deprive you of the opportunity. I understand.

126
127 Mrs. Quesinberry - Not having any more questions, we could entertain a motion to waive
128 the time limits on the proffers before us tonight.

129
130 Mrs. Dwyer - I move that the Commission waive the time limits for Case C-70C-
131 00. The reason we need to waive the time limits is because the applicant has been working very
132 diligently up until the last minute to try to accommodate Commission's requests for an expanded
133 buffer area.

134
135 Mr. Taylor seconded the motion.

136
137 Mrs. Quesinberry - We have a motion and a second. All in favor say aye—all those
138 opposed by saying nay. The vote is 5-0 (Mrs. O'Bannon abstained). The time limit is waived on the
139 proffers. Now, we need two motions for these cases. We can take the first one, C-75C-00.

140
141 Mrs. Dwyer - As I mentioned a moment ago, the applicant has been working very
142 responsively and very diligently to work on expanding the existing buffer along Lauderdale, or to
143 expand the buffer along Lauderdale. The existing buffer is, at some points, not a mere 12 feet.
144 We've expanded that to a little less than 40 feet to a maximum of 50 feet. So, that is a substantial
145 improvement along the streetscape of Lauderdale Road. I'm very pleased and want to thank the
146 applicant for being accommodating that request, I should say.

147
148 Again, this is a rezoning. However, we are not really changing the use. The use has been there for
149 some time. It is an asset to our community. And, with the enlargement of this facility and services
150 that it will provide to our aging population, I think it will continue to be an asset to our community.

151
152 So, it is a very good case. I'm pleased to recommend to the Commission to recommend to the
153 Board we approve C-75C-00 Lakewood Manor.

154
155 Mr. Taylor seconded the motion.

156
157 Mrs. Quesinberry - Motion and a second. All in favor say aye—all those opposed by
158 saying nay. The vote is 5-0 (Mrs. O'Bannon abstained).

159
160 REASON: Acting on a motion by Mrs. Dwyer, seconded by Mr. Taylor, the Planning Commission
161 voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant** the request because it
162 is reasonable; it continues a form of zoning consistent with the area; and the proffered conditions
163 would provide for a higher quality of development than would otherwise be possible.

164
165 Mrs. Quesinberry - Now, on Provisional Use Permit P-14-00, we'll entertain a motion.

166
167 Mrs. Dwyer - Okay. I move that the Commission recommend for approval P-14-
168 00 for Lakewood Manor. The substance of this Provisional Use Permit is that we approve of the
169 use of this life care facility which is, in fact, what its currently being used for.

170
171 Mr. Archer seconded the motion.

172
173 Mrs. Quesinberry - Seconded by Mr. Archer. All in favor say aye, all those opposed by
174 saying nay. The vote is 5-0 (Mrs. O'Bannon abstained). Thank you, Mrs. Dwyer. That is a very
175 nice case. Mr. Secretary.

176
177 REASON: Acting on a motion by Mrs. Dwyer, seconded by Mr. Archer, the Planning Commission
178 voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant the requested**
179 **revocable provisional use permit**, subject to the following conditions:

180
181 1. There shall be a 50-foot landscaping buffer along the Lauderdale Drive frontage of the property.
182 This buffer shall preserve existing vegetation to the maximum extent possible. Utility easements
183 and access driveways from Lauderdale Road may cross the buffer in a perpendicular fashion. Any
184 existing driveway within the buffer may remain as is. New driveways (other than access driveways
185 from Lauderdale Road) shall not be permitted within the buffer. Additional landscaping may be
186 placed within the buffer.

187
188 2. All heating and air conditioning equipment and trash receptacles shall be screened from public
189 view at ground level. Dumpster area screening walls shall be constructed of the same material as
190 predominantly contained in the main buildings on the site. Dumpster area screening doors and gates
191 shall be opaque.

192
193 The Planning Commission's recommendation was based on the fact that it is reasonable in light of
194 the surrounding uses and existing zoning on the property.

195
196 **Deferred from November 9, 2000 Meeting**

197 **C-53C-00 Henry L. Wilton for Wilton Development Corp.:** Request to
198 conditionally rezone from R-4 One Family Residence District to RTHC Residential Townhouse
199 District (Conditional), R-5C General Residence District (Conditional) and O-2C Office District
200 (Conditional), Parcels 82-A-14 through 18 & 20 and Parcels 82-7-A-2 & 9, containing 28.4 acres,
201 located on the west line of Staples Mill Road at its intersection with Dublin Street. Residential and
202 office uses are proposed. The RTH District allows a density of 9 units per acre. The R-5 District
203 allows a density of 14.5 units per acre. The office use will be controlled by proffered conditions and
204 zoning ordinance regulations. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units
205 net density per acre.

206 Mrs. Quesinberry - Is there any one in the audience in opposition? We do have
207 opposition. Our Secretary will brief you on the rules, very quickly, in case you missed them earlier
208 this evening.

209
210 Mr. Marles - Ladies and gentlemen, it is a policy of the Commission when there is
211 opposition to a case to provide 10 minutes to the applicant to make his presentation and 10 minutes
212 assigned to the opponents to make any comments or ask any questions they would like. That 10
213 minutes does not include time answering questions from the Commission. For the applicant, its
214 usually a good idea to reserve some of that 10 minutes for rebuttal. Mr. Householder.

215
216 Mr. Householder - Okay. In June, 2000, the applicant submitted a request for a mixed-
217 use development that included a townhouse development, and unspecified commercial uses on this

218 property. Staff, at that time, did not support the request. And, after several deferrals, the applicant
219 agreed to revise the original request. The applicant is now proposing to rezone 17.7 acres here
220 (referring to slide) to RTH, another 5.7 acres to R-5C, and 5 acres to O-2C for office development.
221 The property is located on the north side of Staples Mill Road, across from the AMTRAK station
222 and on the west side of Glenside Drive.

223
224 Adjacent uses include, in this area, a Park & Ride lot, as you can see, (referring to slide) on the
225 aerial, the Glendale Shopping Center, and several vacant properties.

226
227 Hunt Club and Carriage Hill Apartments are located to the west of the subject site, all on Glenside
228 Drive. There is also a platted subdivision to the north of this request that is undeveloped and exists
229 on an unimproved road. This is Tatum Boulevard right here (referring to slide).

230
231 The subject site is currently vacant, forested with a mix of hardwoods and evergreens.

232
233 Let me go through the proposal in three steps, first going through the RTHC portion, which the
234 proffers were handed out to you this evening with an attached concept plan.

235
236 The applicant has proffered that the maximum density of the townhouse development will not
237 exceed 6.25 units per acre. The RTH zoning district does allow 9.9 units per acre, and the Land Use
238 Plan recommends for this area 3.4 to 6.8 units per acre.

239
240 The applicant has proffered a number of elements that staff feels will help ensure quality
241 development on this site, much like the last case we heard this evening. The proffers are similar to
242 include 1,700 square foot minimum unit size, quality building materials, including sound
243 suppression, roads that are built to County standards, sidewalks within the development, increased
244 parking, residential-scale lighting, and underground utilities.

245
246 The applicant has also proffered to develop this portion of the property in substantial conformance
247 to his concept plan, very different from the last plan that we saw. And I'll quickly go over some
248 elements of that.

249 Here we have a proffered 50-foot buffer along Glenside Drive (referring to slide). And the
250 applicant has also proffered a 25-foot perimeter buffer around the entire site. The 50-foot buffer
251 along Glenside is proffered to be landscaped to transitional 50 standards. The 25-foot buffer is not,
252 at this time, proffered to be landscaped. Considering this site is heavily wooded, the applicant chose
253 to have this area remain in its natural state.

254
255 In the future there is the possibility of Tatum Boulevard being extended, and this area would be
256 pretty thin, and staff would recommend may be some language that would address the possibility of
257 Tatum Boulevard being built if landscaping could be done.

258
259 Also, as you'll see, there's recreational areas in the center of the plan shown in black. The applicant
260 has proffered in Proffer 9 that this recreation area will meet what's shown on the concept plan.
261 Staff encourages more recreational space for this development.

262

263 In addition, stormwater management facilities, we encourage the applicant to utilize the BMP as a
264 water feature or some sort of amenity within the development. And that's mostly the staff's
265 concerns with the RTH portion.

266
267 On to the R-5 assisted living use that's proposed here. It's 5.7 acres. They have not proffered any
268 architectural drawings nor do they have a tenant in mind for this development. So, we do not have
269 any sort of concept plans. But they do have a list of proffers to help ensure quality, which includes
270 building material specified, sidewalks, detached signage, limited construction hours, keeping in
271 mind there will be townhouses nearby most likely will be constructed, HVAC screening, trash
272 receptacle screening, and underground utilities.

273
274 They have also proffered to limit the use of this property to assisted living with the exception, if
275 they chose to develop for townhouses. Staff feels like this use restriction should reflect what they
276 intend to build, which is assisted living, and we recommend these restrictions remain assisted living.
277 And, in the future, if they determine that's not appropriate, they would come back in for rezoning
278 for townhouses if that's what they intend.

279
280 Also, we recommend impervious coverage ratio on the assisted living portion of 40 percent for the
281 entire site.

282
283 As for the office proposal, similar to the assisted living, there is no layout nor architectural
284 renderings because they don't have a tenant in mind. And, they have proffered a similar quality as
285 the assisted living piece. And, in addition, they've proffered to limit uses on the site to prevent
286 funeral homes, radio, and television broadcasting, general hospitals, cremation units, and some other
287 elements that are conditional exceptions to O-2.

288
289 Overall, this proposal has gone through a lot of changes. And staff has worked closely with the
290 applicant and the Commission member to really come around with something staff feels we can
291 recommend approval of tonight. I'll take any questions that you may have.

292
293 Mr. Vanarsdall - All right, any questions by Commission members for Mr.
294 Householder?

295
296 Mr. Archer - Mr. Householder, you mentioned a platted subdivision has not been
297 constructed. Is that what you said?

298
299 Mr. Householder - Yes. The probably more correct term will be "recorded." That we
300 use more often.

301
302 Mr. Archer - Okay. Do you know how long its been subdivided?

303
304 Mr. Householder - Many, many years. The file is very, very old.

305
306 Mr. Archer - Oh, okay.

307
308 Mr. Householder - Randy is looking it up right now. So, we'll have an answer. 1949.

309
310 Mr. Archer - Okay.
311
312 Mr. Vanarsdall - It's been a long time.
313
314 Mrs. Quesinberry - Are you finished, Mr. Archer?
315
316 Mr. Archer - Yes. I am.
317
318 Mrs. Dwyer - What is the recreational area in the middle? I can't make it out there.
319
320 Mr. Householder - Let me see if I can zoom in (referring to slide). It really consists of a
321 clubhouse and a gazebo with a road running through.
322
323 Mrs. Dwyer - No pool or anything?
324
325 Mr. Householder - That's been discussed, but there's not much room for any decent size
326 pool. I think the applicant has indicated they did intend possibly to put a pool there, although small,
327 but it is not shown on the plan.
328
329 Mrs. Dwyer - How many units?
330
331 Mr. Householder - I think its 100. I have it on the site plan right here. Yes. It's 100.
332
333 Mrs. Dwyer - The items that you mentioned in your report just now, those are items
334 that were in the staff report that have not been addressed by the proffers. Is that right?
335
336 Mr. Householder - Yes. The recreational areas and the comment about use on the R-5
337 piece.
338
339 Mrs. Dwyer - When it says that, "...the building will be primarily brick", what
340 does that mean?
341
342 Mr. Householder - I think that question might be best for the applicant. It is a subjective
343 term, but that's what they chose to proffer.
344
345 Mr. Vanarsdall - I think it might mean 50 percent. I don't know. Did you have any
346 more, Mrs. Dwyer?
347
348 Mrs. Dwyer - Not right now.
349
350 Mr. Vanarsdall - I wanted to ask you about No. 7. It says, "These sidewalks shall not
351 be part of an individual lot." Is that something new for the new guidelines, isn't it?
352
353 Mr. Householder - Sidewalks are definitely a part of the new guidelines. And, what
354 we've discovered in maybe some other developments that have been built that...

355
356 Mr. Vanarsdall - They take up all the yards.
357
358 Mr. Householder - They went ahead and included it in order to save space and increase
359 units. They would include sidewalks as part of someone's yard. Thus, really decreasing their front
360 yard instead would discourage that type and, therefore, that's why that statement is in the proffer
361 now. We would encourage that in any other townhouse case in the future also.
362
363 Mr. Vanarsdall - Along the same lines of sidewalks, under the O-2 part on Page 8, No.
364 43.
365
366 Mr. Householder - Yes.
367
368 Mr. Vanarsdall - "Sidewalks shall be provided connects to three portions of the
369 property to Staples Mill Road." What does it...
370
371 Mr. Householder - The intention of that is, without having a site layout, we do envision
372 some sort of access road that would come through this site connection all three properties together.
373 We did think it would be worthwhile to encourage sidewalks along that road to give individuals
374 access to Staples Mill and some of the developments along there.
375
376 Mr. Vanarsdall - All right.
377
378 Mrs. Dwyer - What about sidewalks along Staples Mill?
379
380 Mr. Householder - We did not speak about that. I think that would be reasonable.
381 Across the street is the CVS, across Tatum. I think that would be a good idea to connect the O-2
382 using that to connect CVS to the shopping center.
383
384 Mr. Vanarsdall - I was trying to think if there's a sidewalk there in front of CVS?
385
386 Mr. Householder - The aerial might show (referring to slide),
387
388 Mr. Vanarsdall - I don't know.
389
390 Mrs. Dwyer - Somebody in the audience says, yes.
391
392 Mr. Householder - It appears it wasn't built at that point the aerial was taken (referring
393 to slide).
394
395 Mrs. O'Bannon - I would think that even if there were not, that it would be good
396 enough reason to. They could walk through the parking lot...It would be a destination, I can see
397 that, for people to go there.
398
399 Mr. Randy Silber, Assistant Director of Planning - And the train station across the street.
400

401 Mrs. O'Bannon - Across the street.
402
403 Mr. Householder - I agree. I think you made a good point.
404
405 Mrs. O'Bannon - The question of, "Sidewalks shall not be part of an individual lot,"
406 and you explained that. But, just a question I have, when a sidewalk is along the street like that and
407 it is put in by the developer, right, and the curb and gutter and the sidewalk, that's maintained by the
408 County. It's not considered a part of that person's property, right? It's on a separate right of way?
409 That's the way you're trying to describe it?
410
411 Mr. Householder - Yes.
412
413 Mrs. O'Bannon - I just wondered why it was in the proffers that way. That's all.
414
415 Mr. Householder - Just to discourage the appearance of having a very small front yard in
416 a townhouse, because the setback would still remain the same for the building. And then you end
417 up with a decent part of what would be the front yard of a townhouse and sidewalk.
418
419 Mrs. O'Bannon - I don't why. It just struck me as not being necessary, but I guess it is.
420
421 Mr. Householder - Well, we've learned that recently. We feel like it is, going through
422 the POD process with other townhouse developments.
423 Mr. Vanarsdall - I'd like to ask you about 8A.
424
425 Mr. Householder - 8A.
426
427 Mr. Vanarsdall - Tatum Boulevard is a paper street. How do we know that may not be
428 open some day in the future? I think you and I talked about this?
429
430 Mr. Householder - Exactly.
431
432 Mr. Vanarsdall - What kind of buffer is it in there? It just says...
433
434 Mr. Householder - It just says they would try to preserve trees to the most extent
435 possible. As it is, staff would agree, that just leaving it in its natural state would be agreeable. But,
436 with the potential of Tatum Boulevard in the future coming through...
437
438 Mr. Vanarsdall - If they ever open Tatum Boulevard, how would it be landscaped
439 then? I guess they could save a portion of the woods behind it. Thank you.
440
441 Mr. Householder - Okay.
442
443 Mr. Vanarsdall - Any other questions for Mr. Householder?
444
445 Mrs. Dwyer - How much more recreational area would you recommend?
446

447 Mr. Householder - At least another half acre. What they're showing, they're
448 recommending 10 percent of the site. I think they're showing about 1.3 acres. At least 1.8 acres to
449 meet the minimum recreational standard.

450
451 Mrs. Dwyer - What's your opinion of the layout of these buildings?
452

453 Mr. Householder - If you remember in the last case I had, I thought that was a more
454 unique layout. It had a little more design qualities to it. I think this is straight forward. It doesn't
455 have too many unique elements to it that stand out that make this an entirely unique development.
456 Obviously, the applicant would probably have to lose a set of buildings.
457

458 Mrs. Dwyer - So, "by unique design," you mean not rectangular buildings, sort of a
459 "solider row" around up and down the street?
460

461 Mr. Householder - I don't know if there's any way you can really, not being an expert
462 designer, not there's anyway you could avoid that. But, you could probably do something more
463 unique in this area to try and alleviate the monotony that you have coming in there.
464

465 Mrs. Dwyer - What's the impervious cover here? Do we know?
466

467 Mr. Householder - No. I haven't gotten that calculation from the applicant. As I said
468 before, with townhouses, because of the yards surrounding the buildings, they do have an easier
469 time reaching the recommended ratio. I do know, I think the applicant is possibly considering
470 coming over here (referring to slide), adding this property in. You would probably have a similar
471 long "soldier like" building appearance there.
472

473 Mrs. Dwyer - Well, its such a beautiful piece of property now. It would be nice to
474 see some care taken with design. I would guess there is virtually no tree preservation in this design?
475

476 Mr. Householder - Correct. This is pretty well maximized utilization of that portion of
477 the land.
478

479 Mr. Vanarsdall - All right, any more questions? All right, Mr. Wilton. Do you want
480 some rebuttal time?
481

482 Mr. Henry L. Wilton - Two minutes, please. This case has been deferred a number of times.
483 Honestly, I do believe we've got a much better case to be heard. Originally, I had proposed B-3 and
484 B-2 uses on Staples Mill, and staff didn't like that. We have redone the townhouse development a
485 number of times; different layouts, different size units. And, we've met with Mr. Vanarsdall, and
486 also Mr. Glover on numerous occasions trying to go ahead and find better alternatives, and we shall
487 stress to go ahead and continue the revision process, hopefully, making it a better case. Obviously,
488 I've got a lot of comments to deal with, with regard to that, tonight.
489

490 The first parcel is about 17 acres of residential townhouses. Again, these are a minimum of
491 \$160,000 unit; a minimum of 1,700 square foot unit. These minimums are part of the requests of

492 some of the staff. Again, these are not medium priced units. \$160,000 starting point is what we're
493 talking.

494
495 We have talked about and we have agreed to a minimum of 1,800 square foot community center, on
496 which there would be a workout room in there. And, in regard to the open space, we talked about,
497 and its still in the discussion phases. But as far as having a dipping pool or hot tub, that type of
498 thing, not a full-fledged pool because the people do not want a large pool to keep taking care of,
499 paying the additional fees for that. They do, we understand with the research that we've done, they
500 do use a workout room. They do like a meeting room. But, as far as using a pool a couple of
501 months out of a year, certainly, they might want a sunning deck and there might be a dipping pool,
502 but, again, that's under discussion. We have left open space for approximately 1.3 acres.

503
504 We've increased our greenbelt around the townhouse subdivision and given you 50 feet, as
505 requested by the staff. On Glenside Drive, I know this is a pristine piece of property. It is heavily
506 wooded. We want to save as many trees surrounding the property as we can, instead of having to
507 go ahead and plant buffers. Certainly, we want to use the trees that are there. That goes for the 50-
508 feet on the front of Glenside Drive. And that also goes for Tatum Boulevard.

509 This is a paper street. I think one or two people do use it. We have no plans to develop that street.
510 And, again, to put a 25-foot buffer back there. If we do need to supplement it, after construction, I
511 have no problem with going back and supplementing it with additional evergreens to help on that.
512 But, I think we should look at, will Tatum Road be developed? I don't plan to build it. I don't think
513 the County plans to build it at this time. So, unless there's a plan for that, again, we've buffered that
514 area; 25-foot buffer; left in its natural state. Hopefully, we can leave a lot of those trees. If we need
515 to put some more trees back in there, I will go ahead and work on that part as an additional proffer.

516
517 We have been working, again, with the new guidelines with the recreational areas, the screenings,
518 the 2.25 parking requirement again. The change here would be, we're not going to allow
519 recreational vehicles; large RV's and/or boats. And I will have to adjust that proffer if it's the same
520 proffer as the last one.

521
522 We've also gone again to that new sound suppression proffer which is 55, which will be a new
523 standard on townhouse development, I'm sure, as soon as they get my proffers. This new design is
524 even more effective than masonry walls.

525
526 Moving onto the R-5 section, this is planned for assisted living. And, quite frankly, I think it is well
527 suited for that. I put out some feelers, but the assisted living people who are interested in it, but I
528 wouldn't know anything until next year. I would think after approximately two years if we did not
529 find a user for the assisted living facility, then I would want the possibility to go ahead and continue
530 my residential townhouse development.

531
532 Quite frankly, I would much rather see an assisted living facility there, and I will go ahead and try to
533 find one. Some people do have an interest in it. That will be my first choice. But, again, my
534 backup would be, if I couldn't find it to; again, this is user driven. Certainly, we've proffered it as
535 far as quality construction materials. But, until we get the actual user and, depending on the assisted
536 living provider what their standard type of development is like, I'll be back before you with that
537 plan.

538
539 The last parcel is 5 acres is adjacent to B-2C. I originally suggested B-3. I was told that wasn't a
540 good idea. Then I went to B-2. I was told that wasn't a good idea. And I ended up with Office, an
541 officer user.

542
543 In looking at the proffer in regard to materials, "primarily brick" means primarily brick. I'm not
544 going to put metal on it. It's going to be brick and glass. I'm not going to use ornamental block.
545 I'm going to use brick. If it's not clear, certainly we can make it clear.

546
547 Mrs. Dwyer - "Primarily" was the question. What does "primarily" mean.

548
549 Mr. Wilton - Primarily means except for the glass...
550 Mrs. Dwyer - It sounds like all brick.

551
552 Mr. Wilton - Well, you've got to have a little glass. I have glass doors. You have
553 metal frames to the windows. But, primarily, its going to be a brick building with glass and some
554 metal accents as far as maybe the windows. But, that proffer, the intent is, I'll be happy to go ahead
555 and change that proffer; work with the Planning staff to make sure there is no question as far as
556 what "primarily" means.

557
558 Mrs. Dwyer - It can mean a lot of things. If its going to be all brick, exclusive of
559 windows and doors, then...

560
561 Mr. Wilton - Then, I think we can rewrite it that way. I have no problem with that,
562 and I'll adjust that proffer.

563
564 Mrs. Dwyer - I would have said it meant 51 percent, but Mr. Vanarsdall thought it
565 meant 50. I don't know. I think its unclear.

566
567 Mr. Vanarsdall - I was kind of guessing.

568
569 Mr. Wilton - The building material except for the windows and doors is going to
570 brick, and I will adjust that proffer.

571
572 Again, the user here is going dictate, you know, anything else. And, certainly, I'll be back before
573 this Board, or he would be.

574
575 Looking at sidewalks, I think you're right. I think you should have a sidewalk going down there
576 and I will go ahead and place a proffer saying at the time of construction of office buildings in that
577 segment of the property, that one of the conditions will be a sidewalk on Staples Mill.

578
579 Other than that, the proposal is consistent with the goals and objectives of the plan. It is suggested
580 for Urban Residential and Office and Commercial development. And that's exactly what we've
581 planned to do with the piece of property.

582
583 If you have any questions, I'll be happy to answer them.

584
585 Mr. Vanarsdall - Any questions for Mr. Wilton? Any other questions?
586
587 Mrs. Dwyer - One of the issues in the staff report had to do with access to the
588 assisted living. I guess there's no problem in accessing the assisted living from an office or from
589 the townhouse development?
590
591 Mr. Wilton - The access would come from Staples Mill. The roads in the
592 townhouse subdivision are going to be private even though they will be developed according to the
593 Henrico standards. But, the access road for the assisted living will come from Staples Mill.
594 We had talked about, if we did get an assisted living user in there, trying to get an access down
595 beside the "Park and Ride" facility into Crockett Road. There was a parcel available there when we
596 looked at it with Planning. And, if we could have another access, people could come out that way
597 go to Crockett, because I think there's a light at Crockett I believe.
598
599 Mrs. Dwyer - This site plan shows the road from the townhouse development
600 going into the assisted living parcel. So, you don't plan to connect all three of these parcels?
601
602 Mr. Wilton - The Plan right now would be to go ahead and connect that road all
603 the way through and just, I guess, when you got to the point at the end of the townhouse
604 development, I guess you would have signs that you're entering a private road system, as far as the
605 transfer of going from a private to a County road system, I guess.
606
607 Mrs. Dwyer - Since there's no site plan, you know, for the parcels as a whole thing,
608 I'm going to get a feel for, you know, are people going to be driving through an office development
609 to get to the assisted living? Are they going to be driving through a townhouse development? I
610 mean, I would imagine the townhouse development people might not like...
611
612 Mr. Wilton - Well, before we had laid it out, and when we laid it out as a shopping
613 center, we actually had a boulevard entrance going through there directly and to the back area. And
614 we had laid it out.
615
616 When we went back to the staff, and what we were trying to do is arrange for a little flexibility by
617 having some office and assisted living. We didn't show the road access. But, the office parcel
618 would be cut in two, because there's a crossover in the middle. And it would be a boulevard
619 entrance coming up with offices on either side. Not really coming through an office complex, but
620 coming through two offices. It could be two offices on your right, two offices on your left or
621 whatever, and then coming into the assisted living again, and maybe moving the road over a little bit
622 at that point, and then coming into your residential townhouse project after that.
623
624 Mrs. Dwyer - So, you could cut through from Staples Mill to Glenside by coming
625 through the office, assisted living and townhouse development?
626
627 Mr. Wilton - Well, you could, but its going to be posted that it's a private road
628 system and you're not supposed to be using it for a cut through. Again, I think that's something that
629 when we actually did the layouts; and again, this is for planning purposes only. We didn't lay it out,

630 because, again, we don't have users yet. We're looking for the long range plan for the zoning to
631 give us a little flexibility.

632
633 Mrs. Dwyer - I know its not laid out and that's one of the problems I'm having
634 with it. It's not laid out. But, even so, you do have an assisted living sandwiched between office
635 and a private residential, and so the access, I think, is a concern.

636
637 Mr. Wilton - Yes ma'am. And it would be to the end user. And, certainly, we
638 would come before you with that plan once we get the user. But, again, I don't know. And, again,
639 that type of user might have some one-story units that he's going to place all the way through the 5-
640 acre parcel or he's going to have like Marriott has, maybe a three-story unit he's going to
641 concentrate. And the road system is going to change according to type of end-user I have for that
642 assisted living facility. Until we really get the user, we don't know what type of housing, what
643 height, you know, how many units per acre? Does he cluster them? You know. Until we know
644 that, you're right, the road system won't be designed, but it will come back before you.

645
646 Mrs. Dwyer - Well, I understand everything you've said. Nonetheless, we are
647 zoning this. So, we potentially have an assisted living sandwiched between a private residential
648 area and an office parcel.

649
650 Mr. Wilton - Yes ma'am.

651
652 Mrs. Dwyer - So, that, in and of itself, raises a concern about how that assisted
653 living; how are you going to access the assisted living?

654
655 Mr. Wilton - The primary access of that facility will come off of Staples Mill. If
656 we have, or if we can go ahead and have an additional access point, which we talked about when we
657 met with the County staff, if we can get another access point coming down to Crockett Street, that
658 would also give us another access point for traffic going out. And that was discussed. But, the main
659 access, your only access, as far as I'm concerned, is going to be coming from Staples Mill into that
660 facility.

661
662 Mrs. Dwyer - Through the office to the assisted living?

663
664 Mr. Wilton - Yes ma'am.

665
666 Mrs. Dwyer - And then, possibly, also with access from those two parcels through
667 the townhouses?

668
669 Mr. Wilton - I mean, yes. Could they come through the office, assisted living, and
670 go out the back way through speed bumps or whatever we place through there, certainly, yes. They
671 could probably go through there even though it's a private road system that they're not supposed to.
672 At this point, they could. I think we've jagged the road so its not the easiest way to come out that
673 way.

674

675 Mr. Vanarsdall - Where the train station entrance is now, will this be lined up right
676 there?
677
678 Mr. Wilton - I believe the crossover is across the street from that. Yes. I think it
679 would be.
680 Mr. Vanarsdall - I think it would have to be.
681
682 Mr. Wilton - Yes sir.
683
684 Mr. Vanarsdall - So, what would keep me from coming out of the train station,
685 coming all the way through there and coming out on Glenside Drive?
686
687 Mr. Wilton - Well, you'd have to drive through the office complex, and the
688 assisted living, and then the townhouse project. And, quite frankly, its going to be a lot easier for
689 you to get on Staples Mill and take a right. You're going to go a lot faster.
690
691 Mrs. Dwyer - There's lights on Glenside and Staples Mill.
692
693 Mr. Wilton - Actually, they've got an accel lane that bypasses the light, doesn't it?
694 I think so.
695
696 Mrs. Dwyer - I'm trying to think. I'm not sure.
697
698 Mrs. O'Bannon - Is the entrance to the train station across from what's showing here as
699 Dublin Street? Is that exactly where it is?
700
701 Mr. Wilton - No ma'am. In the middle of the office area, right in the middle of
702 that section of the property on Staples Mill, there is a crossover.
703
704 Mrs. O'Bannon - In the middle of what you're showing us?
705
706 Mr. Wilton - Yes. We didn't show this, but I'll adjust that at the Board of
707 Supervisors. As far as the access road will come in right there.
708
709 Mrs. O'Bannon - I have a question on Page 8 of the proffers under the B-2C portion of
710 the property. No. 42 says, "Detached signage. Any detached signage shall be monumental in style
711 and shall not exceed 8 feet." What...?"
712
713 Mr. Wilton - I believe that's 8 feet.
714
715 Mrs. O'Bannon - Not 8 inches?
716
717 Mr. Wilton - It would be hard to see.
718
719 Mrs. Dwyer - Will you have a BMP on the property?
720

721 Mr. Wilton - There will be a BMP somewhere. Eight acres of the 27 acres I have
722 under contract is wetlands or will be mitigated or some feature we'll have to put in. There's some
723 drainage problems on the property. We will have to take care of that. It will take a lot of study as
724 far as our engineers are concerned, but, we are aware of it. It is a rather flat piece of property
725 anyway.
726

727 Mrs. Dwyer - One of staff's suggestions was that any stormwater facility will be
728 utilized as a water feature and that be proffered.
729

730 Mr. Wilton - Until we actually do the design, and spend the money for the total
731 engineering package, we're not going to know if we could have a BMP that would be a water
732 feature anyway. So, I can't answer that question until we actually go into design stage.
733

734 Mrs. Dwyer - You could commit to do it if it were possible.
735

736 Mr. Wilton - Certainly, if it was realistically possible. Yes ma'am.
737

738 Mr. Vanarsdall - CVS put theirs underground on the corner.
739

740 Mr. Wilton - Most of the commercial facilities; the one I'm in over on Dickens
741 Road, we did underground. At least part of the facility is going underground. But, you still are left
742 sometimes with a small feature above ground. Hopefully, residentially, we'll be able to pay a fee
743 soon, and we won't have to have a BMP.
744

745 Mr. Vanarsdall - All right, any more questions by Commission members? Mr.
746 Marlles, let me ask you a question?
747

748 Mr. Marlles - Yes sir.
749

750 Mr. Vanarsdall - That Tatum Boulevard is a paper street. It comes from Staples Mill
751 all the way back to the Hunt Club Apartments. Is it proper to; its not up to him to vacant that, is it?
752 It's not a part of his.
753

754 Mr. Marlles - He can request a vacation.
755

756 Mr. Vanarsdall - Will that just remain there forever?
757

758 Mr. Marlles - It'll remain there unless there is a request for a vacation if its public
759 right of way.
760

761 Mr. Wilton - I think some people are still using that road. Everybody I think
762 would have to vacate it. I don't know if everybody would want to. There are a number of property
763 owners.
764

765 Mr. Vanarsdall - I just wondered. Mr. Plotkin, do you want to come on over? How
766 are you doing?

767
768 Mr. James Plotkin - Mr. Chairman, members of the Commission, my name is James
769 Plotkin.
770
771 Mr. Vanarsdall - Nice to see you.
772
773 Mr. Plotkin - Nice to see you all. I just want to say, I think, as I've studied and
774 followed this case, it has grown and evolved in a very comprehensive manner. And I complement
775 the developer and the County staff on working together very productively to produce, what I think,
776 is a very solid case for rezoning. I do have some questions, some clarification of things that
777 occurred to me as I've been sitting here. And, one of them is regarding the signs.
778
779 I think along Staples Mill, most, if not all of the signs are internally illuminated, and I didn't see any
780 indication of whether the sign here – the monument-type sign would be internally illuminated or
781 externally illuminated? That's just a point for consideration.
782
783 The second point was the sidewalks that have already been addressed. I was confused about along
784 Staples Mill what would happen.
785
786 I'm not quite clear on how the office building portion of the property; what the setbacks would be
787 for the buildings in that parcel.
788
789 Buffer strip. I also have a question how we establish whether its 25, 35, 40, or 50 feet. I'm just not
790 sure to what standards or basis we're using to determine buffer widths. On Glenside, its 50 feet.
791 It's a wooded site. On Staples Mill, which is a more heavily traveled road, and where we also have
792 a wooded lot, I'm not sure what the distinguishing feature is as to why one is 50 and the other is 30
793 or 35 feet.
794
795 I'm also curious to know as to whether any comments or discussions were had about outparcel
796 development. My question would be, "Are we going to see a strip, a line up of maybe a child care
797 center, a bank, a doctor's office, and an office building?" I just don't know how that would work
798 out. We've talked about one user. We've talked about multiple users for one or more office
799 buildings. A number of those things were proffered out. The things that were not proffered out are
800 still potentially includable on the site. I'm not sure how it would unfold. So, I wanted to ask that
801 question.
802
803 And, finally, I guess to what standard would the landscaping be along Staples Mill Road? So, I just
804 submit those for consideration and verification possibly.
805
806 Mr. Vanarsdall - All right.
807
808 Mr. Plotkin - Again, I support the case. I'm up here just because I had the
809 questions, not because I oppose the case.
810
811 Mr. Vanarsdall - Anything else?
812

813 Mr. Plotkin - That's it.
814
815 Mr. Vanarsdall - Mr. Wilton, do you want to respond to this?
816
817 Mrs. Quesinberry - You have some opposition in the back.
818
819 Mr. Vanarsdall - Oh, okay. I'm sorry. Come on down.
820
821 Mr. Cornell Fraites - My name is Cornell Fraites. I am a resident in the area, actually,
822 right off of Bremner Boulevard. Tatum Boulevard actually is to the rear of property that I own also
823 in the back. It's really just a question or a request or whatever. But, we've attempted a couple of
824 times over the years back to build on that property in our back yard. Therefore, Tatum would have
825 to be the access really to that. I was told we'd be responsible to, I guess, pave that road or make that
826 accessible. I just want to submit, is there anyway to include--I heard him talking about not having
827 an access road. Is there any way to include Tatum as an access road, and allow, you know, other
828 separate roads to come into that in the different remarks he was discussing over here, if there was an
829 opportunity to use that?
830
831 Mrs. O'Bannon - So, you would be interested in using Tatum Road to access the office
832 and the assisted living?
833
834 Mr. Fraites - Correct. And then it would give me, right now, I am kind of
835 handicapped with a piece of property that I would not be able to develop on without the expense of
836 having to, you know, make that road myself. And there are some other things as far as sewer and
837 other stuff also in that area that I would have to do there too. There are several different residents
838 on that street, as well, that own property in the back. And they're handicapped with the same
839 situation, as well, not being able to profit from that land or build on that land or anything without
840 that road being opened up.
841
842 Mr. Marlles - Mr. Fraites, Tatum Road, the driveway is off the site. It's not in the
843 area that's the subject of this rezoning. So, the Commission could not require that road to be
844 improved as part of the access. If the applicant, Mr. Wilton, were to buy that property or that right
845 of way and, then, it could, perhaps, be used as access. It's not within the area that's being
846 considered for rezoning. So, our ability to require and to provide access there is limited.
847
848 Mr. Fraites - Okay.
849
850 Mr. Marlles - Have you talked, sir, though, to any representatives of the County's
851 Public Works Department about...?
852
853 Mr. Fraites - Yes. It's been a few years ago and I don't remember the details now.
854 But I did try a few years ago. At that time they said we could build back there, but as far as paving
855 that road, we would be responsible for paving. Right now, it is pretty much a dirt path.
856
857 Mr. Marlles - I'm not certain of this. Maybe Mr. Wilton is. Is it within a public
858 right of way or is it a private drive?

859
860 Mr. Fraites - I guess it is public. I'm not certain.
861
862 Mr. Marlles - I'm not sure. Do you know? It's public right of way.
863
864 Mr. Taylor - Are there residential lots along there, houses? Do they face Tatum
865 Boulevard, a dirt road, or is that the rear of...
866
867 Mr. Fraites - That is the rear.
868
869 Mr. Taylor - That's the rear?
870
871 Mr. Fraites - Yes. There was one that faced it, and CVS bought that particular
872 property out.
873
874 Mr. Vanarsdall - It fronts on Bremner Boulevard, Mr. Taylor.
875
876 Mr. Marlles - We could have staff check. We don't have a representative of the
877 Public Works Department here, tonight. Staff will check on the status of that road and find out if
878 the county has any plans to improve that road. If you would leave your name and number where we
879 can get in touch with you, we will follow up on that.
880
881 Mr. Vanarsdall - If you'll give that to Mr. Householder behind you. Your phone
882 number and address.
883
884 Mrs. O'Bannon - Can I ask a question about those properties? Are the properties, it is
885 Bremner Boulevard, do they go all the way through? Aren't those separated lots? They're intended
886 to be another part of a road or subdivision? This might be a question for staff.
887
888 Mr. Householder - My understanding is that people fronting on Bremner went ahead
889 and bought the lot behind them.
890
891 Mrs. O'Bannon - They did purchase the lot behind them?
892
893 Mr. Householder - But its sporadic throughout there. Not everyone owns all the way
894 back.
895
896 Mrs. O'Bannon - So, there are available lots back there? I should say, anybody. A
897 developer or individual could purchase one?
898
899 Mr. Householder - Yes.
900
901 Mrs. O'Bannon - The only way they could get out is where there is some type of right
902 of way. We call it a paper street.
903
904 Mr. Householder - It's a recorded subdivision.

905
906 Mrs. O'Bannon - So, there'd be some kind of right of way there they could, at least,
907 access their property. Okay.
908
909 Mrs. Dwyer - If Mr. Wilton accessed Tatum, then that would take care of the
910 access problem with going through a private residential area to get to an assisted living or going
911 through an office park to get to the assisted living, is that right, Mr. Householder?
912
913 Mr. Householder - That's right. That would be a way for him to access those the office
914 and the assisted living without disturbing RTH.
915
916 Mrs. O'Bannon - And I'm going to make the assumption that it would be difficult to
917 make a left turn at that road? I mean, nobody is here from Public Works. It's really close to it.
918 That's a signalized intersection up there, isn't it?
919
920 Mr. Householder - Just before there. At Bremner it is.
921
922 Mrs. O'Bannon - And, all you've got is the CVS Pharmacy there. That's pretty close,
923 actually, to that intersection. I don't remember if there's a median strip. Is there a median?
924
925 Mr. Householder - No. Not on Staples Mill. I wouldn't want to try and cross there.
926
927 Mrs. O'Bannon - Well, that's my question, exactly? Where is the entrance to the train
928 station across from this property, because I was trying to get a feel for how far it is from the
929 signalized intersection to get into the office property? I was just trying to get an idea. This would
930 be to access the property behind it, meaning the assisted living property. That's what I'm trying to
931 get a feel for.
932
933 Mr. Householder - This gives you an idea where the...(referring to slide).
934
935 Mrs. O'Bannon - Okay. It's right in the middle of that property.
936
937 Mr. Householder - There is a cement...
938
939 Mrs. O'Bannon - Is that a median? Okay. If you accessed it at the northern edge of
940 that property is where that road is going to be. You see that house right there is the one you were
941 talking about CVS Pharmacy took. And then back in there sporadically the properties are available
942 to purchase to develop. But, then to make a break in the median what you're talking about is going
943 through the office property to access splitting the office property in different sections to get to the
944 assisted living property behind it.
945
946 Mr. Householder - That's the impression we got about how they would develop it. As
947 we said, numerous times, without a layout, its really hard to conceptualize how this would work out.
948
949 Mrs. O'Bannon - Okay.
950

951 Mr. Archer - Excuse me, Mr. Householder. Lee, can you, on this demonstration,
952 point to where Taylor Boulevard, about where it is?
953
954 Mr. Householder - I'll have to change the screen (referring to slide). It's, basically,
955 running along the northern...
956
957 Mr. Archer - Okay.
958
959 Mr. Taylor - I think it's a trail. It's really a trail.
960
961 Mr. Householder - It can't be much, because you can't see it (referring to slide).
962
963 Mr. Archer - That's what I was going to say. I couldn't delineate it at all.
964
965 Mr. Householder - We went out there. There was a dirt road but it didn't seem like it
966 went very far. That's for sure.
967
968 Mr. Archer - Strange. Thank you.
969
970 Mr. Vanarsdall - All right, come on down.
971
972 Mr. Tony Leitos - Good evening, gentlemen. I'm not opposed to this project that we're
973 talking about. My name is Tony Leitos. I have the business directly across the – the restaurant. A
974 lot of my customers make a U-turn right where I've heard that this access to the property will be. Is
975 the gentleman willing to accommodate the State or whoever is responsible for to make a turn lane
976 for the property so it will not affect us across the street? We're using the same turn off as he is.
977 Having such a large project right there, plus the train station and our restaurant, I'm afraid it could
978 be very congested there and I'll be losing some of my business. I'm not opposing it. I just want to
979 clarification of how it is going to be right there; the train station, our restaurant and also the entrance
980 to this property that we're talking about.
981
982 Mr. Vanarsdall - You're talking about the turn lane?
983
984 Mr. Taylor - Maybe Mr. Householder can help you.
985
986 Mr. Leitos - (Referring to slide) We're here. In order to go south like downtown,
987 you have to go up and turn right where the AMTRAK is and come down. So, we do this. Right
988 here. Right in front of the AMTRAK. I wonder if he's willing to access some of the property to
989 make a widen the road, so it would be, you know, easier for all of us?
990
991 Mr. Householder - Let me clarify what I think he's saying. You have to come this way
992 and do a U-turn to come back here to get into his restaurant (referring to slide).
993
994 Mr. Leitos - To get to Staples Mill.
995
996 Mr. Householder - You have to come down here to do a U-turn (referring to slide).

997
998 Mr. Leitos - You've got to go north in the front of this property. Then you have
999 to turn right to go east.
1000
1001 Mr. Householder - And where would you suggest we put the turn lane?
1002
1003 Mr. Leitos - I'm suggesting has a turn lane for the property so, at least, two lanes
1004 there or a traffic light, or whatever.
1005
1006 Mrs. Quesinberry - I think he wants to stop the traffic coming out of the office parcel.
1007
1008 Mr. Householder - Okay.
1009
1010 Mrs. Quesinberry - Because he's actually on the side of Staples Mill Road where the
1011 train station is. He's right next to the train station, which is kind of tricky right in that area. So, if
1012 you leave his property, and you want to go back towards Glenside, you actually have to make a U-
1013 turn right at the train station right in front of the office property is what he's saying. It's pretty
1014 tricky there.
1015
1016 Mr. Householder - Okay.
1017
1018 Mr. Vanarsdall - Okay.
1019
1020 Mr. Leitos - I appreciate it if you take this under consideration.
1021
1022 Mr. Vanarsdall - That's something we'll look at. Thank you. Yes sir. Come on
1023 down.
1024
1025 Mr. Robert Hassel - My name is Robert Hassel. I have a residence at 4101 Bremner
1026 Boulevard. I own .9 of an acre. Can you put the original one up (referring to map). My property
1027 on the map is just to the, right here, and also the adjacent one.
1028
1029 Years ago, they wanted to put a mall area and an office complex. Finally, they gave up because, at
1030 that time, the County has no way to drain the water off their property. They suggested to store the
1031 water in pipes. Their final suggestion was, build the property up. Let the water run where it may,
1032 which would be on all adjacent properties. I haven't heard anything about putting irrigation line, for
1033 instance, around the property, with maybe gravel on top to catch all the surface water.
1034
1035 Lately, all my pine trees are falling down. I have photographs here. The front of my property is
1036 below street level. When they put the paved street through, Bremner Boulevard, they blocked the
1037 water flow. You have maybe about six inches of dirt and the rest is hard pan. And below that, to
1038 put the sewer in on Bremner Boulevard, they had to blast the thing through. I'd like to see the
1039 property being drained. That property is higher than mine. All that water will be coming into my
1040 property. When they built the CVS Store, it made the drainage a lot worse on me.
1041

1042 The pictures just shows what happens to pine trees when they get too much water. Pine trees don't
1043 want to get their feet wet. They just break right off at the bottom. I have about 15 trees lying on
1044 the ground. You can see some on the second picture on the left.

1045
1046 Also, Tatum Boulevard is a private owned path. And the person who owns it also owns what is
1047 called Balmore Avenue now. And the trouble about it, it's not a straight line as on the map. It
1048 curves towards the south. So, if they draw the line across there, a black streak anyway. The remedy
1049 for that would be to cut down fairly large trees and get rid of the loop. The loop was going to the
1050 chicken ranch owned by Tatum when it was all woods around there. Instead of making a right
1051 angle turn to get to their property, they kind of make a curve. It's easier to do, you know. So, the
1052 Tatum Boulevard now is actually a little beyond the property, which is under consideration. Tatum
1053 Boulevard, I have a 1947 deed, which shows the 25 feet wide all the way to the end. This is just
1054 like 12 feet and 25 feet on the map here.

1055
1056 But, there was a lot of opposition before, but this continued so many months. I was about the only
1057 one here who represented the owners around there. One time, at the last moment, you know, they
1058 came by in the morning. And, at a time they decided not to have the meeting in the afternoon you
1059 know, evening I mean.

1060
1061 The only thing concerns me is the water drainage. My property would be worth nothing. I'd have
1062 to see a lawyer now about I have this tree on the right hand side that just broke off and its over my
1063 property now. It's also resting against a tree on the left and by the (unintelligible) side. I probably
1064 have to get a tree man, actually, to brace up, you know, before they can cut the thing down.
1065 Otherwise, I'll lose all the bark on the tree. This development is all right. I hate to see my property
1066 to go down to nothing.

1067
1068 Also, on the map on top where you have residential (referring to slide), you have a double dotted
1069 line. That's where a little stream goes through where it rains a lot.

1070
1071 Mr. Vanarsdall - Where is that?

1072
1073 Mr. Hassel - I talked to the woman who owns the house there. She says
1074 sometimes she has to sweep the water from her door, which is, you know, on ground level. So, you
1075 have to consider, you know, how the perimeter of the property will hold the water in so it won't be
1076 running over on everybody else's property. Even CVS, they made them put a dike around the
1077 property when they built it. And I believe they cut right through the point where the water flows to
1078 the north and south. So, anyway, I got their water now.

1079
1080 Mrs. O'Bannon - Sir, one of the things you said was that since they built the CVS
1081 Store, your drainage is worse?

1082
1083 Mr. Hassel - It seems to be worse, yes. All of the little pine trees are dying.

1084
1085 Mrs. O'Bannon - I have a real concern about that, because with construction like that,
1086 they're supposed to maintain the water on the property, or keep the flow for what it was before it
1087 was developed.

1088
1089 Mr. Hassel - Planning said they could have knocked down that dike by now. It's
1090 just a temporary thing.
1091
1092 Mrs. O'Bannon - I don't know if the staff has any comment on that. I don't know if
1093 we have any staff here to comment on that, but it's not supposed to let that happen.
1094
1095 Mr. Hassel - When it gets passed my property, it goes on a little grade and half
1096 way down the grade is where the little stream goes through. So, the water is rushing down through
1097 there. Of course, I've got arthritis, but it's fairly steep, you know. If you start out the west side of
1098 the Park and Ride, there's a path going down. It gives me a little trouble going up and down it.
1099
1100 Also, near the (unintelligible) at Tatum Boulevard, there's a little hill. It's hilly there.
1101
1102 Mr. Vanarsdall - Mr. Marlles.
1103
1104 Mr. Marlles - Sure. Just to give you some basic information, I'm not from the
1105 Public Works Department. There are storm drain requirements that are required. Basically, what
1106 they do is stipulate that there can't be any more runoff after development of this site than occurs
1107 prior to development. Are you still having a problem from the drug store, or was that a temporary
1108 problem?
1109
1110 Mr. Hassel - No. It's still that way. I blame the drug store. It's the only thing that
1111 changed around there. Last January, a big storm, and my electricity went off for two days in my
1112 house. They actually piled dirt around the house to drain the water off, supposed to. But, I had
1113 about 8 inches of water in that house. I got my own pump. I had to pump it out to the street. The
1114 only way I could get rid of the water, I had to pump it down to the sewer to the street to the gutter of
1115 the street, you know.
1116
1117 Mr. Marlles - Have you contacted the Public Works Department and asked that
1118 staff come out and look at the situation?
1119
1120 Mr. Hassel - Well, it took four years for them to put a speed bump. They have a
1121 driveway on the edge of my property. All the water drains right down my driveway seen as it is
1122 lower. It took me four years to do anything about that. They finally put like a little; make like a
1123 little speed bump across it so the water go down the channel. It's still almost perfect flat ground
1124 though. But, when I pump the water out, the people down towards Staples Mills, it backs up on
1125 their property, because they're all flat.
1126
1127 Mr. Vanarsdall - Mr. Hassel.
1128
1129 Mr. Hassel - Yes sir.
1130
1131 Mr. Vanarsdall - Would you give your name, address, and phone number of Mr.
1132 Householder, and we'll get Public Works out there to look at it.
1133

1134 Mr. Hassel - Thank you.
1135
1136 Mr. Vanarsdall - And be glad to. I appreciate your input tonight on it.
1137
1138 Mr. Hassel - Thank you for letting me say my peace.
1139
1140 Mr. Vanarsdall - Thank you. Mr. Wilton.
1141
1142 Mr. Wilton - Yes sir. I can answer a lot of those questions. But, quite frankly,
1143 after listening to some of the comments on access points, I thought it might be good that maybe
1144 request a deferral. And go back and just maybe take another look at an access point for the
1145 townhouses. I'm not planning on building Tatum Road, I'll tell you that. But, I mean, as far as
1146 building part of it, part of it getting out there along the access point, that actually does make sense to
1147 me.
1148
1149 Mr. Vanarsdall - I think that would be a very good suggestion.
1150
1151 Mr. Wilton - Sir, if I could, the next meeting is January 11th. I, hopefully, will be
1152 happy to be here.
1153
1154 Mr. Vanarsdall - All right, so you want to defer it to January 11th? All right. Thank
1155 you everyone who came.
1156
1157 Mrs. Dwyer - We need to vote on the deferral?
1158
1159 Mr. Vanarsdall - I was just thanking him before he got out the door.
1160
1161 Mrs. Dwyer - I thought you were ending the meeting.
1162
1163 Mr. Vanarsdall - I move that C-53C-00 Hank Wilton be deferred until January 11,
1164 2001 at the applicant's request.
1165
1166 Mrs. Quesinberry seconded the motion.
1167
1168 Mr. Vanarsdall - Motion made by Mr. Vanarsdall, seconded by Mrs. Quesinberry. All
1169 those in favor say aye—all those opposed by saying nay. The vote is 5-0 (Mrs. O'Bannon
1170 abstained). Jimmy, thank you for coming out, also.
1171
1172 **RESOLUTION:** The Young Property Park Site
1173 Substantially in Accord with the County of Henrico Comprehensive Plan.
1174
1175 All testimony heard under **Resolution:** Initiation of a Major Thoroughfare Amendment – A portion
1176 of Connecticut Avenue between Telegraph Road and Brook Road.
1177

1178 Mr. Marlles - Mr. Chairman, we have two items left on the agenda. I believe Mrs.
1179 Hunter will be giving those presentations. The first is a consideration of a Substantially in Accord
1180 with the County of Henrico Comprehensive Plan for the Young Property Park site.

1181
1182 The other resolution involves the **Resolution:** Initiation of a Major Thoroughfare Amendment – A
1183 portion of Connecticut Avenue. I'm sure Mrs. Hunter will be brief in her presentations.

1184
1185 Mrs. Hunter - I'll be even briefer if you'd like.

1186
1187 Mr. Vanarsdall - One thing about this property, it will never be old. Go ahead, Mrs.
1188 Hunter.

1189
1190 Mrs. Hunter - The proposed site is located in the Fairfield District in close
1191 proximity to Montezuma Gardens to the north and Central Gardens here (referring to slide) to the
1192 south. The site is approximately 25 acres, currently zoned R-3. The proposed property would be
1193 utilized as a community park with a mixture of active and passive recreational uses.

1194
1195 The Hidden Creek Park is located here (referring to slide). It's just recently had a new recreation
1196 center built. And, we believe this park site could be a good complement to this area. Staff has
1197 determined that this site is substantially in accord with the Comprehensive Plan, because it is
1198 suitable in terms of its zoning, topography, and use. The proposed facility can be designed to be
1199 compatible with adjacent and existing and proposed land uses. And, the proposed site will further
1200 the goals and objectives, and policies of the Plan.

1201
1202 Staff recommends that the Commission find this request to be substantially in accord with the
1203 Comprehensive Plan.

1204
1205 Mr. Vanarsdall - Any questions for Mrs. Hunter? No questions.

1206
1207 Mr. Archer - Mrs. Hunter, let me ask one question. Will this site actually abut
1208 Hidden Creek?

1209
1210 Mrs. Hunter - You can take a look on this map (referring to slide). There is
1211 actually a Virginia Power easement here.

1212
1213 Mr. Archer - Yes. I know where that is.

1214
1215 Mrs. Hunter - That runs through and would separate it. This is the Hidden Creek
1216 Recreation Center here. The common access comes from here and the community center is here.
1217 The site will predominantly have access here (all referring to slide). There'll be pedestrian access
1218 through Hidden Creek.

1219
1220 The Parks and Recreation Department is working diligently with Virginia Power to be able to
1221 possibly utilize the Virginia Power Easement for access and parking. This is the school site up here
1222 (referring to slide), so they could come in here behind that for another access point to the park.

1223

1224 Mr. Archer - So, that's Elkridge Lane, I believe, isn't it in the, I guess, it is the
1225 northwest quadrant of that park?
1226

1227 Mrs. Hunter - This one (referring to slide)?
1228

1229 Mr. Archer - No. Go up a little bit further. In the blackened area up toward the
1230 top. Right there, okay. In that elbow. I think that's Elkridge, is it not? I believe it is. It runs off of
1231 Binford Lane. Okay. That would be the major access at that point?
1232

1233 Mrs. Hunter - Yes sir.
1234

1235 Mr. Archer - And I believe Montezuma Lane is an unimproved whatever it is?
1236

1237 Mrs. Hunter - I can show you a little bit better.
1238

1239 Mr. Archer - Okay. All right. There are townhouses up in there.
1240

1241 Mr. Vanarsdall - Any more questions? If there are no more questions, we'll entertain
1242 a motion, Mr. Archer.
1243

1244 Mr. Archer - All right, Mr. Chairman.
1245

1246 Mr. Vanarsdall - If you so desire.
1247

1248 Mr. Archer - I move that the Resolution: Young Property Site substantially in
1249 accord with the Comprehensive Plan be recommended.
1250

1251 Mrs. Quesinberry seconded the motion.
1252

1253 Mr. Vanarsdall - Motion made by Mr. Archer, seconded by Mrs. Quesinberry. All
1254 those in favor say aye—all those opposed by saying nay. The vote is 5-0 (Mrs. O'Bannon
1255 abstained). Thank you. We have one other item, Mr. Secretary.
1256

1257 **RESOLUTION:** Initiation of a Major Thoroughfare Amendment – A portion of Connecticut
1258 Avenue between Telegraph Road and Brook Road.
1259

1260 Mr. Marlles - Mrs. Hunter.
1261

1262 Mrs. Hunter - This is a resolution, as found in your packet, requesting staff to take a
1263 look at the possible elimination of Connecticut between Brook Road and Telegraph Road. This has
1264 been requested by the Board member in the Fairfield District, due to the changing development of
1265 the area, and the zoning. It was originally proposed for a much higher industrial uses. The general
1266 area is being developed for residences. And, there's also been significant changes to the
1267 development of Brook Road in that area. This is a resolution asking for your permission to study
1268 this and advertise a public hearing for January 11th on this request.
1269

1270 Mr. Archer - Mrs. Hunter, am I to understand, what we're undertaking to do
1271 tonight is just to study this to see if it is feasible?
1272

1273 Mrs. Hunter - We would study it to see if its appropriate; get comments from
1274 different agencies and see if this road, whether it should stay on the Major Thoroughfare Plan or
1275 not.
1276

1277 Mr. Archer - Okay. One thing that I would like to see, as being a part of the study,
1278 is the fact that, if you look at the amount of development that has occurred along Telegraph Road,
1279 and with Route 1 now being widened to six lanes, I believe, from I guess Concord or somewhere
1280 like that all the way down to Connecticut, there is no traffic signal. And, one of the concerns about
1281 removing this, there is a traffic signal at Connecticut.
1282

1283 Mrs. Hunter - Right.
1284

1285 Mr. Archer - But, it doesn't go all the way across. It comes down by the State
1286 Police Station, and then you can turn left or right onto Route 1.
1287

1288 Mr. Vanarsdall - Where is the traffic signal?
1289

1290 Mr. Archer - At Connecticut and Brook Road.
1291

1292 Mrs. Hunter - The traffic signal is located right here. This is the State Police
1293 Headquarters (referring to slide).
1294

1295 Mr. Vanarsdall - Okay.
1296

1297 Mr. Archer - You know, I was assuming that one of the reasons, if any, that we
1298 would want to leave Connecticut on is to give the folks that would have to travel from the other side
1299 of Telegraph Road an opportunity to be able to come out at a signal, and have a way to turn safely
1300 left or right that you don't have now coming down either one of the state streets, Georgia,
1301 Maryland, or Virginia.
1302

1303 Mrs. Hunter - Right.
1304

1305 Mr. Archer - None of those streets have lights. You know, with the tremendous
1306 amount of increase that has been provided by Ayers Tavern, Telegraph Woods, Telegraph Run, and
1307 Telegraph Station, again, I'd just like to see it made a part of that study.
1308

1309 Mrs. Hunter - We'll be sure to include that.
1310

1311 Mr. Archer - Because if that street were cut through, it does give you an
1312 opportunity to be able to come out to a light.
1313

1314 Mrs. Hunter - Right.
1315

1316 Mr. Archer - Because, other than that, its awful tough trying to turn left and go
1317 back toward town coming out any of those side streets.
1318
1319 Mrs. Hunter - It sure is.
1320
1321 Mr. Archer - I just think its something we need to take into consideration when we
1322 do the study.
1323
1324 Mrs. O'Bannon - This is just a general question. I drove back in there when these were
1325 coming up for rezoning. How much of that has actually been developed at this point, all of those
1326 subdivisions that were along...
1327
1328 Mr. Archer - All of it, I believe. I haven't been back in there in about six months
1329 or so.
1330
1331 Mrs. O'Bannon - That's what I mean. It's been more than a year since I've been there.
1332
1333 Mrs. Hunter - Most of these, I'd say, are more than 70 percent developed.
1334
1335 Mrs. O'Bannon - I only ask that, because is it possible, to do a traffic study? I mean, if
1336 they're fairly well; its pretty much finished developing. Would that be something that's feasible
1337 to...And I'm not even sure how to do it. I think it would address the issues. It's pretty much what
1338 Mr. Archer was saying. If it's almost finished developing, then they could get a fairly accurate
1339 count. That's why I asked that. When I drove back in there as they were being rezoned, as they
1340 were beginning to be developed, there are a lot of houses. I just didn't know how far along it was.
1341
1342 Mr. Archer - Right now, I just can't recall, as many time as I've been there, what
1343 the topography looks like on the other side of Brook Road from Connecticut Avenue that exists
1344 now. You know, even if we were to do this, it might be feasible then, to have another signalized
1345 intersection, at some point, if we eliminate this possibility.
1346
1347 Mrs. Hunter - Somewhere else in the corridor?
1348
1349 Mr. Archer - Yes.
1350
1351 Mrs. Hunter - Those are all factors that we would take a look at with the study, and
1352 bring back during the public hearing on the 11th.
1353
1354 Mr. Archer - Okay.
1355
1356 Mr. Vanarsdall - You're going to get it as quick as the 11th?
1357
1358 Mrs. Hunter - That's what we're asking for. If the Commission is not comfortable
1359 with that, we can take a look at a different schedule.
1360

1361 Mrs. O'Bannon - I think one of the things you're probably thinking about, too, Mr.
1362 Archer, is, if there were another signal, the other ones are, obviously, houses along those streets.
1363 This one doesn't have the houses yet.

1364
1365 Mr. Archer - Yet. That's right.

1366
1367 Mrs. O'Bannon - Drawing traffic to where the signalized intersection were currently. I
1368 think Virginia Avenue, obviously, looks like another location. But, you've got houses all along
1369 there. And, I know it's not a real wide street. It's something to handle the traffic. I think the traffic
1370 study would be appropriate.

1371
1372 Mr. Archer - I think, if my memory serves me correct, I've met with someone
1373 within the past year about a property that exists up here that's kind of landlocked. It can't, I guess,
1374 reasonably be sold, because of the fact that the proposed Connecticut Avenue does exist. I think
1375 that may have been the genesis of this. I've met with somebody and talked about it. It's been
1376 awhile. You know, certainly, I don't want to deprive anybody to waste their property. But, at the
1377 same time, I think we need to address their concern about traffic flow, particularly, in light of some
1378 of the things that have been occurring recently with accidents.

1379
1380 Mrs. Hunter - This is what it currently looks like, Mr. Archer. The property here
1381 that is separated by Connecticut Avenue, the northern portion is very narrow, a wider area here
1382 There's currently a subdivision here that has a conditional subdivision stubbed into this road (all
1383 referring to slide).

1384
1385 If the road was eliminated, what would be more than likely what would happen with this, it would
1386 then be cul-de-saced like that (referring to slide). So, you're correct. There is a piece of property
1387 there that is impacted by this roadway.

1388
1389 Mrs. O'Bannon - Point, if you did that, you'd have that many more cars going over to,
1390 at least, what, New York Avenue, and exit the subdivision. It looks to me like they really do need a
1391 traffic study, on general principles.

1392
1393 Mr. Archer - Well, then, I suppose, the best way to find out is to do the resolution.

1394
1395 Mr. Vanarsdall - Let them go after it.

1396
1397 Mr. Archer - Then I move approval of the resolution to do the study.

1398
1399 Mr. Taylor seconded the motion.

1400
1401 Mr. Vanarsdall - Motion made by Mr. Archer, seconded by Mr. Taylor. All those in
1402 favor say aye—all those opposed by saying nay. The vote is 5-0 (Mrs. O'Bannon abstained). Mr.
1403 Marlles, do you have anything else on the agenda?

1404
1405 Mr. Marlles - There is nothing else on the agenda.

1406

1407 Mr. Vanarsdall - I wondered if you wanted to mention about the APA in New
1408 Orleans?

1409
1410 Mr. Marlles - Sure. I'd be glad to mention that. I think what Mr. Vanarsdall is
1411 referring to is, I think it's been maybe a month or two ago, we did send a notification out to the
1412 members of the Commission that were interested in attending the National APA Conference in New
1413 Orleans on March 10th through the 13th. In case you haven't already made your reservations, you
1414 might want to do that.

1415
1416 This is the first year that they're allowing reservations at the hotels to be made over the internet. I
1417 can tell you, just from recently being contacted with the web page, especially the main conference
1418 hotel, is almost filled now. So, you know, you may still be able to squeeze in under the wire. But,
1419 the point is, if you're planning on going, you need to go ahead and make your hotel reservations,
1420 because that space is filling up very quickly.

1421
1422 Mr. Archer - An enterprising person could just reserve a whole block of rooms.

1423
1424 Mr. Marlles - They could, Mr. Archer.

1425
1426 Mr. Vanarsdall - If there is not further business then, we need a motion to adjourn.

1427
1428 There being no further business, acting on a motion by Mrs. Dwyer, seconded by Mr. Archer, the
1429 Planning Commission adjourned its meeting at 9:45 p.m. on December 7, 2000.

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Ernest B. Vanarsdall, C.P.C., Chairman

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John R. Marlles, AICP, Secretary

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1441 **Last revised January 29, 2001.**