

1 **Minutes of the regular monthly meeting of the Planning Commission of Henrico**
2 **County held in the County Administration Building in the Government Center at**
3 **Parham and Hungary Spring Roads, beginning at 7:00 p.m., Thursday, December**
4 **9, 2021. Display Notice having been published in the Richmond *Times-Dispatch* on**
5 **November 22, 2021 and November 29, 2021.**
6
7

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

18 **Also Present:** Mr. Terrell Hughes, Director, Public Works
19 Mr. Jeff Farmer, Deputy Chief, Fire
20 Ms. Jean Moore, Assistant Director
21 Ms. Rosemary D. Deemer, AICP, County Planner
22 Mr. Livingston Lewis, County Planner
23 Mr. Seth Humphreys, County Planner
24 Mrs. Lisa Blankinship, County Planner
25 Mr. Mike Morris, County Planner
26 Mr. Justin Briggs, Henrico County Public Schools
27 Mr. John Cejka, Traffic Engineer, Public Works *
28 Mr. Billy Moffett, Police *
29

30 * (Virtually)
31

32 **Mrs. Patricia S. O'Bannon, the Board of Supervisors' representative, abstains on**
33 **all cases unless otherwise noted.**
34

35 Mr. Mackey - This is the December 9th, 2021 Planning Commission
36 Rezoning meeting for Henrico County. At this time, if you don't mind, would you please
37 turn off or silence your cell phones, so they don't be a disruption. And all who are able,
38 would you please stand with the Commission and join us in the pledge of allegiance?
39

40 [Recitation of the Pledge of Allegiance]
41

42 Thank you. Do we have anyone from the news media in attendance tonight? I don't see
43 anyone.
44

45 At this time, I'd like to take a moment to welcome everyone again and welcome Ms.
46 Patricia O'Bannon. She's serving with us this year. Seated here from the Board of
47 Supervisors, their representative. Thank you, Mrs. O'Bannon. Pleasure to have you.

48 We appear to have a quorum. All the commissioners are here so we can conduct
49 business. So, at this time I will turn the meeting over to our Planning Director, Mr. Joe
50 Emerson.

51
52 Mr. Emerson - Thank you, Mr. Chairman. I will join with the chairman in
53 welcoming everyone to the meeting this evening. It is the Planning Commission's public
54 hearing for December 9, 2021.

55
56 Please be advised, Henrico County has implemented a mask policy for all employees and
57 visitors in county facilities regardless of vaccination status. If you need a mask, we have
58 those available in the lobby. We ask that you continue to practice all safety protocols for
59 COVID-19. Thank you for your cooperation.

60
61 Public comments this evening will be given from the lectern located in the rear of the
62 room. For everyone who is watching on the livestream on the county website, you can
63 participate remotely in these public hearings. First, you need to go to the Planning
64 Department's meeting webpage at henrico.us/planning/meetings. Scroll down under
65 Planning Commission and click on Webex Event.

66
67 Once you have joined the Webex event, please click on the chat button in the bottom-
68 right corner of the screen. Staff will send a message asking if anyone would like to sign
69 up and speak on an upcoming case. To respond, I believe tonight you would select Mike
70 Morris from the dropdown menu and send a message. And if we could get on this screen
71 the instructions to participate for those who are watching from the Webex. These
72 instructions are also noted on this webpage, or on this slide in front of you.

73
74 The Commission does have guidelines for its public hearings. The applicant is allowed
75 10 minutes to present the request. Time may be reserved for responses to testimony.
76 The opposition is allowed a cumulative 10 minutes to present its concerns. Commission
77 questions do not count into the time limits. The Commission may waive the time limits at
78 its discretion and comments must be directly related to the case under consideration.

79
80 Thank you again for your participation and interest this evening. Mr. Chairman, with that
81 said, we'll move on to the first item on the agenda which are the requests for withdrawals
82 and deferrals. And those will be presented this evening by Ms. Jean Moore.

83
84 Mr. Mackey - All right.

85
86 Ms. Moore - Thank you. First of all, we have no withdrawn cases. So, the
87 next item is request for deferrals. And the first is on page 2 of your agenda in the
88 Brookland District. It is case REZ2021-00041 Laurel Land, LLC.

89
90 **REZ2021-00041 Andrew M. Condlin for Laurel Land, LLC:** Request to
91 conditionally rezone from R-2 One-Family Residence District and [R-6C] General
92 Residence District (Conditional) to R-6C General Residence District (Conditional) Parcels
93 767-760-8701, 768-759-3393, and 768-760-1507 containing 5.30 acres located at the

94 northeast intersection of Hungary Spring and Hungary Roads. The applicant proposes
95 townhomes and condominiums. The R-6 District allows a maximum gross density of 19.8
96 units per acre. The use will be controlled by zoning ordinance regulations and proffered
97 conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density
98 should not exceed 3.4 units per acre.
99

100 Mr. Mackey - All right; thank you, Ms. Moore. Is there anyone in attendance
101 or via Webex that's in opposition of the deferral requested by the applicant to the January
102 13th meeting of 2022?
103

104 Ms. Deemer - We have no one on Webex for this case.
105

106 Mr. Mackey - All right; and no one in attendance.
107

108 Mr. Witte - Mr. Chairman, I move that REZ2021-00041 Laurel Land, LLC
109 be deferred to the January 13, 2022 meeting at the request of the applicant.
110

111 Mr. Baka - I second.
112

113 Mr. Mackey - All right; thank you. We have a motion to re -- to approve the
114 deferral by Mr. Witte, a second by Mr. Baka. All in favor say aye.
115

116 The Commission - Aye.
117

118 Mr. Mackey - Any opposed? The motion is carried.
119

120 Ms. Moore - Next, moving on to page 3 of your agenda in the Three Chopt
121 District, this is case -- Provisional Use Permit PUP2021-00025 SKM, LLC. This is a
122 request for
123

124 **PUP2021-00025 Andrew M. Condlin for SKM, LLC:** Request for a Provisional
125 Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to
126 allow commercial uses and zoning modifications as part of a master-planned
127 development on Parcels 733-764-9576 and 733-765-4819 located at the northwest
128 intersection of W. Broad Street (U.S. Route 250) and N. Gayton Road. The existing zoning
129 is A-1 Agricultural District. R-6C General Residence District (Conditional) zoning is
130 proposed with REZ2022- 00003. The 2026 Comprehensive Plan recommends Urban
131 Mixed-Use and Environmental Protection Area. The site is in the West Broad Street
132 Overlay District.
133

134 Mr. Mackey - All right; is there anyone in attendance or via Webex that's in
135 opposition of the granting of the deferral requested by the applicant to the January 13,
136 2022 meeting?
137

138 Ms. Deemer - We have no one on Webex for this case.
139

140 Mr. Mackey - And no one in attendance.
141
142 Mrs. Thornton - Mr. Chairman, I move that PUP2021-00025 SKM, LLC be
143 deferred to the January 13, 2020 -- 2022 meeting at the request of the applicant.
144
145 Mr. Witte - Second.
146
147 Mr. Mackey - All right; we have a motion by Mrs. Thornton and a second by
148 Mr. Witte to grant he deferral. All in favor say aye.
149
150 The Commission - Aye.
151
152 Mr. Mackey - Any opposed? Motion is granted.
153
154 Ms. Moore - And, members of the Planning Commission, that is all the
155 deferral requests that I have received.
156
157 Mr. Mackey - All right; thank you, Ms. Moore.
158
159 Mr. Emerson - Mr. Chairman, unless the Commission has additional
160 deferrals at this time, we'll move on to the next item which are requests for expedited
161 items. We have one of those this evening and it will also be presented by Ms. Moore.
162
163 Ms. Moore - Thank you. This is on page 1 of your agenda. It's in the
164 Tuckahoe District. It is Provisional Use Permit, PUP2021-00023. The applicant is Jillian
165 A. Bates for JP Morgan Chase.
166
167 **PUP2021-00023 Jillian A. Bates for JP Morgan Chase:** Request for a
168 Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County
169 Code to allow an automated teller machine on part of Parcel 768-742-8126 located on
170 the south line of W. Broad Street (U.S. Route 250) approximately 500' west of its
171 intersection with Horsepen Road. The existing zoning is B-2 Business District. The 2026
172 Comprehensive Plan recommends Commercial Arterial and Environmental Protection
173 Area. The site is in the Enterprise Zone.
174
175 Staff is supporting the expedited and we have no known opposition to this case.
176
177 Mr. Mackey - All right; thank you, Ms. Moore. Is there anyone in attendance
178 or via Webex that's in opposition of the expedited approval of PUP2021-00023 Jillian A.
179 Bates for JP Morgan Chase?
180
181 Ms. Deemer - We have no one on Webex for this case.
182
183 Mr. Mackey - And no one in attendance.
184

185 Mr. Baka - Mr. Chairman, I move that we recommend approval of
186 Provisional Use Permit PUP2021-00023 JP Morgan Chase with the recommended
187 conditions listed in the staff report.

188
189 Mrs. Thornton - Second.
190
191 Mr. Mackey - All right; we have a motion by Mr. Baka, a second by Ms.
192 Thornton, all in favor say aye.

193
194 The Commission - Aye.
195
196 Mr. Mackey - Any opposed? Motion is granted.

197
198 **REASON:** Acting on a motion by Mr. Baka, seconded by Mrs. Thornton,
199 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
200 Supervisors **grant** the request because it is reasonable in the light of the surrounding
201 uses and existing zoning on the property.

202
203 Mr. Emerson - Mr. Chairman, that completes those two items for this
204 evening. We now move into your regular agenda on page 1 for REZ2021-00064 Isaac
205 Babu and Bibin Mariadhason. The staff report will be presented by Mr. Livingston Lewis.

206
207 **REZ2021-00064 Isaac Babu and Bibin Mariadhason:** Request to rezone
208 from O-2C Office District (Conditional) to R-2AC One-Family Residence District
209 (Conditional) Parcels 750-753-8915 and 750-753-9321 containing .53 acres located on
210 the east line of Pemberton Road (State Route 157) approximately 190' south of its
211 intersection with Three Chopt Road. The applicant proposes two one-family dwellings.
212 The use will be controlled by zoning ordinance regulations and proffered conditions. The
213 2026 Comprehensive Plan recommends Suburban Residential 2, density should not
214 exceed 3.4 units per acre.

215
216 Mr. Mackey - Thank you, sir. Is there anyone in attendance or via Webex
217 that's in opposition to REZ2021-00065 Isaac Babu and Bibin Mariadhason?

218
219 Ms. Deemer - We have no one on Webex for this case.

220
221 Mr. Mackey - All right; and no one in attendance; Mr. Lewis.

222
223 Mr. Lewis - Good evening, Mr. Chairman, members of the Commission.
224 This is a request to rezone two lots to R-2AC in order to construct two single-family homes
225 just south of the Pemberton Road, Three Chopt Road intersection. The parcels are part
226 of the Pembroke Subdivision and were previously rezoned for office in 1988, but never
227 developed.

228
229 The 2026 Comprehensive Plan recommends the site for Suburban Residential 2, which
30 is consistent with the surrounding subdivisions and the subject request. As shown on the

231 original subdivision plat from 1953 the two parcels are each approximately 75 feet wide
232 and 150 feet deep. Comparable to many others nearby.

233
234 This is smaller than the current R-2A lot requirements in the zoning code, but if the request
235 were granted, homes could be developed under the pre-1960 exception standards similar
236 to the lots to the south on Pemberton.

237
238 To ensure various quality standards and consistency with surrounding development the
239 applicant has proffered this architectural elevation and committed to the following as
240 shown on the revised proffers distributed this evening. No modular or mobile homes.
241 Homes a minimum of 1,900 square feet in size, front-yard setbacks a minimum of 55 feet,
242 crawl-space foundations with exterior brick, hard-surface driveways, and hours of
243 construction limited to Monday through Friday 7:00a to 7:00p and Saturdays 8:00a to
244 5:00p.

245
246 Earlier this year, the applicant began cutting trees and moving dirt in preparation for
247 selling the lots but did not have the proper permitting in place. Efforts to clear debris and
248 install necessary erosion and sediment control measures had stalled, but significant
249 progress has recently been made and a meeting was held on site earlier today to discuss
250 what still needs to be done. Apart from these issues, staff believes the proposed use
251 would be compatible with other residential infill development in the area and would be
252 consistent with the Comprehensive Plan. Therefore, staff supports the request.

253
254 This concludes the presentation. I'm happy to answer any questions and time limits would
255 need to be waived for the proffers.

256
257 Mr. Mackey - All right; thank you, Mr. Lewis. Does anyone have any
258 questions for Mr. Lewis?

259
260 Mr. Baka - No questions for Mr. Lewis.

261
262 Mr. Mackey - Okay; How would you like to proceed, sir?

263
264 Mr. Baka - I'd like to ask if the Planning Commission has any questions
265 for the applicant. I have -- I have no further questions for the applicant. We had a
266 successful meeting on site today. So, I just wanted to offer that opportunity if anyone
267 does.

268
269 I would add a couple comments. This use -- the proposed use and the development
270 standards listed by the staff would be consistent with the other homes that are there
271 fronting on Pemberton Road already. Secondly, the Comprehensive Plan recommends
272 SR2 residential -- residential development. It's been zoned for office for years - no office
273 has materialized. And, lastly, I want to thank the staff -- Planning Staff and Community
274 Maintenance staff and Public Works also for a successful meeting on site. This applicant
275 made considerable progress remedying erosion sediment control issues and debris
276 issues or site.

277
278 Mr. Chairman, unless there's any questions, I would move that we grant a waiver of time
279 limits and accept the proffers dated December 9, 2021 for REZ2021-00064 Isaac Babu
280 and Bibin Mariadhason.
281
282 Mr. Mackey - Second. All right; we have a motion by Mr. Baka, a second
283 by Mr. Mackey, to waive the time limits. All in favor say aye.
284
285 The Commission - Aye.
286
287 Mr. Mackey - Any opposed? The motion is granted.
288
289 Mrs. Thornton - You make a motion?
290
291 Mr. Mackey - You've got to make a motion. That was just for the time limits.
292
293 Mrs. Thornton - That's for the time limits. You have to make a motion.
294
295 Mr. Mackey - Greg, you've got to make a motion. That was just for the time
296 limits.
297
298 Mrs. Thornton - That's for the time limits.
299
300 Mr. Baka - I'm sorry. I thought I had worded the motion to include both
301 and move --
302
303 Mr. Emerson - Normally you do it separately. I just --
304
305 Mr. Mackey - Yeah. We have to have a -- have it separate.
306
307 Mr. Baka - All right. Why don't I do -- let's do a separate one. Mr.
308 Chairman, I would move that we accept the proffers dated December 9, 2021 for
309 REZ2021-00064 Isaac Babu and Bibin Mariadhason.
310
311 Mrs. Thornton - Second.
312
313 Mr. Mackey - All right. We have a motion by Mr. Baka. A second by Ms.
314 Thornton. All in favor say aye.
315
316 The Commission - Aye.
317
318 Mr. Mackey - Any opposed? All right. The motion is granted.
319
320 **REASON:** Acting on a motion by Mr. Baka, seconded by Mrs. Thornton,
321 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
322 Supervisors grant the request because it is appropriate residential zoning at this location
323 and is reflective of the type of residential growth in the area.

324
325 Mr. Emerson - Mr. Chairman, we now move on to the next case. Also on
326 page 1. REZ2021-00065 Andrew M. Condlin for RJM Land, LLC. The staff report will be
327 presented by Mr. Seth Humphreys.

328
329 **REZ2021-00065 Andrew M. Condlin for RJM Land, LLC:** Request to
330 conditionally rezone from A-1 Agricultural District and R-5AC General Residence District
331 (Conditional) to R-5AC General Residence District (Conditional) Parcels 775-767-0496, -
332 7623, -9166, 775-768-0741, -3432, and -6111 containing 30.45 acres located on the north
333 line of Mountain Road approximately 400' west of its intersection with Woodman Road.
334 The applicant proposes detached, single-family dwellings. The R-5A District allows a
335 density of 6 units per acre. The use will be controlled by zoning ordinance regulations and
336 proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential
337 1, density should not exceed 2.4 units per acre and Environmental Protection Area.

338
339 Mr. Mackey - All right; thank you, sir. Is there -- is there anyone in
340 attendance or via Webex that's in opposition of REZ2021-00054 RJM Land, LLC?

341
342 Ms. Deemer - We have no one on Webex for this case.

343
344 Mr. Mackey - No one in attendance.

345
346 Mr. Humphreys - Good evening, Mr. Chairman, members of the Commission.

347
348 The Commission - Good evening.

349
350 Mr. Humphreys - This request would modify the recent approval of REZ2021-
351 00003, which was approved earlier this year, for a portion of the site zoned R-5AC, which
352 is the majority of the site shown here. The applicant has now gained control of an
353 additional parcel and requests to incorporate it into the proposed development. An
354 additional parcel is shown here as the A-1 parcel on the map -- within the red line.

355
356 The subject site now consists of six parcels totaling 30.477 acres. The parcel adjacent
357 to Mountain Road is the former Miles Greenhouse property. The remaining parcels are
358 located to the north and west of this parcel and are accessed by Claytor Country Lane.

359
360 The properties are bordered to the north by I-295. A single residential parcel is located
361 to the east. And several additional acreage parcels are located to the south and east. To
362 the west are the Laurel West and Mountain Woods subdivisions which are zoned R-2A
363 and R-2AC respectively.

364
365 The submitted proffers are almost identical to those accepted with REZ2021-00003 and
366 address typical items for similar developments. While the proffered commitments are
367 similar for this request, the applicant does propose to reduce the maximum number of
368 units allowed.

369

370 The previous request proffered a maximum of 79 units if a second point of access was
371 developed. This request would limit the overall development on these six parcels to just
372 50 lots regardless of if a second point of access is eventually developed.
373

374 With the inclusion of the six parcels this would result in an equivalent density of 1.6 units
375 per acre, which is less than the 2.7 units per acre approved with the previous request.
376 The proffered conceptual plan shows only one point of access on Mountain Road.
377 Because the request is now limited to 50 units, this will be the only entrance required.
378 They could eventually develop another entrance through this portion, but it is not required
379 if they just develop the 50 lots. Additionally, the proffers prohibit any additional points of
380 access from exiting through adjacent developments. So, no access here or here.
381

382 The Comprehensive Plan recommends Suburban Residential 1 with a recommended
383 maximum density of 2.4 units per acre and Environmental Protection Area uses for the
384 site. With detached homes and an overall density of 1.6 units per acre the requested use
385 is consistent with the Comprehensive Plan. Additionally, the applicant has provided
386 similar proffers to those approved with the previous request on the property to ensure a
387 consistent level of quality and impact mitigation. For these reasons, staff recommends
388 approval of this request.
389

390 Mr. Mackey - All right; thank you, sir.

391
392 Mr. Humphreys - I'd be happy to answer any questions.

393
394 Mr. Mackey - Does anyone on the Commission have any questions for Mr.
395 Humphreys? Okay. How would you like to proceed, Mr. Archer?

396
397 Mr. Archer - There was no opposition was there?

398
399 Mr. Mackey - No, sir.

400
401 Mr. Archer - Okay.

402
403 Mr. Humphreys - Not that we're aware of. Only inquisitive calls.

404
405 Mr. Mackey - Okay; but no opposition represented tonight?

406
407 Mr. Emerson - No, sir.

408
409 Mr. Archer - Okay; well, in that case, unless somebody here has a
410 question, I'm ready to proceed with a motion. These seemed to be a case where more is
411 less. Or less is more. That's how I look at it. But, in any event, this seems to be an
412 improvement before the additional lots there. With the staff recommendation, I move that
413 we recommend approval of REZ2021-00065 RJM Land, LLC with the proffers in the staff
414 report dated October 14, 2021.

415
416 Mr. Witte - Second.
417
418 Mr. Mackey - All right; we have a motion by Mr. Archer and a second by Mr.
419 Witte. All in favor say aye.
420
421 The Commission - Aye.
422
423 Mr. Mackey - Any opposed? Motion is granted.
424
425 **REASON:** Acting on a motion by Mr. Archer, seconded by Mr. Witte, the
426 Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors
427 **grant** the request because it continues a similar level of single-family development as
428 recently approved in the area.
429
430 Mr. Emerson - Mr. Chairman, we now move on to page 2 of your agenda for
431 REZ2021-00056 Andrew M. Condlin Atlantic Crossing, LLC. The staff report will be
432 presented by Mr. Seth Humphreys.
433
434 **REZ2021-00056 Andrew M. Condlin Atlantic Crossing, LLC:** Request to
435 conditionally rezone from A-1 Agricultural District to M-2C General Industrial District
436 (Conditional) Parcels 841-712-8524, 842-712-1529, 842-712-5063, 843-711-6375, 843-
437 712-6388, and 844-709-3698 containing 530.47 acres located on the north and south
438 lines of E. Williamsburg Road (U.S. Route 60) at its intersection with Technology
439 Boulevard. The applicant proposes industrial and distribution uses. The uses will be
440 controlled by zoning ordinance regulations and proffered conditions. The 2026
441 Comprehensive Plan recommends Office, Office/Service, Commercial Concentration,
442 Traditional Neighborhood Development, and Environmental Protection Area. Part of the
443 site is in the Airport Safety Overlay District.
444
445 Mr. Mackey - All right; thank you, sir. Is there anyone in attendance or via
446 Webex that's in opposition of REZ2021-00056 Atlantic Crossing, LLC?
447
448 Ms. Deemer - We have no one on Webex for this case.
449
450 Mr. Mackey - And no one in attendance. All right, Mr. Humphreys.
451
452 Mr. Humphreys - Thank you, Mr. Chairman, members of the Commission. This
453 request would allow multiple parcels to be consolidated under a single zoning district with
454 a set of unified proffers. This site is comprised of six parcels totaling 530.47 acres located
455 on both the north and south sides of East Williamsburg Road. The property encompasses
456 most of the area between Old Williamsburg Road, Technology Boulevard, and Old
457 Memorial Drive.
458

459 The subject property is wooded with the exception of a small pond and two residential
460 structures located equidistant between Old Williamsburg Road and East Williamsburg in
461 this area.

462
463 Properties to the north and east are zoned A-1 Agricultural District and contain a mix of
464 similarly wooded lots and single-family residences. Parcels to the south are zoned
465 Agricultural, Office, and Industrial and include additional single-family homes including
466 those located within Old Cannon Estates and additionally vacant land.

467
468 The southern portion of the site is bisected by Technology Boulevard, which provides
469 portions of the site -- excuse me. Is -- which provides access to Fire Station 14 as shown
470 kind of in this hole in the donut.

471
472 To the west of the site is a large undeveloped property owned by a local soccer
473 organization, shown here, as well as single-family homes and on and off ramps to
474 Interstate 295.

475
476 The applicant has submitted revised proffers dated December 7th, and they were
477 included in your handouts this evening.

478
479 In addition to those topics outlined on the staff report, the revised proffers increased the
480 amount of landscaping and buffering required on the property. Require all buffer areas
481 to be physically marked on the property prior to construction. Address types of fencing
482 visible from Williamsburg Road and Technology Boulevard. Address a revised list of
483 allowable uses based on the new zoning ordinance, which now exclude both retail and
484 several other uses undesirable at this location. Specified no access on local residential
485 streets. Specify hours of construction. And outline protective covenants to be adopted,
486 which would mimic many of those currently utilized for White Oak Technology Park,
487 specifically those that addressed setback requirements and certain development
488 guidelines.

489
490 The Department of Public Works' Division of Traffic Engineering has requested a traffic
491 study to determine the full impacts of the proposed uses on the surrounding transportation
492 network and identify any necessary improvements. That study was delivered to the
493 County and VDOT last Friday and is currently under review.

494
495 I would note, VDOT has 45 days, which would hit before -- if this was recommended and
496 moved forward tonight -- wouldn't hit before the Board meeting that this would be heard
497 at in January.

498
499 Mr. Mackey - All right.

500
501 Mr. Humphreys - The 2026 Comprehensive Plan recommends a mixture of
502 Office, Office/Service, Commercial Concentration, Traditional Neighborhood
503 Development, and Environmental Protection Area for the southeast quadrant of
504 Interstates 295 and 64.

505
506 The site is also designated as a Prime Economic Development site, number 26, and a
507 portion of Site number 27 in Chapter 7 of the 2026 Comprehensive Plan. The request for
508 General Industrial zoning is generally consistent with the site's future land use
509 recommendations.

510
511 For these reasons, and because the applicant has addressed all of staff's concerns
512 outlined in the staff report, staff recommends approval of this request contingent on the
513 resolution of any concerns identified in the traffic study. This concludes my presentation,
514 and I'd be happy to take any questions at this time.

515
516 Mr. Mackey - Thank you. Does anyone on the Commission have any
517 questions for Mr. Humphreys?

518
519 Mr. Archer - For Mr. Humphreys that means then that regardless of how
520 the vote goes tonight or how the Board moves, everything is still pending the VDOT study.

521
522 Mr. Humphreys - Both VDOT and the County are currently reviewing the traffic
523 study. It was 690 pages and just delivered last Friday. So --

524
525 Mr. Archer - Ah, I understand.

526
527 Mr. Humphreys - -- we're --

528
529 Mr. Emerson - Mr. Chairman and Mr. Archer and the Planning Commission,
530 we do have with us tonight the Director of Public Works, Mr. Terrell Hughes, and he can
531 -- he can speak to the TIA status and what -- where it currently stands with is review.

532
533 Mr. Mackey - All right; thank you.

534
535 Mr. Hughes - Good evening.

536
537 The Commission - Good evening.

538
539 Mr. Hughes - Yep, yeah, I'd be happy to answer any questions. But this
540 one's a little unique. So, the reason the traffic study is so large is because there's a limited
541 access break that is on Route 60. So, in order for this development to connect to the
542 north with an access point we actually have to go to the state's Commonwealth
543 Transportation Board for approval. So, the -- it's not a norm -- it's not a 527 traffic study,
544 so the state's approval is not necessarily requirement for the Board of Supervisors to take
545 action.

546
547 Mr. Mackey - Oh.

548
549 Mr. Hughes - However, in order for an access point to be approved north,
550 or anywhere else on Williamsburg Road. the Commonwealth Transportation Board would

551 be to act. So, those are two separate things. So, this one's a little unusual. We don't run
552 into limited access break requirements as part of our traffic studies. But we do feel pretty
553 confident that before the Board of Supervisors will make a decision, we'll have everything
554 worked out.

555
556 Mr. Mackey - Mr. Hughes, I understand that it was 690 pages and you just
557 got it last Friday. With what you've been able to review thus far, would you feel
558 comfortable with us moving forward with the case without us having heard everything on
559 the TIA as of -- as of right now?

560
561 Mr. Hughes - Yes, yeah.

562
563 Mr. Mackey - Okay.

564
565 Mr. Hughes - So, we -- we feel like we'll be able to work through everything.

566
567 Mr. Mackey - Oh, okay.

568
569 Mr. Hughes - So, from what -- we've actually been able to look through
570 things pretty fast.

571
572 Mr. Mackey - Oh, okay.

573
574 Mr. Hughes - Our traffic engineers reviewed it too. He's actually been able
575 to sift through all of those pages. So, we're working through -- with the developer on a
576 number of things, but they're all -- they're pretty minor in nature. This is the -- like I say,
577 it's not 527, so the -- and the existing network has some extra capacity, so it's able to
578 handle the traffic that's being proposed.

579
580 I think the big thing is really just working with VDOT and the Commonwealth
581 Transportation Board on the access. But other than that, I think we're able to work through
582 everything.

583
584 Mr. Mackey - All right; thank you, Mr. Hughes. Does anyone else have any
585 questions for Mr. Hughes? All right. Thank you. All right. I'd like to hear from the
586 applicant, Mr. Conclin.

587
588 Mr. Conclin - Mr. Chairman, members of the Commission, Andy Conclin
589 here on behalf of the applicant in this case. I have with me as well Steve Hostetler from
590 Timmons and a number of people online as needed to answer any questions.

591
592 As Mr. Humphreys has ably done with respect to the development and the description of
593 the development, the 530 acres is obviously a significant location primarily because of its
594 proximity to White Oak Technology Park. We really do see this as a proposal to extend
595 employment opportunities and economic development opportunities beyond White Oak
596 Technology Park as a prime economic development site.

597
598 Impact -- economic impact study shows that with full buildout we're going to have and
599 generate over 1800 jobs. And the values that would, from a real estate standpoint,
600 become pretty significant when we're looking at over 2.8 -- or, excuse me, \$2-billion in
601 real estate investment when you took -- take a look at the logistics uses proposed as well
602 as the data centers and advanced manufacturing provided opportunities on this site.
603

604 Overall, we anticipate five phases with the property that's labeled on this map in particular
605 as CC on the bottom-right as the first phase. And we'll be able to provide development
606 over the course of what we anticipate 10 years as White Oak continues to be built out
607 and this site is able to provide for economic opportunities.
608

609 Understanding there are residents surrounding this property we provided significant
610 proffers, including buffers and setbacks. The TIA has already been described that we
611 feel that the surrounding road network is able to handle the anticipated traffic from this
612 development. And, of course, our proffers set force significant development standards
613 as described by Mr. Humphreys.
614

615 So, all in all, we certainly do believe that this is an appropriate rezoning. We ask that you
616 follow staff recommendation and move this on to the Board. And, if you remember, the -
617 - I believe the Board of Supervisors case is the second hearing. So, we have additional
618 time in this case take advantage of January so that will -- we've got 45 days we'll be able
619 to hear from VDOT and feel very confident we'll be able to hear from the Commonwealth
620 Transportation Board working with Mr. Hughes' department to be able to get everything
621 taken care of on Route 60.
622

623 The first phase is all accessed off of Technology Boulevard, and so that's not going to
624 impact that from that standpoint. So, we do have a lot of time to -- some time to work with
625 the Commonwealth Transportation Board with respect to access of Route 60.
626

627 With that, I'll be happy to answer any questions that you may have.
628

629 Mr. Mackey - All right; does anyone have any questions?
630

631 Mr. Witte - I have a question. Mr. Condlin.
632

633 Mr. Condlin - Yes, sir.
634

635 Mr. Witte - On number 10, uses, you crossed out brewery but you put
636 government facilities use category. Does that include breweries?
637

638 Mr. Condlin - I'm sorry. What number? What letter are you on? What did
639 I --
640

641 Mr. Witte - Number 10.
642

643 Mr. Condlin - Yes.
644
645 Mr. Witte - Under revised dated September --
646
647 Mr. Condlin - Yes, sir. Yes, sir. So, I believe that one of the things that --
648 because the code changed when we first drafted these prior to that the breweries
649 themselves would fall within the category that we otherwise -- that otherwise wasn't listed.
650 So, --
651
652 Mr. Witte - Any questionable -- well, you can't know what's questionable
653 in my mind. But --
654
655 Mr. Condlin - Well, we went over these with staff and we did take out, for
656 example, shooting --
657
658 Mr. Witte - I have a concern because there's a firehouse right there.
659
660 Mr. Condlin - Well it's --
661
662 Mr. Witte - And we wrap a brewery around it and --
663
664 Mr. Condlin - Right.
665
666 Mr. Witte - -- put a gentleman's club in. I don't think that's appropriate.
667
668 Mr. Condlin - That would not be -- that would not be listed in the categories
669 that we have. They would not be allowed in M-2 in any case.
670
671 Mr. Witte - There you go.
672
673 Mr. Condlin - So, you know, they --- the different -- the different categories
674 -- we tried -- we worked closely with staff to make sure those categories. But we took out
675 certain things like shooting ranges and theaters that are more retail and --
676
677 Mr. Witte - Yeah. Shooting ranges are not good next to fire houses.
678
679 Mr. Condlin - Yeah, that's right. Don't want any of that. So. Hopefully --
680 and I'll jump right into this with respect to the firehouse. I know the fire department is
681 looking for an expansion of that area. And we're in talks with, you know, the County.
682
683 We just found out recently about that to help either relocate at a different site on our site,
684 on the property itself, or expand the existing site. Some of the details are a little sketchy
685 on that to continue to work for. But we're hoping to expand that and actually upgrade that
686 firehouse and it's going to not only be a benefit to this entire area, but specifically to this
687 development as well.

688

689 Mr. Witte - Okay.
690
691 Mr. Condlin - Got to take care of the firemen. I understand that. Yes, sir.
692
693 Mr. Mackey - Yeah, I appreciate that, Mr. Condlin. I think we will be in the
694 need of somewhere in the neighborhood of, like, five acres or so. It is possible to do a
695 donation or some type of land swap?
696
697 Mr. Emerson - Yes, sir. Mr. Condlin and I have been discussing that. The
698 fire department, if they did a complete rebuild, would need approximately 5 acres. If they
699 do a renovation and addition to the existing station they will -- there will be a need for
700 additional land. But with the overall redevelopment of these properties, as Mr. Condlin
701 and I have been discussing, and the fire chief and I have been exchanging messages as
702 late as right before I walked down to the meeting tonight.
703
704 If the County found it acceptable to do a complete rebuild, it may be a situation where we
705 could work with the overall development of the property and move the site -- move the
706 station to where the site would work better. Both for the developer and for the -- for the
707 fire department in that area -- and still have the same service area. So, it could very easily
708 be a win-win for everybody.
709
710 Mr. Condlin - There's some pockets -- there's a -- some pockets of
711 environmental areas where this will fit nicely in. We haven't really done much studies on
712 it yet, because we haven't had time. But we certainly will do that before the Board and
713 expect and work with staff and the fire department to get that taken care of. If you can
714 agree to a swap and/or an expansion of existing.
715
716 So, that existing location is right there at the prime development area. It'd be great to
717 move that to another location. We're very much in favor of that. Working with the staff -
718 - department on that.
719
720 Mr. Mackey - Thank you for that. Does anyone else have any questions for
721 Mr. Condlin?
722
723 Mr. Witte - Nope.
724
725 Mr. Mackey - All right. If not, I'm ready to -- there wasn't any opposition. I'm
726 ready to move forward with a motion. On November 8, 2021 we had a community meeting
727 I think went very well. I forgot to write down a number of people who were there. People
728 in the neighborhood. About 12 to 15 people had many questions. They were all answered
729 by the applicant. It was a -- it was a very good meeting. I appreciate Mr. Condlin hosting
730 that meeting.
731
732 Having said that, I move that we recommend approval of REZ2021-00056 Atlantic
733 Crossing, LLC with proffers dated December 7, 2021 contingent on the resolution of any

734 issues result -- resulting from the review of the TIA submitted this past Friday by both staff
735 and VDOT prior to the Board of Supervisors meeting.

736
737 Mrs. Thornton - Second.

738
739 Mr. Mackey - All right; we have a motion by Mr. Mackey, a second by Ms.
740 Thornton. All in favor say aye.

741
742 The Commission - Aye.

743
744 Mr. Mackey - Any opposed? Motion is granted. Thank you.

745
746 **REASON:** Acting on a motion by Mr. Mackey, seconded by Mrs.
747 Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board
748 of Supervisors grant the request because it conforms with the objectives and intent of the
749 County's Comprehensive Plan.

750
751 Mr. Emerson - Mr. Chairman, we now move on to the next item on your
752 agenda also appearing on page 2. It is REZ2021-00066 Jeffrey P. Geiger for HHHunt.
753 The staff report will be presented by Mr. Livingston Lewis.

754
755 **REZ2021-00066 Jeffrey P. Geiger for HHHunt:** Request to conditionally
756 rezone from A-1 Agricultural District and R-3 One-Family Residence District to RTHC
757 Residential Townhouse District (Conditional) Parcel 834-713-4519 and part of Parcel
758 833-713-9819 containing 26.79 acres located at the southeast intersection of E.
759 Williamsburg Road (U.S. Route 60) and Whiteside Road. The applicant proposes a
760 residential townhome development. The RTH District allows a density of 12 units per acre.
761 The use will be controlled by zoning ordinance regulations and proffered conditions. The
762 2026 Comprehensive Plan recommends Open Space/Recreation, Suburban Residential
763 1, density should not exceed 2.4 units per acre, Commercial Concentration, and
764 Environmental Protection Area. The site is in the Airport Safety Overlay District.

765
766 Mr. Mackey - All right; thank you, sir. Is there anyone in attendance or via
767 Webex that's in opposition of REZ2021-00066 HHHunt?

768
769 Ms. Deemer - We do have someone on Webex.

770
771 Mr. Mackey - I see. And we have someone in the audience as well. All
772 right. Thank you. A couple people. Okay. When we do go to the public hearing and you
773 get the opportunity to speak, we will go with the people inside first and then we'll go to the
774 Webex. All right. Thank you, Mr. Lewis.

775
776 Mr. Lewis - Thank you, sir. This is a request to rezone 26.79 acres from
777 A-1, and R-3 to RTHC to construct 125 townhomes. The site consists of the large open
778 playing field and adjacent wooded area owned by the Chickahominy Branch YMCA at
779 Whiteside Road and East Williamsburg Road. The County's future Taylor Farm Park site

780 is adjacent to the west and the Dry Bridge Commons development is to the east across
781 Route 60.

782
783 The athletic field portion of the property is designated as Open Space/Recreation in the
784 2026 Comprehensive Plan and the wooded eastern section is recommended for
785 Commercial Concentration. Smaller areas of the site are designated Environmental
786 Protection Area as well as Suburban Residential 1.

787
788 To support a renovation plan, the YMCA wishes to sell the land to HHHunt who proposes
789 constructing a townhome development designed as shown on this conceptual layout. The
790 homes are organized in buildings of 4 to 6 units and in a predominantly linear arrangement
791 throughout. Access to the development would be from two points on Whiteside Road,
792 and an emergency-only connection would be provided to the YMCA parking lot. The
793 westernmost units would front on Whiteside Road and would have rear alley access.

794
795 This proffered elevation illustrates the potential exterior appearance of the townhomes.
796 Along with the layout, other assurances provided in the revised proffers handed out this
797 evening include: townhomes a minimum of 1,250 square feet and 20 feet wide; a list of
798 potential exterior building materials and requirement of all buildings to have front facades
799 of 30 percent brick, stone, or other masonry; sidewalks, street trees, sodded and irrigated
800 front and street side yards; limits on exterior construction hours; and a number of other
801 topics.

802
803 These assurances are helpful. However, the proposed density and extended linear
804 arrangement of buildings denotes more of an urban concept that is not in keeping with
805 the site's Open Space/Recreation designation or the relatively rural character of
806 Whiteside Road. To address these concerns, the applicant is encouraged to consider
807 further revisions to the site layout, building design, and on-site open space amenities to
808 improve consistency with the 2026 plan and establish a more appropriate precedent for
809 future development along Whiteside. With the additional progress on these topics, staff
810 could be more supportive of the request, but deferral is recommended at this time.

811
812 This concludes my presentation and I'm happy to answer any questions. Time limits
813 would need to be waived for these proffers as well.

814
815 Mr. Mackey - All right; thank you, Mr. Lewis. Does anyone on the
816 Commission have any questions for staff? All right. I don't have any questions for staff
817 at this time.

818
819 Mr. Archer - I have one.

820
821 Mr. Mackey - Oh. Go ahead.

822
823 Mr. Archer - Mr. Lewis, could you put back up the elevations. I think it's
824 Exhibit B. I just want to stare at them for a moment. Okay. Thank you.
825

826 Mr. Mackey - All right; at this time I would like to -- well, first, I would like to
827 ask Mr. Emerson if he would just remind the people who want to speak in opposition of
828 the rules for our public hearing.
829

830 Mr. Emerson - Yes, sir, Mr. Chairman. As you note, the Commission does
831 have guidelines for the -- for the conduct of your public hearings and they are: The
832 applicant is allowed 10 minutes to present the request, and time may be reserved for
833 responses to testimony. The opposition is allowed a cumulative 10 minutes to present its
834 concerns. That's cumulative 10 minutes for everyone that wishes to speak to the case in
835 terms of opposition. Commission questions do not count into those time limits. And then
836 the Commission may waive the time limit -- time limits at their discretion.
837

838 Mr. Mackey - All right; thank you. Ms. Deemer, we're going to start with a
839 couple people in the audience in attendance first. Do you know how many people would
840 like to speak on -- via Webex?
841

842 Ms. Deemer - At this point we just have one registered.
843

844 Mr. Mackey - Okay; all right, thank you. All right; think you raised your hand
845 first. Would you go to the lectern in the back and please, for the record, state your name
846 and address?
847

848 Ms. O'Neill - Good evening. My name is Megan O'Neill and I'm the
849 Executive Vice President and Chief Operations Officer for the YMCA of Greater
850 Richmond. I thought the -- that -- decisions that were being made that had the potential
851 to impact our ability to serve, our perspective would be important.
852

853 We have served Eastern Henrico through our Chickahominy Y since 1984. Families for
854 several generations now have benefited from programs and services in which they have
855 come to expect from their YMCA. In fact, many Chickahominy members today speak of
856 the YMCA as their lifeline through this pandemic. Our desire is to sell a portion of our
857 unused land and spend the proceeds and then some to enhance our facility. This decision
858 was not made without thoughtful consideration. This action is demonstrative of our
859 continued commitment to serve children and families.
860

861 That said, we have an obligation to deliver on a product that speaks of our high standards
862 and strong brand image. Currently our building and grounds do not do so. Additionally,
863 we believe that residents of the East End are entitled to a recreational facility that has
864 amenities they deserve and that they can be proud of. Our outdoor space and renovated
865 building will meet the needs of our future programmatic plans.
866

867 Our organizational history shows that once a facility has undergone an extensive
868 renovation, there becomes a renewed interest in the community. Most recently our
869 renovated Petersburg and Northside YMCAs have been indicative of this. Selling a
870 portion of land that has been unused for many years will give us the opportunity to become
871 a more efficiently run business. More importantly, it will provide a much better experience
872 for our members and program participants.

873
874 HHHunt has been a strong partner of the YMCA for decades. We have been able to
875 serve better and more deeply when we have come together in a holistic approach to
876 meeting the needs of a community.

877
878 I will end by saying, over the last several years we have spent an exhaustive amount of
879 time reviewing options that would strengthen our operations there. Our Board of Directors
880 as well as our senior leadership believe this is not only a win-win solution but are excited
881 at the prospect of what this Y will and can become for many generations to come. Thank
882 you.

883
884 Mr. Mackey - All right; Ms. O'Neill, just to clarify, it'd be safe to say that
885 you're not in opposition of it, you're speaking in favor of it?

886
887 Ms. O'Neill - Absolutely in favor of it.

888
889 Mr. Mackey - Okay; thank you.

890
891 Ms. O'Neill - Thank you.

892
893 Mr. Mackey - Is there anyone else who would like to speak in favor of the
894 application? All right. That time that Ms. O'Neill spoke won't be counted against anyone
895 who wants to speak in opposition. You would like to speak in opposition? You would not.
896 All right. Ms. Deemer, we're ready for the people via Webex.

897
898 Ms. Deemer - Mr. Chairman, the only speaker we have is Margaret Nelson.
899 She is now unmuted.

900
901 Mr. Mackey - All right.

902
903 Ms. Nelson - Thank you very much. So, my main concern in regard to this
904 -- the townhouses being built there is, one, traffic flow, as well as how does that impact
905 the Anderson Mill Subdivision. I'm aware as far as where the entrances and the
906 emergency exits what have you. But that's my main concerns. Thank you.

907
908 Mr. Mackey - All right; Mr. Lewis again. Is there any way you could pull that
909 up to the, you know, where the Anderson Mill Subdivision?

910
911 Mr. Lewis - Ma'am, is Anderson Mill on this map? ... She's probably not
912 able to speak.

913
914 Mr. Mackey - All right.

915
916 Ms. Nelson - Yes, I'm sorry. I can hear you. Go ahead.

917
918 Mr. Lewis - Is Anderson Mill on this map?
919

920 Ms. Nelson - I would think it's, like, over to the left.
921
922 Mr. Lewis - Yeah.
923
924 Ms. Nelson - Which -- is that it right -- it's kind of blurry on my screen.
925
926 Mr. Lewis - That's Coles Way. Coles Way, Huntsman Road right here.
927
928 Ms. Nelson - Yeah; it's right over there.
929
930 Mr. Lewis - Yeah, okay, yep.
931
932 Ms. Nelson - Okay; the -- it's actually this the property.
933
934 Mr. Mackey - Okay; all right. I don't -- I don't --
935
936 Ms. Nelson - My -- because I actually thought it was going to be to -- right
937 there where your dot is.
938
939 Mr. Mackey - Where the hand?
940
941 Ms. Nelson - Yes, right there. I thought it was going to be actually right
942 there. There is an older home that's, like, in the woods. Right up in there -- that entrance
943 right there. That's where I thought it was going to be.
944
945 Mr. Mackey - No, you see where the dotted lines are? The yellow? That --
946 -
947
948 Ms. Nelson - Yes, I did see that. Thank you.
949
950 Mr. Mackey - All right; you're welcome. Anybody have any questions or
951 comments for Ms. Nelson? All right. All right. We can hear from the applicant.
952
953 Mr. Geiger - Good evening, Mr. Chairman, Jeff Geiger here on behalf of
954 the applicant. Mr. Chairman, if I may, could I ask Mr. James to pull up my presentation?
955
956 Mrs. Thornton - Mr. Livingston?
957
958 Mr. Mackey - Who? You mean Livingston?
959
960 Mr. Lewis - Mr. James in the back room.
961
962 Mr. Mackey - Oh, Fred, I'm sorry. I apologize.
963
964 Mrs. Thornton - Oh, Livingston's not moving.
965

966 Mr. Geiger - Can we go to the other one?
967
968 Mr. Emerson - Yeah, it's important (indiscernible).
969
970 Mr. Geiger - Mr. Chairman -- do we have -- Livingston, do we have a
971 remote?
972
973 Mr. Emerson - Mr. James should have a -- there you go. That should run it.
974
975 Mr. Geiger - I appreciate Ms. O'Neill giving time out of her busy schedule
976 to join us this evening. I think she highlighted the decision making that went behind the
977 Y's decision to sell the land behind their existing facility at the Chickahominy YMCA.
978
979 I'd like to just take a minute to highlight the partnership that exists between HHHunt and
980 the YMCA. HHHunt is one of the community partners for the YMCA. They have worked
981 together for a long period of time. One of their first efforts together was to bring the YMCA
982 to Hanover at their Atlee -- in the Atlee area at their Rutland Subdivision.
983
984 When the YMCA made the decision that they reached, they reached out to HHHunt
985 because of their longstanding partnership and the trust that they have in HHHunt to create
986 a community that will benefit the YMCA and its YMCA members in the area.
987
988 So, part of this partnership it -- HHHunt will be providing and improving the land that the
989 Y is retaining with a main athletic field at the bottom of this slide on the left-hand side you
990 can see that that main athletic field plus two smaller fields.
991
992 In addition, HHHunt will be providing a one-year membership to help promote
993 membership at the Y to the residents in this new community.
994
995 Further, as a result of this -- with this -- with the support of the Planning Commission this
996 evening and, ultimately, the support of the Board, HHHunt will purchase the -- the property
997 under consideration this evening. And those funds, as Ms. O'Neill mentioned, will go
998 towards reinvesting in the Chickahominy YMCA.
999
1000 I think Livingston did a good job pointing out the land that we are talking about this evening
1001 and addressed the comment from Webex. After the YMCA approached HHHunt, they
1002 began taking a look at understanding what the context for this new community would be.
1003 One of the first things they did is they looked at the developments around us. There are
1004 two in particular. The Jones Development and the Godsey Development. These were
1005 approved by the Board back in 2020 and 2014. The Jones Property was approved at six
1006 units per acre and the Godsey property was approved at four units per acre. The plan for
1007 the Chickahominy YMCA has homes at five units -- at five units an acre, right in the
1008 middle.
1009

1010 Another aspect that goes into how HHHunt plans its communities, is to look around at
1011 what's around us. What's around the land in which they're going to create a new
1012 community.

1013
1014 This decision-making isn't done in a vacuum. We obviously knew we would have a great
1015 amenity, a great partner, in the YMCA next to us. But we also knew right across the street
1016 was the new Taylor Farm that Henrico County is going to be constructing. It's a new park.
1017 It's not your standard park.

1018
1019 I personally believe that with the unique programming, this is going to become a
1020 destination. That the YMCA, Taylor Farms residents are going to be attracted to this new
1021 community wanting to be in proximity to these unique amenities. Having the ability to
1022 walk to their YMCA membership or to walk or ride the bikes through Taylor Farm.

1023
1024 As they understood the context of the area around us, they began planning what the land
1025 -- how the land would be designed. How the new community would be designed. And
1026 the first -- kind of first most important element of that planning was the geometry of
1027 Whiteside Road. You can see Whiteside by that light -- white line running on the right
1028 side of the new community. A very linear road. And from there, we use that Whiteside
1029 geometry to then create our layout as we move to the north towards the environmental
1030 features.

1031
1032 Along the environmental features, we've included our opportunities for amenities and then
1033 the trail -- our own trail through the environmental feature.

1034
1035 Coming back into the middle of the development, we have a pedestrian connection that
1036 takes us to the sidewalk that we'll be providing along Whiteside so that our residents can
1037 access Taylor Farm Park.

1038
1039 Another aspect of planning that went into this new community was understanding the
1040 character of the area in terms of what new homeowners would look for. Would -- we
1041 didn't go with a traditional townhouse design. We went with a much more modern
1042 farmhouse design. Modern in the sense of this is the type of architecture that today's
1043 homeowners are looking for. Farmhouse in the sense that it fits within the character of
1044 the area.

1045
1046 We appreciate Mr. Lewis' efforts to work with us to improve the proffered conditions from
1047 what was originally filed. We've worked hard to provide the quality proffers that staff was
1048 seeking for this project. These included a proffer to ensure that the environmental
1049 sensitive areas are preserved with the C-1 zoning. As Mr. Lewis noted, the homes that
1050 are facing Whiteside, that are along Whiteside, will face Whiteside. We're not turning our
1051 back to Whiteside, as is traditionally done.

1052
1053 Providing enhanced plantings along Whiteside Road. Private roads will be constructed
1054 to the quality standard. Sod and irrigation will be provided in yards that are along roads.
1055 And then we've provided enhanced architectural features for the sides and buildings that

1056 face roads. We've added foundation plantings. We've proffered the type of monument
1057 style entrance sign that we provided to the new community. We provided that the drive
1058 walks -- the driveways will be made of quality materials and not gravel.
1059

1060 Mailboxes will be to the post-office's current standards. We'll have a decorative post lamp
1061 in front of each of our homes. As I mentioned, sidewalk will be provided along Whiteside
1062 Road. We will also continue the current curb that is in place along Whiteside. We'll plant
1063 one tree every other lot.
1064

1065 Mr. Lewis mentioned 30 percent of the front building elevation we're providing the
1066 masonry material. Provided hours of construction. We've also prohibited to a central
1067 collection point for trash. In other words, no dumpsters. Each home will have its own
1068 convenience can.
1069

1070 With that, I'm available to answer any questions. But I would ask the Planning
1071 Commission to recommend approval to the Board of Supervisors of the rezoning request
1072 that's before you.
1073

1074 Mr. Mackey - All right, all right; thank you, Mr. Geiger. Before I proceed, I'd
1075 like to call Ms. O'Neill back. I have a couple questions for you. All right. Thank you, Ms.
1076 O'Neill. I had a couple questions about some of the ideas that you were planning far as,
1077 you know, refunding the Y. What were some of your plans going forward?
1078

1079 Ms. O'Neill - So, I think at this point it is premature to tell us about the entire
1080 construction of that. Because we haven't gotten there. We do know that, if you've been
1081 to our property, we have two outbuildings which are not in very good shape and need to
1082 be brought back into the main building.
1083

1084 So, we are going to make the facility more ADA accessible. We are going to open up our
1085 lobby for seniors. We're going to make some multi-purpose space so that groups can
1086 come in and meet there.
1087

1088 And, really, our current fields are not usable and we haven't been on them in years. So,
1089 again, if you were to see our property, we -- our -- we're going to consolidate the entire
1090 footprint into one -- into one space.
1091

1092 Mr. Mackey - All right; you heard them speak about the Russell Jones
1093 property and the Drybridge Property that have been approved and could be, you know,
1094 start building -- especially the Drybridge one -- start building soon. What if -- what if those
1095 communities were filling up fast and all of the sudden the Y needed to expand and -- but
1096 you've already sold this land and now you don't have room to expand.
1097

1098 Ms. O'Neill - So, we would be delighted to have that problem. I think the
1099 last 5 or 6 years our membership base has decreased. Our programmatic base has
1100 decreased. So, the height of where the Y once was about 8 years ago, it would take us
1101 quite a while to build back there. And I think it's just indicative of our building that needs
1102 a lot of time and attention dedicated to it.

1103
1104 There would be an opportunity to build, should we be presented with that. We could
1105 always go up if the need was there. But, at this point, we have so much more ability to
1106 grow into the space that we're currently in. Especially if we put the building up into --
1107 under one roof.

1108
1109 We also had partnered really well with the school district and with other partners in our
1110 community that we do the work collectively with other groups out in the organize -- out in
1111 our community that we can go out and share space and resources with.

1112
1113 Mr. Mackey - Have you -- have you partnered with the County? Have you
1114 reached out to the County? See if it was any type resources or anything that was
1115 available to you?

1116
1117 Ms. O'Neill - We did. We went to the County asking if the land was
1118 something that they would be needing of or -- and useful. And John Vithoukaskas said, at
1119 this point, there was not a need there. So.

1120
1121 Mr. Mackey - Yeah, I mean other than selling the land. You know. I meant,
1122 you know, was there any other type of funding or anything that was available to you?

1123
1124 Ms. O'Neill - Yeah, no, I mean, we work with the school district, the Henrico
1125 School District, well and use schools out in the County.

1126
1127 Mr. Mackey - Okay; did anyone else have any questions for Ms. O'Neill?
1128 Thank you. I appreciate your time.

1129
1130 Ms. O'Neill - You're welcome.

1131
1132 Mr. Mackey - All right, all right; Mr. Geiger, have a few questions. Could
1133 you pull the slide back up of the layout?

1134
1135 Mr. Geiger - Yes, sir.

1136
1137 Mr. Mackey - All right, all right; so, I mean, we've talked a lot about it and
1138 everything. My -- I see your point, what you're talking about, about the linear of the
1139 Whiteside Road and every -- that -- I get that and everything. What I don't understand, is
1140 you make reference to when we speak about the long buildings you speak about -- you
1141 had an idea of something from the Fan.

1142
1143 Well, I can -- and I can see where that would work in the Fan, but I really just don't see it
1144 -- when I look at that, that just doesn't look like a community to me. You know what I'm
1145 saying. And I understand that, you know, when we talk about the density that's something
1146 that speaks to the bottom line. I get that.

1147
1148 And you need to get a certain amount of buildings in there. But the problem is, we have
1149 the other developments coming along that won't look anything like this. They would look

1150 more of a community-type aspect and it -- and it just seems like we could do a little bit
1151 more here. I mean, you and the applicant have done a lot. I mean, we -- we've
1152 accomplished a lot in a very short period of time. But I feel like it's more that can be done
1153 with this. It -- you also spoke to the -- to the point of, you know, the Taylor Park coming
1154 along. Well, that's going to be a benefit.

1155
1156 Taylor Park is a benefit to the HHHunt building right here. So, HHHunt has to dig in as
1157 well. You know. To meet that. And I'm not saying that they haven't. But I just don't feel
1158 like we've gotten to where we need to get right now. I believe that -- I feel that it would
1159 be better if we deferred this a month and talk a little more and see what more we can get
1160 done.

1161
1162 Mr. Geiger - I appreciate that perspective. May I have an opportunity to
1163 offer just a few comments?

1164
1165 Mr. Mackey - Yes, sir.

1166
1167 Mr. Geiger - We have a lot of conversations with staff. We understand
1168 where the market's going. What our homebuyers are looking for. We're encouraged to
1169 do pedestrian-oriented development, connectedness. Create that social fabric that I
1170 think, for a while, we look about 10, 20, 30 years ago we kind of got away from.

1171
1172 And my reference to the Fan is more about when you go to the Fan, you have that feeling
1173 of connectedness. You have that feeling of activity. And that's truly what we want to
1174 bring here.

1175
1176 The Fan has, I think, from a planner's perspective there's a traditional block length that
1177 we look for that says, if it's too long, people aren't -- don't want to walk in. The Fan has
1178 shorter block lengths. This is -- this mimics that shorter block length in order to get there.

1179
1180 We're also using -- there was a comment from staff in the staff report about, you know,
1181 buildings or lengths of 13, 24 units. The most we can have -- most units we have in a
1182 building is six. Each are separated by 30 feet. More than what's required in the RTH.

1183
1184 So, we've really taken the care to break it up. To follow the geometry that was created in
1185 the area before we got here. And to really create that pedestrian connectedness with
1186 Taylor Farms we should have an encourage our residents who are close to Taylor Farms
1187 and the developments that are coming -- to walk there, because the other subdivisions
1188 around are going to have to drive. They're going to have to put their bikes in a bike rack
1189 to come over. So why not let these folks just walk across the street.

1190
1191 Mr. Mackey - Well I get that. I get that. I want to go on record as saying, I
1192 don't want to sound like I have anything against the Fan. I love the Fan. It's just that, you
1193 know, being a Varina resident, there's not many things in Varina that remind me of the
1194 Fan. As was my point.

1195

1196 And I'm not saying this is a bad project. I'm not saying that. I don't want to be disrespectful
1197 to anyone. It just seems like it just right now it doesn't fit with the community aspect that
1198 we're trying to get in Varina.
1199

1200 I'm not saying that we can't get there. I'm very appreciative of everything that has
1201 happened. And it did happen in a short period of time. I know I could speak for my other
1202 Commissioners. I'm sure they didn't have an opportunity to look much at the proffers that
1203 we got today. I've barely got a chance to look at it myself.
1204

1205 Mr. Geiger - Yes, sir.
1206

1207 Mr. Mackey - I mean, that was a -- I mean, you know, and I know there's
1208 some big changes on there that everyone would appreciate. But -- and, I'm sorry, I won't
1209 take too much time. Does anybody else have any questions for Mr. Geiger?
1210

1211 Mr. Baka - No questions.
1212

1213 Mrs. Thornton - I had one.
1214

1215 Mr. Mackey - Go ahead.
1216

1217 Mrs. Thornton - Talk about what the community wants and what their needs
1218 are and the market, what it drives. Have you all considered garages on any of the units?
1219

1220 Mr. Geiger - Yeah. You know. I think -- I think -- I appreciate that question.
1221 I think it also kind of builds into another point I'd like to offer to the Commission to think
1222 about is we want to encourage diversity within our products, in our housing, in the way
1223 our communities are built. Yes, this is a product -- this is a -- this is a lifestyle where,
1224 yeah, some people don't want garages. And we'd like to meet that segment of the market.
1225

1226 We're not quite sure that kind of that snout-nosed garage that you've kind of traditionally
1227 seen on kind of -- that you might see at the Godsey -- not the Godsey, but the Jones
1228 property down the street doesn't quite fit in with the farmhouse character. It'd be a one-
1229 car garage we kind of know how people treat those one-car garages. They're really just
1230 storage spaces and they park outside anyway.
1231

1232 So, why not have a better aesthetic look, farmhouse look, to that front elevation so that
1233 we don't have those garage doors. And we think that, you know, this pedestrian-focused
1234 -- for those who are looking for that type of housing, that type of community, where they
1235 can walk, they are connected to their neighbors in this -- in this community. They are the
1236 ones who are going to be looking for with that exercise opportunity at the Y, at the park,
1237 to be walking out and about.
1238

1239 So, that -- yes. Varina you would not necessarily say is an urban area. It's not the Fan.
1240 But there are people who are -- live in Varina who are going to want this type of lifestyle.
1241 It's not for everybody, but we'd like to give them that opportunity.

1242
1243 Mr. Mackey - All right; are there any other questions or comments for Mr.
1244 Geiger? All right. Thank you, Mr. Geiger. I'm ready to make a motion.
1245
1246 Mr. Geiger - Thank you very much.
1247
1248 Mr. Mackey - Again, I'd like to go on record and say thank you to Mr. Geiger
1249 and the applicants for what they have done thus far. We have made a lot of progress. I
1250 do believe that is still some more work that can be done here. I'm not quite comfortable
1251 moving forward with this right now. So, having said that, I move that REZ2021-00066
1252 HHHunt be deferred to the January 13, 2022 meeting at the request of the Commission.
1253
1254 Mrs. Thornton - I second.
1255
1256 Mr. Mackey - We have a motion by Mr. Mackey, a second by Ms. Thornton.
1257 All in favor say aye.
1258
1259 The Commission - Aye.
1260
1261 Mr. Mackey - Any opposed? The motion is granted.
1262
1263 Mr. Emerson - Mr. Chairman, we now move on to page 3 of your agenda for
1264 two companion cases. REZ2021-00002 Jeffrey P. Geiger for Edward Rose Properties,
1265 Incorporated.
1266
1267 **REZ2021-00002 Jeffrey P. Geiger for Edward Rose Properties, Inc.:**
1268 Request to conditionally rezone from A-1 Agricultural District to R-6C General Residence
1269 District (Conditional) Parcels 733-765-8245, 734-765-0271, 734-765-1326, 733-765-
1270 9428, 734- 765-1094, 734-765-1456, 734-765-3041, and part of Parcel 734-765-1504,
1271 containing 17.2 acres located at the northwest intersection of N. Gayton and Old Three
1272 Chopt Roads. The applicant proposes a multifamily development. The R-6 District allows
1273 a maximum gross density of 19.8 units per acre. The uses will be controlled by zoning
1274 ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
1275 recommends Urban Mixed-Use and Environmental Protection Area. The site is in the
1276 West Broad Street Overlay District.
1277
1278 The companion case with the rezoning is PUP2021-00026. Again, Mr. Geiger for Edward
1279 Rose. The staff report will be presented by Seth Humphreys.
1280
1281 **PUP2021-00026 Jeffrey P. Geiger for Edward Rose Properties, Inc.:**
1282 Request for a Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter
1283 24 of the County Code to allow zoning modifications as part of a master-planned
1284 development on Parcels 733-765-8245, 734-765-0271, 734-765-1326, 733-765-9428,
1285 734-765-1094, 734- 765-1456, 734-765-3041, and part of Parcel 734-765-1504 located
1286 at the northwest intersection of N. Gayton and Old Three Chopt Roads. The existing
1287 zoning is A-1 Agricultural District. R-6C General Residence District (Conditional) zoning

1288 is proposed with REZ2021-00002. The 2026 Comprehensive Plan recommends Urban
1289 Mixed-Use and Environmental Protection Area. The site is in the West Broad Street
1290 Overlay District.

1291
1292 And at the -- at the end of your hearing, you will need to make two separate motions.

1293
1294 Mr. Mackey - Two separate?

1295
1296 Mr. Emerson - Yes, sir.

1297
1298 Mr. Mackey - All right. Is there anyone in attendance or via Webex that's in
1299 opposition of REZ2021-00002 Jeffrey P. Geiger for Edward Rose Properties or PUP2021-
1300 00026 Jeffrey P. Geiger for Edward Rose Properties?

1301
1302 Ms. Deemer - We have heard from no one on Webex.

1303
1304 Mr. Mackey - All right, thank you, all right; no one in attendance.

1305
1306 Mr. Humphreys - Thank you Mr. Chairman, members of the Commission. As
1307 stated, this presentation will combine REZ2021-00002 and its companion PUP, or
1308 PUP2021-00026, which would allow increased flexibility under the R-6 standards for
1309 building setbacks, density, and parking requirements. Together, these cases would allow
1310 for the construction of up to 325 apartment units in a single structure. The subject site is
1311 comprised of 7 parcels and a portion of an eighth. That other portion has been moved
1312 over to the adjacent request by itself. The applicant intends to make improvements to
1313 Old Three Chopt Road, a private road that runs along the south boundary of the property
1314 as seen here.

1315
1316 The property is bounded by Interstate 64 to the north and a significant portion of the site
1317 could be used as part of a future interchange for Interstate 65 and North Gayton Road.
1318 As the Department of Public Works continues to work with Virginia Department of
1319 Transportation on the design of the interchange improvements, the exact alignment and
1320 how it could affect the proposed layout and overall density of the development is still to
1321 be determined. For now, staff recommends the applicant utilize a worst-case scenario
1322 and continue to work with DPW on this portion of the property design.

1323
1324 The western portion of the subject property includes a significant environmental feature
1325 including a deep ravine and possible flood plain and associated wetlands. Beyond this
1326 feature lies the West Broad Marketplace commercial development, with Wegman's
1327 grocery store occupying the closest development property to the west.

1328
1329 The parcel to the south is currently zoned A-1 and is the subject of three active rezoning
1330 requests, REZ2021-00044 for the B-2C commercial portion of that request, and
1331 REZ2022-00003 and PUP2021-00025 for the R-6C residential uses part of that request.

1332

1333 The applicant has submitted revised proffers dated December 9, 2021. These proffers
1334 would need the time limits waived this evening, so you will actually need three motions if
1335 this is to be moved on.

1336
1337 In addition to those proffers included in the staff report, the revised proffers add a new
1338 proffer to outline the provision of recycling facilities by the applicant consisting with other
1339 large multi-family developments of this kind.

1340
1341 Also consistent with the standards outlined in the -- in the new Zoning Code. Those
1342 proffers that have been handed out to you this evening. The applicant has proffered
1343 exhibits including a conceptual plan, as shown here, and elevations and a streetscape
1344 along Old Three Chopt Road. The revised elevation and conceptual plan shows a single
1345 4-story structure which would contain up to 325 residential units, an internal parking
1346 garage, and the amenities described in the proffers. The remainder of the parking would
1347 be located in the surface parking lot west of the structure.

1348
1349 Three focal corners have been noted on the conceptual plan, shown there in blue, and
1350 the elevation exhibits. The intent is for these corners to act as a focal point in unifying
1351 developed -- a unifying element of the development as it tries to connect with the
1352 development to the south in those areas.

1353
1354 Access is being proposed through two entrances on Old Three Chopt Road here and
1355 here, which would be improved as shown on Exhibit C. I'm sure this -- that would be for
1356 the improvements on Old Three Chopt Road, I would note, versus the improvements to
1357 the actual access points.

1358
1359 Should this case be considered for approval, the applicant is encouraged to address
1360 making the buffer along the future interchange more evident on the conceptual plan and
1361 address security measures regarding parking deck access, and lighting should be
1362 provided consistent with the recommendations of the police division.

1363
1364 In addition to addressing the proffer concerns previously noted, the applicant is
1365 encouraged to revise the request to enhance consistency with the 2026 Comprehensive
1366 plan recommendations of Urban Mixed Use and Environmental Protection Area.

1367
1368 The proposed residential development would be a reasonable component in a mixed-use
1369 development. However, staff believes additional opportunities for design integration are
1370 available that would be more consistent with this idea of the UMU future land use
1371 designation.

1372
1373 The applicant has applied for the provisional use permit, companion provisional use
1374 permit, as noted, which would allow additional design flexibility. However, staff continues
1375 to believe integration and additional design modifications could be considered as part of
1376 a coordinated effort between all of the projects located in this quadrant.

1377

1378 As proposed, this request is not fully consistent with the other site's future land use
1379 designations or with the UMU designation. While this request has been revised to
1380 address previous concerns regarding inconsistencies with recent developments of this
1381 type, staff continues to note a higher-level of integration with the neighboring request into
1382 a single coordinated development is attainable and should continue to be pursued.
1383

1384 For these reasons staff believes residential development of the site could be appropriate
1385 but encourages the applicant to address the issues previously noted and to continue to
1386 look for ways to better integrate the requests. Staff recommends approval based on
1387 those issues if they -- if those can be resolved.
1388

1389 Staff notes, approval of this request would require the waiver of time limits and separate
1390 motions for the rezoning case and the provisional use permit. That concludes my
1391 presentation. I'd be happy to answer any questions.
1392

1393 Mr. Mackey - All right; thank you, Mr. Humphreys. Does anyone from the
1394 Commission have any questions for Mr. Humphreys?
1395

1396 Mrs. Thornton - Not at this time.
1397

1398 Mr. Mackey - All right; how would you like to proceed?
1399

1400 Mrs. Thornton - The applicant.
1401

1402 Mr. Mackey - The applicant, please.
1403

1404 Mr. Geiger - Mr. Humphreys, would you mind putting it on the layout slide?
1405 Good evening, Mr. Chairman, members of the Commission. My name is Jeff Geiger.
1406 Here on behalf of the applicant, Edward Rose. I appreciate Mr. Humphrey's review of the
1407 request that's before you. Appreciate the County staff working with us and our neighbor
1408 to the south on coming up with a plan, proposing a plan, to achieve the integration that
1409 staff was looking for.
1410

1411 An important part of kind of what staff came to us and asked of us from that plan, was
1412 creating a main entrance, a second main entrance. If you can see in the layout there are
1413 two circles, two blue circles, that are close to each other that will take you into the parking
1414 deck that's a part of the project. And we've enhanced those to create a second entrance
1415 for this project.
1416

1417 As Mr. Humphreys noted, it is contemplated that our neighbor to the south will extend
1418 that. Will provide a road from that entrance into the parking deck to the south, to the
1419 commercial area that the Planning Commission recommended approval for last month
1420 providing the integration. We're also providing a sidewalk that will come through and
1421 connect -- allow our residents to walk down to that commercial area. This builds upon the
1422 access road a realignment of the intersection for Old Three Chopt and Gayton to achieve
1423 the geometry requested by the County and then old Three Chopt will then link back to

1424 Broad Street using the drive aisle that -- or the private roads you can see to the -- on the
1425 left side of the property.

1426
1427 One of the comments that Mr. Humphreys made was about access to the deck. We had
1428 a conversation. An important part of that access and that use of that deck is convenience.
1429 Convenience for our residents, convenience for our guests, convenience for our future
1430 tenants.

1431
1432 At this point in the planning, we anticipate that folks will be able to drive into the main level
1433 of the deck, park, and visit. Visitor spaces will be available there and then the controlled
1434 access will be farther back.

1435
1436 Another comment that Mr. Humphreys made was the request about showing the green
1437 belt on the north side. My understanding is, from that request, staff's just looking for us
1438 to draw a line on the north side. We were concerned that drawing that line in the north
1439 side might be confusing to the public, confusing later on, as the county's still working
1440 through. Its design of the interchange, the future interchange, at Gayton. And we didn't
1441 want to create a line that kind of set a boundary line for that new interchange.

1442
1443 Instead, traditionally you have a transitional buffer up against the interchange. Staff
1444 asked us to replace that with the green belt and that green belt allows the flexibility for
1445 the county to design what it needs. And so adding that line, we think, didn't work with that
1446 flexibility that the county seeks.

1447
1448 Another important element of the request that's before you is the dedication of the land.
1449 Free land for the new interchange. We look forward to working with the county and
1450 providing the land for this important infrastructure improvement here along Gayton and
1451 64.

1452
1453 As you'll see in the proffers, we do provide security cameras throughout the parking deck
1454 and the new community. In working through the comments provided by the staff and Mr.
1455 Humphreys, we believe that we've achieved the integration that staff is looking for. We
1456 have adopted the layout that they have asked us to incorporate. We've addressed the
1457 comments that staff requested us to include within the case.

1458
1459 With that, I think approval of this -- or recommendation of approval of this request on
1460 behalf of the Planning Commission will bring a high-quality community to this intersection
1461 to support the commercial around it and also allow the county to achieve an important
1462 part of the implementation of this new interchange for Gayton and 64. That will provide
1463 great service for the residents out here in the Short Pump area.

1464
1465 With that, I ask that the Planning Commission recommend approval of the rezoning
1466 request and the PUP request before you. And be glad to answer any questions that you
1467 may have at this time.

1468
1469 Mr. Mackey - Thank you, Mr. Geiger.

1470
1471 Mrs. Thornton - I don't have any at this time.
1472
1473 Mr. Baka - There's just one great question. On the Land Use Plan, it
1474 shows an area for EPA, Environmental Protection Area. So, let me just call it a large
1475 creek that comes in from the west into the center of the site. And with the proposed
1476 footprint you have there, it appears that most or -- most or all of that creek would be filled.
1477 So, I guess my question is do you know whether more than two acres of land would be
1478 required to -- more than two acres of wetland would be required to be filled. And,
1479 generally, two acres or greater requires an individual permit in the core, which is a
1480 separate process.
1481
1482 Mr. Geiger - I'm familiar with the creek that kind of runs along the edge of
1483 our property line. A real deep -- real deep, deep creek in there and there's no impact to
1484 that one. You know. We will not have any wetland impacts or creek impacts greater than
1485 two acres.
1486
1487 Mr. Baka - So, maybe it's a question for Livingston or Mr. Lewis. I'm
1488 sorry. For Seth. Would you be able, Mr. Humphreys, would you be able to pull up the
1489 Land Use Plan map 2026 -- there you go. Could you elaborate on that? Yeah. I was
1490 calling a wetlands finger there in the black area and then there's maybe a blue isolated
1491 nontidal wetland or something. But that area that comes off the main creek from the west
1492 and extends into the center of the site. That's what I was referring to.
1493
1494 Mr. Geiger - Sure.
1495
1496 Mr. Baka - If it's labeled as EPA, isn't that -- isn't that wetland currently?
1497
1498 Mr. Geiger - You're going beyond the realm of my knowledge. I'm going to
1499 ask Brian Brewer with Kimley-Horn, our civil engineer, to do a better job of answering
1500 your question.
1501
1502 Mr. Baka - Sure, and I guess my question for Kimley would be, Is it
1503 greater than two acres? Does it require an IP?
1504
1505 Mr. Brewer - And good evening. Brian Brewer with Kimley-Horn. We have
1506 delineation that's been confirmed by the Corps of Engineers for that area that it is an
1507 open-water area that was delineated. And then downstream of that is also, as you
1508 mentioned, a stream, or a creek, that runs through there. That area that we're impacting
1509 is well less than two acres of impact.
1510
1511 Mr. Baka - Okay; all right. Thank you very much.
1512
1513 Mr. Brewer - Thank you.
1514
1515 Mr. Baka - Just because that complicates the process more.

1516
1517 Mr. Mackey - Any other questions?
1518
1519 Mrs. Thornton - It's real steep right there. Okay. Well thank -- the only other
1520 thing Seth had brought up was the lighting. But we have -- that would be taken up in
1521 POD. The Lighting Plan will be taken up with pedestrian lighting and make sure there's
1522 enough lighting for the parking deck and all of that. So, I just wanted to point that out.
1523 That was my other comment that he had brought up.
1524
1525 Mr. Humphreys - Yeah, I promise you, you know, from a -- from a tenant safety,
1526 tenant comfort, an inviting community. They're going to like that parking -- that parking
1527 deck. You know without -- they're going to provide lights in there. Just like you would
1528 see in any other parking deck you would drive into.
1529
1530 Mrs. Thornton - Yeah, just for safety reasons for, you know, with the security
1531 cameras up. I greatly appreciate that. We have met several times, and I appreciate it.
1532 And we've -- I appreciate all the updated proffers that you've sent in. The connectivity,
1533 we're hoping that the other applicant will bring something forward that will connect -- will
1534 make the nice road to connect the two. But thank you for adjusting their piece of Old
1535 Three Chopt Road.
1536
1537 So, I have no other comment. I appreciate the elevations. It's a new design that's going
1538 to bring in the modern aspect of architecture into our area, which I think will be a nice
1539 element and tie into the front commercial.
1540
1541 So, with that Mr. Chairman, I move that REZ2021-00002, Edward Rose Properties we
1542 grant the waiver of time limits and accept the proffers dated December 9, 2021.
1543
1544 Mr. Archer - Second.
1545
1546 Mr. Mackey - Okay.
1547
1548 Mrs. Thornton - I did it back --
1549
1550 Mr. Mackey - Hold on.
1551
1552 Mr. Emerson - Yes, she included it all together --
1553
1554 Mr. Mackey - Okay; you can -- okay. All right.
1555
1556 Mrs. Thornton - I did.
1557
1558 Mr. Mackey - We got a second by Mr. Archer? Okay. We have a motion by
1559 Ms. Thornton, a second by Mr. Archer all -- to waive the time limits and --
1560
1561 Mr. Emerson - And approve the --

1562
1563 Mrs. Thornton - And accept the proffers.
1564
1565 Mr. Mackey - -- and approve the case. Okay; all right. All in favor say aye.
1566
1567 The Commission - Aye.
1568
1569 Mr. Mackey - Any opposed? All right. Motion is granted.
1570
1571 Mrs. Thornton - All right; Mr. Chairman, I move that we recommend approval
1572 of REZ2021-00002 Edward Rose Properties, with the proffers dated December 9, 2021.
1573
1574 Mr. Baka - Second.
1575
1576 Mr. Mackey - All right. Motioned by Ms. Thornton, seconded by Mr. Baka,
1577 to approve REZ2021-00002 Edward Rose Properties, Incorporated. All in favor say aye.
1578
1579 The Commission - Aye.
1580
1581 Mr. Mackey - Any opposed? Motion is granted.
1582
1583 **REASON:** Acting on a motion by Ms. Thornton, seconded by Mr. Baka,
1584 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
1585 Supervisors grant the request because it continues a form of zoning consistent with the
1586 area, conforms with the objectives and intent of the County's Comprehensive Plan, and
1587 the proffered conditions will assure a level of development otherwise not possible.
1588
1589 Ms. Thornton - And, Mr. Chairman, I move -- I recommend approval of the
1590 provisional use permit, PUP2021-00026 Edward Rose Properties with the
1591 recommendation -- the recommended conditions listed in the staff report.
1592
1593 Mr. Mackey - Second. All right; we have a motion by Ms. Thornton and a
1594 second by Mr. Mackey to approve PUP2021-00026 Edward Rose Properties,
1595 Incorporated. All in favor say aye.
1596
1597 The Commission - Aye.
1598
1599 Mr. Mackey - Any opposed? Motion is granted.
1600
1601 **REASON:** Acting on a motion by Mrs. Thornton, seconded by Mr.
1602 Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board
1603 of Supervisors grant the request because it would allow greater flexibility for the proposed
1604 use and the when properly developed and regulated by the recommended special
1605 conditions, it would not be detrimental to the public health, safety, welfare, and values in
1606 the area.

1607

1608 Mr. Emerson - Mr. Chairman, we now move on to the next case on the
1609 agenda at the bottom of page 3. And there is a companion case to this as well. REZ2021-
1610 00048 James W. Theobald for Tripe J Farms, LLC, ME Taylor LLC, and ME Payne LLC.

1611
1612 **REZ2021-00048 James W. Theobald for Triple J Farms, LLC, ME Taylor**
1613 **LLC, and ME Payne LLC:** Request to conditionally rezone from A-1 Agricultural District
1614 to UMUC Urban Mixed-Use District (Conditional) Parcels 731-768-6671, 731-769-1848,
1615 731-770-6865, 732-768-3835, 732-768-9107, and 734-767-2531 containing 183.011
1616 acres located on the north line of Bacova Drive at its intersection of N. Gayton Road. The
1617 applicant proposes an urban mixed-use development. The uses will be controlled by
1618 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
1619 recommends Office, Rural Residential, density should not exceed 1 unit per acre, and
1620 Environmental Protection Area.

1621
1622 And a companion case, PUP2021-00018 again Mr. Theobald for Triple J Farms, LLC, ME
1623 Taylor LLC, and ME Payne, LLC. The staff report will be presented by Mr. Livingston
1624 Lewis.

1625
1626 **PUP2021-00018 James W. Theobald for Triple J Farms, LLC, ME Taylor**
1627 **LLC, and ME Payne LLC:** Request for a Provisional Use Permit under Sections 24-32.1
1628 (a, i, k, n, p, s, t, u, v, w, x, z, aa), 24-120 and 24-122.1 of Chapter 24 of the County Code
1629 to allow outdoor vending; offices greater than 30,000 square feet, indoor recreation
1630 greater than 10,000 square feet, retail stores or shops greater than 10,000 square feet;
1631 drive-through services; parking garage with no associated ground floor retail; commercial
1632 outdoor recreation facilities; buildings in excess of 60' in height; residential density in
1633 excess of 30 units per acre; one-family dwellings exceeding 25 percent of total dwelling
1634 units; open space less than 20 percent; commercial or office square footage of less than
1635 25 percent of the total building square footage; general hospitals; number of for-lease
1636 multifamily dwelling units to exceed 30 percent of total units; and a parking plan on
1637 Parcels 731-768-6671, 731-769-1848, 731-770-6865, 732-768-3835, 732-768-9107, and
1638 734-767-2531 located on the north line of Bacova Drive at its intersection of N. Gayton
1639 Road. The existing zoning is A-1 Agricultural District. UMUC Urban Mixed-Use District
1640 (Conditional) zoning is proposed with REZ2021-00048. The 2026 Comprehensive Plan
1641 recommends Office, Rural Residential, density should not exceed 1 unit per acre, and
1642 Environmental Protection Area.

1643
1644 Mr. Mackey - All right; thank you. Is there anyone in attendance or via
1645 Webex that's in opposition of REZ2021-00048 James W. Theobald for Triple J. Farms,
1646 LLC, ME Taylor LLC, and ME Payne LLC or PUP2021-00018 James W. Theobald for
1647 Triple J. Farms? Okay. We have someone in -- couple people in the back. Anyone --

1648
1649 Ms. Deemer - We have one person on Webex.

1650
1651 Mr. Mackey - Okay; all right. I'll let you know when we're ready for them.
1652 We'll probably start with the people in attendance first, please. All right. Thank you.

1653

1654 Mr. Lewis - Thank you. This is a request to rezone 183 acres at the
1655 northwest intersection of Bacova Drive and North Gayton Road from A-1 to UMUC, for
1656 an Urban Mixed-Use development named Avenlea. The applicant proposes a maximum
1657 of 1,600 residential units and a minimum of 150,000-square-feet of commercial space.
1658

1659 Adjacent properties consist of Goochland County to the west, Interstate 64 to the south,
1660 apartments to the east across North Gayton, and A-1 zoned residential or vacant parcels
1661 to the north, including a 205-acre county-owned site undergoing preliminary evaluation
1662 for possible public uses. The county is also in the process of working with VDOT and
1663 FHWA to obtain approval for an interchange at the adjacent intersection of North Gayton
1664 Road and Interstate 64. And you should be able to see that at the bottom of this aerial.
1665

1666 The 2026 Plan recommends most of this site for Office along with smaller portions
1667 designated for Rural Residential and Environmental Protection Area, corresponding to
1668 floodplains.
1669

1670 As required for UMU districts, the applicant has submitted a pattern book to serve as the
1671 project's master plan. This pattern book sets the development's overall guiding principles
1672 and provides specific site design and character details, including a number of exhibits
1673 that I will run through briefly.
1674

1675 This is the conceptual layout which identifies general use types by block, Mixed Use, and
1676 Residential as shown here.
1677

1678 The street hierarchy exhibit shows the potential locations, interconnections, and
1679 functional types of the various internal roads. They're identified as Primary Commercial,
1680 Paseo, Residential, and Cottage Residential, which were the smaller streets internal to
1681 the blocks which are not shown here. Each street type has a corresponding streetscape
1682 cross-section exhibit.
1683

1684 This is the example for Residential Streets. Each cross-section shows the relationship
1685 and scale of the basic private and public spaces, including sidewalks, planting areas,
1686 travel lanes, and parking.
1687

1688 Based on the combination of building use and adjacent street type, various building
1689 height, placement, and frontage standards are then applied by a series of other diagrams
1690 and charts, as summarized here.
1691

1692 In addition to meeting these parameters, residential lots would also need to be a minimum
1693 of 26 feet wide and 1,300-square-feet for detached homes, and a minimum of 16 feet
1694 wide and 800-square-feet for attached units.
1695

1696 Other sections of the pattern book describe the proposed natural areas and related
1697 amenities, including this one-mile linear park called Avenlea Trace, with passive spaces
1698 and interactive gathering areas.
1699

1700 Photo examples have also been provided to guide building style and quality. These are
1701 some of the assorted residential and commercial images provided throughout.

1702
1703 The 1,600 residential units may include single-family homes, townhomes, condominiums,
1704 apartments, and independent living units within a life-care facility. The final unit mixture
1705 is flexible but would be guided by the following basic parameters. First, development-wide
1706 there would be no more than 800 units of any one residential type. Second, in addition
1707 to any apartments, each block must have at least two different product types, meaning
1708 two residential or residential and commercial. And third, no more than 400 -- no -- I'm
1709 sorry. No more than 540 apartments would be permitted. The proffers do not cap the
1710 amount of nonresidential square footage or restrict its location throughout the
1711 development.

1712
1713 In addition to the pattern book details, other commitments in the proffers pertain to the
1714 following: a list of incompatible uses to be prohibited; exterior building materials and
1715 appearance standards, including minimum requirements for brick or stone on higher
1716 visibility facades, and structured parking illustrative examples; building height restrictions
1717 from 45 feet to 80 feet based on the street type, use type, and block location; limits on
1718 the hours of business operation, outdoor music and exterior construction; sound-
1719 suppressing walls for -- in for-sale homes adjacent to the interstate; an architectural
1720 committee to apply consistent requirements throughout the development; and allowances
1721 for reduced parking, among other topics.

1722
1723 Along with the pattern book and proffers, the development would also be regulated by the
1724 companion provisional use permit application, PUP2021-00018, which requires approval
1725 of the rezoning case prior to be -- being considered.

1726
1727 The PUP application includes 13 requests for additional uses or modifications of other
1728 UMU standards and thresholds. These include: outdoor vending areas; greater floor area
1729 for any use with floor area limitations in the code; drive-through service windows; parking
1730 garages with no associated ground-floor retail; commercial outdoor recreation facilities;
1731 buildings in excess of 60 feet in height; residential density exceeding 30 units per acre;
1732 one-family homes exceeding 25 percent of all dwelling units; less than 20 percent
1733 aggregate open space; commercial or office square footage of less than 25 percent of the
1734 total building square footage; general hospitals; the number of for-lease multi-family
1735 exceeding 30 percent of total residential units; and an alternative parking plan.

1736
1737 On the handout distributed this evening you will notice changes to suggested PUP
1738 conditions number 4 and number 8 to provide consistency with the permitted uses in the
1739 proffers. All other conditions remain as they were suggested in the staff report.

1740
1741 Recent revisions to the proffers and pattern book have resolved most of the previously
1742 identified concerns. However, the revised traffic impact analysis is still under review and
1743 questions remain about the extent and timing of necessary road improvements on and off
1744 site. This includes the potential interchange, concept roads providing access to the site,
1745 and future improvements to Kain Road. Roads as well as schools, buffering, and other

1746 questions were also discussed during the applicant's community meeting held earlier this
1747 week. Revised proffer number 14 handed out this evening, is meant to address a couple
1748 of those topics raised by attendees.

1749
1750 In total, considering the quality assurances and impact-mitigation measures provided,
1751 staff believes the proposed mixed-use development would be an acceptable alternative
1752 to the 2026 Plan designations on the site and would complement existing and future uses
1753 in the area.

1754
1755 If the applicant is able to provide for the necessary road improvements to meet public
1756 works and VDOT requirements, staff could fully support this request.

1757
1758 That completes my presentation, and I'm happy to answer any questions. And time limits
1759 would need to be waived for these proffers.

1760
1761 Mr. Mackey - All right; thank you, Mr. Lewis. Are there any questions for
1762 Mr. Lewis?

1763
1764 Mr. Baka - Yes, just one. Does the county line bisect any parcels or are
1765 they -- are there any parcels of land that are also extending into Goochland County along
1766 with those Henrico Parcels? Right there.

1767
1768 Mr. Lewis - No, sir.

1769
1770 Mr. Baka - No, so the parcel lines end at the county boundary in this
1771 instance?

1772
1773 Mr. Lewis - Yes.

1774
1775 Mr. Emerson - Well, Mr. Baka, if your question is, does any of the ownership
1776 extend into Goochland, the answer to that is yes. The Grandis portion of the property
1777 that's the furthest west does have a portion that falls into Goochland. But, of course,
1778 that's not part of this application, because it's outside of the County's jurisdiction.

1779
1780 Mr. Baka - Okay and part of the -- understood. Part of the reason I ask -
1781 - and that's helpful to hear, Mr. Emerson -- is that on the aerial photograph it appears
1782 there's no real significant or natural boundary at the County line there. So, two questions,
1783 maybe. What would be the end of the development? Is it just, you know, buffering trees
1784 of intensive residential development backing up to farmland? Or is there -- is there future
1785 opportunity to extend this same development pattern into Goochland? And that may be
1786 a question -- the second part may be a question for the applicant.

1787
1788 Mr. Emerson - Right, Mr. Baka, I think that's a question for the applicant.
1789 What their plans are in the future for the residual Grandis property in Goochland. I don't
1790 believe we can respond to that.

1791

1792 Mr. Baka - Okay. Thanks.
1793
1794 Mr. Mackey - Any other questions for Mr. Lewis? All right. How would you
1795 like to proceed?
1796
1797 Mrs. Thornton - I guess let's hear from the opposition and then we'll have the
1798 applicant come in.
1799
1800 Mr. Mackey - All right. Would like to hear from the opposition now. If you
1801 go to the microphone in the back and please state your name for the record, please.
1802
1803 Mr. Koontz - Hi. My name's Greg Koontz. I live at 12881 Kain Road. And
1804 my parents live at 12803 Kain Road. And their property is the only, I guess, property that
1805 touches this parcel in Henrico that's not Henrico County property. And I'm not really
1806 opposed to the zoning, but I do think the way the proffers are written and the density that's
1807 right adjacent to our parcel, I mean, I don't think it provides any protection to that property.
1808
1809 I mean, I know that this zoning doesn't meet the Comprehensive Plan. I mean, it's going
1810 to be very dense, and our property is going to become the transition parcel between this
1811 30-unit per acre project and 1-acre lots on the north-side of Kain Road. So, that kind of
1812 puts us in -- our property in the position to where it's going to be the transition. And just
1813 in conversations -- I went to the meeting Tuesday night -- and conversations with Ms.
1814 Thornton and Mr. Branin. You know what I mean. And it's -- our parcel is probably going
1815 to end up having to be some sort of traditional single-family development.
1816
1817 And right now, the way the proffers are written, there's -- even once it gets rezoned -- and
1818 I appreciate those guys working with us. I mean, they did add some proffers, but the way
1819 they're worded, I mean, I just don't think it really is going to help.
1820
1821 Because if the parcel does get rezoned, ultimately, to some kind of standard residential
1822 product, you're going to end up with -- there's no restrictions. I mean they can -- they can
1823 put, you know, a 60-foot-high building right up against property line. There's no setback
1824 specified.
1825
1826 And they're getting exceptions to where they can do some of the heights. The original
1827 staff report said between 150 and 300 feet from the property line they could go up to 80
1828 feet. I mean, that's pretty tall. It's what -- one row -- one row of units along the property
1829 line, a road, and then a potential 8-story building and you just have houses there.
1830
1831 So, I would just ask that some more work be done to try to figure out how this is going to
1832 transition, since none of this matches the Comprehensive Plan. And you're going to end
1833 up with a standard subdivision just north of that.
1834
1835 And I guess I'm not really sure, I guess, commercial can be anywhere in that Block O. I
1836 don't think that's restricted at all. So, I mean, that could, at this point, be anywhere up in
1837 that block.

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1882

And that's all. Thank you.

Mr. Mackey - Thank you, Mr. Koontz. Any other questions or comments for Mr. Koontz? Okay. Thank you, sir.

Mr. Swartz - Good evening, Commission. I'm Cory Swartz. I actually live right across the street from Mr. Koontz. And we were at the Tuesday meeting. So, I want to say thank you, first of all, to everybody that was able to attend. Mr. Lewis has been a great help in helping me understand a lot of the details and everything else. So, I just wanted to give that thanks to start.

Piggybacking off of what Greg said was, I actually had it in my notes here, was around the county's Land Use and Community Character Objective 13: The County will provide for the logical arrangement of land uses which offers transitions from more intense to less intense uses. And as Greg was saying, going from a 45-foot building with no setback down to an A-1 Rural Residential, that's very intense to no intensity. There's no draw down to where we hit those -- that northern line of the property.

We also had some concerns, and we shared these on Tuesday, around the school capacities. Also, the future improvements to Kain Road. We're really looking on that far western end of Kain Road to have it be that two-lane double-striped 35-mile-an-hour street. And what we really don't want to see is major improvements made to that end of Kain Road that then is used to justify heavier density up that way as well once that 132 Road Connector comes into play.

So, we want to keep that as a much smaller street which really fits with the neighborhood and the zoning that's already back there.

You know, we also have the major unknowns that are out there as well, the County property, the interchange, and then what is going to happen with the traffic study when that comes back as well.

So, you know, at this point, we're in opposition at the way that it stands now. And I just think that there needs to be some additional research and some additional information that needs to come out before we can, you know, put any support behind the rezoning and PUP request. So, thank you.

Mr. Mackey - All right; thank you, Mr. Swartz. Any questions? All right; thank you, sir. Thank you.

Mr. Evans - Good evening. I'm Lieutenant Colonel Eliot Evans. I live in the Bentley community just to the north of the firehouse that will have the responsibility of covering this area.

1883 I wanted to ask first -- or first I'll start out with I believe more work is needed. I agree with
1884 the two previous speakers that are homeowners right off Kain Road. I fully agree with
1885 their comments they made at the community meeting just two nights ago.

1886
1887 I will note that at that community meeting -- I have not been able to find anyone in the
1888 Bacova -- in the Bacova community right across the street from which this road -- this
1889 major development -- it's very likely a \$1-billion development for the developer. Right
1890 across the street I have not found a homeowner that is aware of the community meeting
1891 that took place Tuesday or tonight's meeting.

1892
1893 I do believe more work is needed on the proffers as the two previous speakers have
1894 noted. I've been told at the community meeting that this land will be cleared, and that
1895 vegetation and trees would be replanted to meet their design specifications. I would like
1896 to know why it has to be clearcut.

1897
1898 I grew up a son of an architect. My father has been an architect for over 67 years. He's
1899 87 now. Graduate of the School of Architecture at University of Virginia. I grew up
1900 through elementary and high school walking nearly every lot of land that he built custom
1901 homes on, and we saved most of the trees on every lot. Developers today, as you know,
1902 they clearcut the land for expediency to make it more efficient and so they can build that
1903 property faster so they can start getting the revenue from that project.

1904
1905 I would like to -- consideration be given for the environment, for the trees, and if you do
1906 plan on allowing the land to be clearcut, I would like there to be an -- a provision in there
1907 that the developer take time to notify the appropriate wildlife protection and rehabilitation
1908 organizations in the area to allow them time to identify the animals and safely extract them
1909 so they can put them on our -- on land that they can continue to live. That's a lot of land.
1910 163 acres. That's a lot of land. I've walked and run in that area on the -- on the public
1911 roads available there. It does not -- a good portion is farmland, but there's wildlife that
1912 lives there in the forested areas.

1913
1914 And I have a big question is, are we going to apply any lessons learned in the housing
1915 development in our great County that we live from our ongoing pandemic? When this
1916 development was briefed to us at the community meeting Tuesday, they talked about
1917 having -- the density was high because they wanted a close-knit group, community. But
1918 that's not what we have learned after this pandemic and this pandemic is still going.

1919
1920 And we will probably have another pandemic, unfortunately. I've spent a lifetime
1921 deploying responding to natural disasters. And some of those disasters are caused by
1922 deforestation.

1923
1924 Yes, this is only 163 acres, but every acre matters. Every foot of land matters. So, I
1925 would ask that they at least notify wildlife protection and rehabilitation organizations if they
1926 are going to do any clearcutting. I would like to endorse the comments of my -- the
1927 previous two speakers. And I think we may have another one or two speakers on Webex.
1928 Thank you for your time and consideration.

1929
1930 Mr. Mackey - All right; Lieutenant Colonel Evans, on behalf of the
1931 Commission, we'd like to thank you for your service and appreciate your sacrifices you've
1932 made.
1933
1934 Mr. Evans - Thank you. And thank you for your public service to all of us
1935 in the County and the Commonwealth.
1936
1937 Mr. Mackey - Thank you.
1938
1939 Mr. Evans - Thank you.
1940
1941 Mr. Mackey - Was there anyone else in attendance who would like to
1942 speak? All right, Ms. Deemer, I think we're ready for the Webex people who would like
1943 to speak.
1944
1945 Ms. Deemer - Mr. Chairman, just for your information, while the presentation
1946 was going on, we've had a number of people join Webex. However, no one but two
1947 people have indicated their opposition. So, the first speaker who would like to speak in
1948 opposition is a Mr. or Ms. Yasin Vohra. They are now unmuted.
1949
1950 Mr. Mackey - Okay.
1951
1952 Mr. Vohra - Thank you. My name is Yasin Vohra and I'm a resident of
1953 4916 Bowles Hill Court in Welwood. I'm also the Welwood HOA President. I'm
1954 representing myself in personal capacity and bringing some of the comments that my
1955 neighbors have told me while walking around in the community.
1956
1957 Let me begin by thanking the Henrico County Planning Commission, the County staff, Mr.
1958 Goldschmidt. You know, we had a community meeting, but that was -- that notice was
1959 sent out at a very last minute. Also, it conflicted with the high school open houses. I
1960 briefly attended the meeting, met Mr. Branin and left. I spent about 30 minute -- seconds
1961 to a minute and left. I mean, with such a short notice you cannot arrange to -- for another
1962 parent to take your child.
1963
1964 Also, a lot of neighborhood residents were not notified. We were only notified, and was
1965 there anybody else on the other side of Bowles Hill who did not get this notice. So, there
1966 was very poor publicity to shove this project in very quickly. I think a lot of residents, even
1967 people living in apartments, need to have the ability to participate, because their kids go
1968 to the same school that our kids go to. And this project will impact all of the Henrico
1969 community high schools, middle schools, and elementary schools. So, we need a
1970 comprehensive plan from the School Board of how they can accommodate this -- such a
1971 big project. I'm not against the project, but I would like for it to be deferred until other
1972 items are answered such as traffic that was mentioned by the County staff.
1973

1974 There are no clear studies on the environmental impact. I'm not sure adequate controls
1975 are in place to avoid flooding and drainage issues with new construction. Welwood is not
1976 new to drainage issues, and the County is aware of it.

1977
1978 Eagle President Josh Goldschmidt said he was inspired by the Atlanta area. I mean,
1979 Henrico's bond rating is triple-A. We are leading the nation. We should be using our own
1980 talent from VCU or some of the local schools and lead the -- let the nation follow. Let's
1981 not follow Atlanta and bring the same traffic jams that Atlanta has to Henrico. W. Broad
1982 is already a parking lot. I do not want to see north Gayton being another parking lot.

1983
1984 This definitely needs more work, and I think it should be deferred until all of these
1985 questions are answered. Additionally, I have not heard anything about how they're going
1986 to handle the increase, or hiring of new police officers, additional firemen for the Fire
1987 Station 19. This is going to be serviced by Fire Station 19 and I need a comprehensive
1988 plan from the County as to what they are going to do in parallel to accommodate that
1989 growth.

1990
1991 I'm all for development, but as long as it's done using local resources, our own architects
1992 on VCU and local I would -- I would be very happy to propose this project and vote yes.
1993 But, at this time, I think this project needs a lot of more work, and we should defer it until
1994 all of these questions are answered. Thank you again for your service to the Henrico
1995 County.

1996
1997 Mr. Mackey - All right; thank you, sir. Ms. Deemer, we have one more
1998 speaker?

1999
2000 Ms. Deemer - Yes, Mr. Chairman, the only other person we have heard from
2001 is Sue Davidson. She is now unmuted.

2002
2003 Mr. Mackey - Okay. Good evening, Ms. Davidson.

2004
2005 Ms. Davidson - Good evening. I am --

2006
2007 Mr. Mackey - Ms. Davidson -- one -- I don't want to cut you short. But we're
2008 currently at almost three minutes beyond our time. So, could you please be as brief as
2009 you possibly can, and try not to repeat anything any of the other speakers said, please?

2010
2011 Ms. Davidson - I can.

2012
2013 Mr. Mackey - Okay. Thank you, ma'am.

2014
2015 Ms. Davidson - I am Sue Davidson. I live with my husband, Jim, in Welwood.
2016 And we moved here after living 30 years in Northern Virginia. And we have seen this act
2017 before in many locations in Northern Virginia. We were kind of victims of it at one place,
2018 too. It really sounds a lot like there, where you're having a high-density area not only of
2019 residents, but you're also -- no one mentioned since I've been able to get on, about the

2020 high school which will be built, you know, just -- I think that's called -- I think that's north
2021 of there and in the not-too-distant future.

2022
2023 So, you know, that needs to be figured into the equation, too. Because there's a lot of
2024 traffic. I think the entrance from there will be on Kain Road, is what I understood Mr.
2025 Branin to say at the meeting -- last meeting I attended. So, given that, I think traffic is one
2026 of the biggest things.

2027
2028 But if you -- if you sit back and think about it, what is this going to do to the commute that
2029 is already starting to pile up? And that's very concerning. Where we live on -- off Gayton,
2030 of course, behind Fire Station 19, you've got Kain Road on one end, and you've got
2031 Pouncey Tract on the other. And I know there're buildings that are proposed to go in on
2032 the corner lot that is not yet taken. There're also apartments further down on Gayton
2033 going toward Short -- I mean, on Pouncey Tract going towards Short Pump.

2034
2035 So, what you're going to have here is something that's really compressing everything.
2036 And when you mention a big interchange down there, there already is sufficient traffic
2037 trying to get on 64 or 288, either way. So, you know, that's just down the hill from there,
2038 or up the hill, whatever it is.

2039
2040 But I would just ask that someone look at this from a humanitarian's point of view. I don't
2041 live in a -- in a box. I live in a decent-sized house. But when a lot -- when you add a lot
2042 of the apartments, townhomes, you add the people, you add the, you know, the
2043 commercial side of it as well. And from what I heard the gentleman speak, it was going
2044 through the plans for Avenlea, when I heard him speak, he was just talking more about
2045 the commercial and the housing in there and the parks and the this and that. 163 or 183
2046 acres is not very much land. So, if you're trying to, you know, have a community, you're
2047 going to have a very, very small community and a lot of -- big community in a very small
2048 area. And that's very concerning, because it's still going to be off Gayton. So, our -- I
2049 didn't hear this either -- are there plans to widen Gayton? That's one of the asks that I
2050 have. Because otherwise it will be a big mess.

2051
2052 So, my only concern is, I agree with Yasim and with Eliot Evans. I don't think there's been
2053 quite enough homework done for me to say, I would like to see something like that coming
2054 within a mile-and-a-half of me.

2055
2056 That doesn't even mention the other side of Broad Street right across the street with Short
2057 Pump and trying to get in and out of there off Gayton as well as many people do. So, it's
2058 not that I'm saying I'm opposed, but on that small plot of land, and it's a very small plot
2059 when you think about it, it's not very conducive to having a place that people would like
2060 to call their home community I would not think.

2061
2062 Mr. Mackey - All right; thank you, Ms. Davidson.

2063
2064 Ms. Davidson - Thank you.

2065

2066 Mr. Mackey - All right; I think that wraps up all of our speakers.
2067
2068 Ms. Deemer - Yes, sir. Mr. Chairman, that was it.
2069
2070 Mr. Mackey - Okay.
2071
2072 Mr. Evans - We did have a Mr. Harriman, Chris Harriman, that wanted to speak.
2073 He just asked to be unmuted on Webex.
2074
2075 Mr. Mackey - Well, it's up to you. I mean we're, like, seven minutes past our
2076 time.
2077
2078 Mrs. Thornton - Thirty seconds.
2079
2080 Mr. Mackey - All right. She said he can have 30 seconds.
2081
2082 Mrs. Thornton - I know.
2083
2084 Mr. Emerson - Ms. Deemer, do you have anyone else on Webex?
2085
2086 Ms. Deemer - Sorry?
2087
2088 Mr. Emerson - Do you have a Mr. Harriman on Webex, Ms. Deemer?
2089
2090 Ms. Deemer - Let me look. Yes. We do have a Chris Harriman. I will now
2091 unmute them.
2092
2093 Mr. Mackey - All right; Mr. Harriman.
2094
2095 Mr. Harriman - Hey, guys. Real quick, just another resident of the Bentley
2096 community to further endorse that no one knows what's going on. No one understands
2097 why this development is being pushed through and added onto when there's vacant
2098 commercial properties just up the street around the mall that don't have enough people
2099 to work in them and even function as businesses.
2100
2101 As the other guys have said, the notifications of this project are very poor, as indicated
2102 how many people you have sitting in the room right there. It's hard enough -- we can't
2103 even figure out how to work this Webex to chat in to say that we're opposed to it. But the
2104 neighbors in our community are vastly opposed to 1,600 more homes up the street
2105 clogging up those streets and -- fully endorse everything all the other people said about
2106 the opposition. So, thank you.
2107
2108 Mr. Mackey - All right; thank you.
2109

2110 Mr. Emerson - Mr. Chairman, I would remind you, when you -- when you
2111 move into your question period, we do, again, have Mr. Hughes from Public Works. And
2112 from Schools we have Mr. Justin Briggs with us this evening as well.

2113

2114 Mr. Mackey - Okay, thank you, sir. All right.

2115

2116 Mr. Theobald - Livingston, can I have the clicker to advance the PowerPoint?
2117 And, Fred, if you could bring up my PowerPoint, please. Thank you. -- (long pause) Thank
2118 you. Well, good evening, members of the Planning Commission, ladies and gentlemen.

2119

2120 My name is Jim Theobald. And I'm here this evening on behalf of ME Payne LLC, ME
2121 Taylor LLC, and Triple J Farms, LLC. Which in concert intend to develop approximately
2122 183 acres off the western side of Gayton Road on the north side of Interstate 64.

2123

2124 Also, the property is bordered by Goochland County on the west and the County of
2125 Henrico's property on the north. Eagle -- Markel|Eagle is the coordinator of the
2126 entitlement process for Avenlea. They should be well known to you. They're an award-
2127 winning construction development firm who's -- most recent mixed-use project
2128 GreenGate, which has been enormously popular and quite a benefit to Henrico County.

2129

2130 You've seen the location. It's at that northwest quadrant of Gayton Road and Interstate
2131 64. And, again, this is our drawing which is really intended to just show the planning that
2132 went into it. The purple areas are where most of the commercial and higher intensity
2133 uses, if there are higher office buildings, et cetera. That's also the area where the taller
2134 buildings can be up against the interstate.

2135

2136 The balance is a mixture of residential products. And we've taken great pains to make
2137 sure there is a mixing of products. The road system is designed to demonstrate the
2138 amount of connectedness, openness, and stewardship to the land that goes into the
2139 thinking here. Really the hallmark of Avenlea is really one of connectedness. And the
2140 utilization of alleyways, pedestrian trails and paths, to connect the residents with nature.
2141 It's a very walkable community and a lot of thought having gone into those issues.

2142

2143 This is the map showing the various green areas that are contemplated. The sort of linear
2144 path going from bottom up to the top left is what we call our paseo, or Avenlea Trace,
2145 designed to be pedestrian connection throughout. And then we have areas of --
2146 environmental areas that'll be green space to complement the open space on the -- on
2147 the property.

2148

2149 It's a mixed-use and density community and it's really a little bit unlike what we've seen
2150 in Henrico County or the metropolitan area. It's a community with different uses in
2151 proximity with one another and enhanced with the network of greenways, pedestrian
2152 paths, and common areas, pocket parks and greenways that are all going to be governed
2153 by the proffered conditions, the terms in the pattern book, and also the PUP conditions to
2154 ensure that the vision becomes a reality.

2155

2156 And these are just some shots of a community or two down in Georgia that -- that inspired
2157 the design of this and showing you the kind of pedestrian ways and open spaces that
2158 provide these connections. This is actually a shot showing condos in the back and
2159 detached homes in the front. But note all the green areas around.

2160
2161 This shows townhomes, but the use of a BMP turned into an amenity with plantings and
2162 greenspace throughout. This is a shot of single-family homes that are sort of on a
2163 common green area, if you will, in front. Whoops. Townhomes and single-family
2164 condominiums shown in different styles and configurations with little paths and alleyways
2165 that connect -- that connect the neighborhoods.

2166
2167 Commercial areas, again, the areas that -- with a higher intensity are designed to have
2168 the bulk of commercial amenities. Although we have allowed for the possibility of some
2169 neighborhood and smaller-scale commercial areas throughout the entire project. So, that
2170 if somebody wanted to have a neighborhood coffee shop, bakery, or deli, or whatever,
2171 they could do that. But obviously the commercial activity is going to find itself closest, I
2172 believe, to that interchange.

2173
2174 These are just more pictures of some of the commercial type designs that we've seen in
2175 similar communities. The opportunity here is enormous. You have, I think, about 250
2176 acres, am I right, of County land just to the north? And we have been in discussions with
2177 the County for many, many, many months as to how to coordinate our developments.
2178 Obviously, the County is working through some plans.

2179
2180 We don't know whether they'll be all parks, all schools, combination of schools, parks, et
2181 cetera. Some discussion of a no-kill animal shelter being in the back part of there. But
2182 that's really up to the County. But we're involved in discussions so that there can be back
2183 and forth access. Connectivity. And we need to establish working on a road infrastructure
2184 in this area to benefit both Avenlea and the County.

2185
2186 That has been somewhat frustrated by the lack of finality in the design of the interchange
2187 that the County is working on with VDOT. And so, there are open questions about some
2188 of the transportation infrastructure, but those are not capable of being finalized at the
2189 moment other than to say that both the County and the developers know that we have to
2190 work in tandem so that the traffic can be -- can be accommodated.

2191
2192 Interestingly, the -- of course this interchange has been on the books for as long as I can
2193 remember. But that's really going to take traffic, you know, off of the Gayton and Broad
2194 intersection and send traffic east and west so that you might better be able to access
2195 Interstate 288 and Interstate 64. And so we believe that, you know, currently the traffic
2196 out there is generally a Level of Service D, which is an acceptable level of service in traffic
2197 parlance other than the peak hours at the intersection of Gayton and Broad, which operate
2198 at a Level of Service E.

2199
2200 But it's expected to continue it's the existing condition. It's also in our traffic report the no-
2201 build condition like this never gets built. It's also for the build condition. And none of the

2202 traffic report takes yet into account, I think, the interchange. Because it's just unknown
2203 as to the timing and configuration.

2204
2205 So, we do have a number of proffered conditions, some 26 in all. We've proffered the
2206 pattern book so that what you see is what you get. Limited uses. Caps on densities.
2207 Individual caps on multi-family and overall product types. Requirements that there must
2208 be a certain amount of commercial square footages and building materials, building
2209 heights, hours of construction, et cetera.

2210
2211 The UMU ordinance, Urban Mixed-Use ordinance, has its own long list of quality
2212 guarantees, so when it all comes together it's a highly regulated guarantee of high-quality
2213 community. So, this land was -- is about six parcels. I think I've probably had calls on
2214 these parcels for 15 or 20 years. This is the first time anybody's come together for a
2215 coordinated master plan development, coupled with the opportunity for the County
2216 property, I think, represents a unique opportunity for the County and its citizens.

2217
2218 I'll respond briefly to some of the comments made by people in opposition. With regard
2219 to Mr. Koontz, we did add proffered conditions in an effort to address his issues. I don't
2220 believe he had quite right the description of what could occur there. The only place you
2221 can -- you can go more than 60 feet is really in the purple area. Okay.

2222
2223 And so, what we've -- what we've -- have is we've agreed with a 35-foot buffer up against
2224 his property, which is back here, connecting where Kain Road is in that little neck,
2225 vegetative buffer, and that buffer is exclusive of lot areas. Okay. So, it's -- that buffer
2226 area is not part of anybody's lot.

2227
2228 Then the houses adjacent to that buffer can only be 40 feet in height. And then within
2229 150 feet, houses other than those right next door that can only be 40 feet, houses cannot
2230 exceed 45 feet in height - so, within the 150. And only then do you get to the 60-foot
2231 potential that is allowed under the UMU. And this is a -- this is a similar transition that is
2232 in the Innsbrook Area Plan from those neighborhoods over to the west into the Innsbrook
2233 Office Park.

2234
2235 I would note that that land that the Koontz family owns is zoned A-1. It did have a, I think,
2236 a subdivision plan approved, which I think is expired. But, you know, were they to pursue
2237 an A-1 subdivision, the height of those homes could be 45 feet in height, which are
2238 actually taller than ours in close -- in close proximity.

2239
2240 We do move from more intense to less intense. We move from the more intense
2241 commercial and the higher heights along Interstate 64, and really the residential uses we
2242 see transitioning to the rear while a mix of residential product is really allowed anywhere
2243 in there. We would expect to see some of the lesser dense neighborhoods, you know,
2244 as we go on toward the back -- toward the back.

2245

2246 The -- Kain Road has been an issue forever, and I don't think anybody's -- we said at the
2247 meeting, and we put it in our proffers, but nobody's going to connect the Kain Road unless
2248 and until the Kain Road improvements have been made.

2249
2250 And I understand they're in the CIP Plan. I think there was some surprise at the meeting
2251 where they talked about Kain Road being improved, which everybody wants, and then
2252 the realization, I think, that some of the neighbors that Kain Road is going to be improved.
2253 Which means it's going to be widened and there's likely to be more traffic on it. So, it's,
2254 you know, it's a balance and I understand their concerns. But I think that's -- Kain Road
2255 is something that's needed attention, like Sadler Road, forever.

2256
2257 School capacity again, impossible to predict, since we don't know whether the County's
2258 going to be built one, two, or three schools next door. These types of projects, as you all
2259 have heard the past cases, don't seem to generate many school-aged children. But we
2260 believe with the planning -- with the County on this site that those children will be
2261 accommodated. I know Mr. Branin is not -- clearly not a fan of trailers.

2262
2263 And please keep in mind that this is probably at least a 15-year buildout. So, everybody
2264 doesn't show up at once. Okay. So, it's over time and the first people won't -- this won't
2265 even start for a couple of years. So, it's going to be closer to, you know, 18 to 20 years
2266 before this thing is potentially built out.

2267
2268 Other comments, comments on notice, you know, when we first filed the case, we sent
2269 out the notices required by the County. We've developed a website that's -- website's
2270 been posted. It's been there for everybody to view. We expanded the list of notifications
2271 for this meeting, which was given at least two weeks in advance, and we sent out over
2272 100 notices to people. It did include people in Bacova.

2273
2274 And when I talk about density and you saw the pictures what, you know, what we really
2275 mean is the areas that are developed are more dense, or village-like, with alleys and
2276 paths. But it's almost akin to a cluster development design where the -- you live, and you
2277 work in a smaller area and then you are able to avail yourself of the green space and the
2278 open space on the balance of the site.

2279
2280 This density is much lower than, I think, any UMU that I've been associated with. And
2281 I've been associated with many of them. So, over 183 acres, I think, the density, -- Lewis
2282 -- Livingston, I forget, it's like 8 -- 7 or 8 units per acre, or something like that.

2283
2284 Mr. Lewis - That's correct. It's 8.74.

2285
2286 Mr. Theobald - Okay. So, with that, ladies and gentlemen, I would
2287 respectfully ask that you recommend approval of this request to the Board of Supervisors.
2288 You will need to waive some time limits. And then when we -- if get around to the
2289 Provisional Use Permit, I have a couple of comments on one condition there. Happy to
2290 answer any questions.

2291

2292 Mr. Mackey - All right; thank you, Mr. Theobald. Any questions from the
 2293 Commission?
 2294
 2295 Mrs. Thornton - Not to Mr. Theobald.
 2296
 2297 Mr. Mackey - Okay.
 2298
 2299 Mr. Baka - I have one for the applicant.
 2300
 2301 Mr. Mackey - Go ahead, sir.
 2302
 2303 Mr. Baka - You mentioned that four -- proffer 14, the 35-foot vegetative
 2304 buffer to be provided along the north line for the homes that are on -- they're on the south
 2305 side of Kain Road. Is that vegetative buffer intended to be existing vegetation that's
 2306 there? Or clear-cut and replant, or --
 2307
 2308 Mr. Theobald - It's likely going to have to be planted, and if -- and if there's
 2309 something there, it'll be supplemented.
 2310
 2311 Mr. Baka - Okay; so, it's likely going to have to be planted. What about
 2312 providing that type of buffer on the western property line?
 2313
 2314 Mr. Theobald - Up against Goochland?
 2315
 2316 Mr. Baka - Yes.
 2317
 2318 Mr. Theobald - You know there are -- when you look through the UMU
 2319 ordinance, there are some buffers, but there's provisions that you handle transitions with
 2320 landscaping as the POD and the landscaping plans come up so that you can sort of marry
 2321 the use, whether it's intense or less intense. So, that's really baked into your ordinance
 2322 so that you just don't have a raw edge with the building on it in terms of setbacks,
 2323 landscaping, et cetera. So.
 2324
 2325 Mr. Baka - So, there's no restrictions in a proffer that would disallow
 2326 homes from being built right up against the county line. Correct?
 2327
 2328 Mr. Theobald - No. There are -- there are setbacks and there -- and there
 2329 would be landscaping under the ordinance.
 2330
 2331 Mr. Baka - But no vegetative buffer.
 2332
 2333 Mr. Theobald - Could be. I think your UMU ordinance does suggest that -- if
 2334 I'm correct, Mr. Emerson.
 2335
 2336 Mr. Emerson - It does. It depends on the use on the adjacent property.
 2337

2338 Mr. Theobald - Right.
2339
2340 Mr. Emerson - -- plays into it. But I think it could go as high as a 35-foot
2341 transitional if I remember correctly.
2342
2343 Mr. Baka - Right. Okay. Thank you, Mr. Chairman. Thank you.
2344
2345 Mr. Theobald - Surely.
2346
2347 Mr. Mackey - Any other questions?
2348
2349 Mr. Witte - Nah. I just have a comment. It seems to me like the majority
2350 of the issues brought up, or items, would be handled under the POD. Which the rezoning
2351 won't -- isn't really affected by. It -- that's a future issue instead of a rezoning issue. So,
2352 you know, the roads and -- anyway. Just a comment.
2353
2354 Mrs. Thornton - Thank you.
2355
2356 Mr. Mackey - Thank you, sir. Any other questions or comments?
2357
2358 Mrs. Thornton - I did want to hear, just real quick, from the schools just to give
2359 your general statement about their concerns in the area. And I know you don't have a
2360 plan for what's going to go, but could you explain what could go there if we needed it?
2361 Or...
2362
2363 Mr. Briggs - Yeah. Good evening, Mr. Chairman, members of the
2364 Commission, Justin Briggs with Henrico County Schools. So, our -- the big question we
2365 have right now is exactly what kind of development would go in, you know, if it's a -- if it's
2366 going to be predominantly condos, townhomes, we might not necessarily need additional
2367 schools. However, based on the numbers we're -- we have right now, we would definitely
2368 need additional capacity across all levels to be able to accommodate.
2369
2370 Mrs. Thornton - Okay; and does the County land have the capacity to build
2371 those three schools?
2372
2373 Mr. Briggs - I know that it could certainly house at least one school. I
2374 believe that there's an -- it's 100-acre for high school and 40 for --
2375
2376 Mr. Emerson - It's 60 -- it's 20/30/60. Elementary is 20, middle school is 30,
2377 and then the -- and then high schools are 60.
2378
2379 Mrs. Thornton, this land is planned for one school. It has other uses that must occur on
2380 it such as a public park. That was one of the main reasons for the property when it was
2381 purchased because you have quite a bit of population in this area. And Rec & Parks is
2382 approximately 100 acres short in what they need to service the population of this area.
2383

2384 So, it's always been planned to have a certain level of recreational use to it. The other --
2385 - the other primary use for it was always intended to be a high school. And that currently
2386 is the County plan. There's not an immediate need for a high school at this -- at this time.
2387 The land does belong to the County and not necessarily to the School Board. It belongs
2388 to the Board of Supervisors.

2389
2390 Mrs. Thornton - Okay.

2391
2392 Mr. Emerson - So, the Board of Supervisors will dictate the final uses that
2393 occur on that property.

2394
2395 Mrs. Thornton - Okay.

2396
2397 Mr. Emerson - But that -- in terms of schools, again, it's always been
2398 considered as a high school site. That what -- that's what it was purchased for.

2399
2400 As Mr. Briggs said, the numbers, depending upon how you look at them and what types
2401 of units are developed, you've got a broad spectrum of uses here. It could create need
2402 for capacity at all levels. It could come in at a slower rate, as Mr. Theobald said. The
2403 cohorts may be small enough that it assimilates across. The schools have other options,
2404 such as redistricting of student population in order to accommodate growth in the area.

2405
2406 But it's hard to look at a project, or any project, in Three Chopt -- as you know the majority
2407 of schools are at capacity in Three Chopt -- and not realize that there's going to have to
2408 be some give and take somewhere in terms of how the schools are accommodated.

2409
2410 Mrs. Thornton - All right; thank you.

2411
2412 Mr. Briggs - Thank you.

2413
2414 Mrs. Thornton - Hopefully we'll be proactive.

2415
2416 Mr. Briggs - It would be appreciated. Thank you.

2417
2418 Mrs. Thornton - I'd like to hear from Traffic. Would Mr. Hughes come up?
2419 Hello.

2420
2421 Mr. Hughes - Good evening, again.

2422
2423 Mrs. Thornton - As you heard, I think every opposition had a concern with the
2424 level of traffic. And, you know, how is it going to be handled and how is it going to impact
2425 where we all live right now.

2426
2427 Mr. Hughes - Okay; yeah, I'll speak to that. So, I mean, there's a lot going
2428 on, I guess, in this area. Especially from a, I guess, even from a Public Works standpoint,
2429 road standpoint, so I'll just kind of start with the big thing that we have. We're currently in
2430 the middle of studying for a North Gayton interchange.

2431
2432 So, it'd be at the intersection of North Gayton and Broad Street. And we're working with
2433 the Federal Highway Administration and the state, Virginia Department of Transportation,
2434 to achieve that approval. So, we're currently about a year and some change into this
2435 really refined effort that we're really focusing in and we're zeroing in on the, I guess, a
2436 couple options that the interchange configuration could look like.
2437
2438 Going in for evaluation on how that's going to impact 64. So, just like we would want to
2439 make sure developments -- our traffic -- our roads can handle the traffic that's coming in,
2440 that's the same requirements that the Federal Highway has. They want to make sure that
2441 if you're going to introduce a new limited access break or a new interchange, that it's not
2442 actually going to diminish the operations of I-64.
2443
2444 So, we're seeing some promising things. You know, we're still going through the process,
2445 but overall we're expecting, if we're able to get approval for the North Gayton Interchange,
2446 it's going to provide some benefits to Broad Street. The Broad Street at I-64 interchange,
2447 the -- actually the Nuckols Road at 295 interchange and then over in Goochland they'll
2448 actually see some benefits at the 288 and Broad Street Interchange. So, that's what it's
2449 looking like. You know, we're probably a few months away from having a -- even getting
2450 close to an approval. But we're within probably a month of really knowing what that
2451 interchange configuration is going to look like and how that would maybe have to interact
2452 with the site. So, we're coming really close. I think we'll be -- we'll be able to have a good
2453 -- we'll probably have a good handle on that before this goes to the Board for a decision.
2454
2455 We're coordinating that with the developer as well as some of the other improvements.
2456 So, as was mentioned, Kain Road improvements are in our CIP. So, you know, we're
2457 working on just figuring out where -- which way we want to fund that. But we're hoping to
2458 begin design on Kain Road pretty soon. You know, as we're going to construction on a
2459 number of other projects in your district. But, yeah, that's -- we're working that out. And
2460 then, with the park or the property that the County owns there's, you know, a lot of moving
2461 parts with that on connectivity and where we're going to go first.
2462
2463 So, we're really tying in what we're -- what we're doing with the interchange, what we're
2464 doing with Kain Road, what we have on that site, and then -- I think it's good timing with
2465 this development that we're able to coordinate all of these pieces and work with them as
2466 to -- as to what, you know, they may build versus what we're building. So, I, you know, I
2467 feel confident we'll have all of that worked out.
2468
2469 And then to get to your real question, traffic. I mean, North Gayton was built to handle. I
2470 mean, that road, it's a fairly new road. A lot of the, I think, folks that made comments that
2471 are living in a lot of the newer communities that are -- that are benefiting from North
2472 Gayton and what it was planned to do. Which was connect. That bridge was built with
2473 the intent of potentially connecting to 64 and providing a relief valve for Broad Street and
2474 some of the other roadway networks.
2475

2476 So, unlike Northern Virginia, Henrico County has done a great job, really, with its comp
2477 planning process of getting ahead of the traffic and making sure that our road network is
2478 in place. And that's really what North Gayton was. It was in place to accommodate
2479 development as opposed to us being reactive to it. So, we're catching up a little bit on
2480 Broad Street. You know, we've got plans in place on that. I think North Gayton
2481 Interchange will help, but, you know, as far as this community, we feel like, you know,
2482 some of the improvements that were -- your -- that the developer is willing to make, as
2483 well as just the fact that we have capacity, we'll be able to address and handle the traffic
2484 that this would generate.

2485
2486 Mrs. Thornton - Okay. So, at this time with no interchange it can handle --
2487 North Gayton can handle and Broad can handle at this development, if it was fully built
2488 out.

2489
2490 Mr. Hughes - Yes. Yeah. And all of the traffic, I mean, like I said, there'll be
2491 improvements that'll be made. All of the traffic is not necessarily going to go to Broad
2492 Street. So, yes, we do have capacity. North Gayton's just going to make it even better,
2493 I think, just for the area.

2494
2495 Mrs. Thornton - Okay.

2496
2497 Mr. Hughes - Yep.

2498
2499 Mrs. Thornton - And just to clarify, there isn't connection to Kain Road. You're
2500 improving Kain Road just because Kain Road is a really bad road right now. It's
2501 dangerous for busses and stuff. So, this development does not connect to Kain Road at
2502 this time. And that's not the reason that you're doing improvements.

2503
2504 Mr. Hughes - No. No Kain Road is a -- it's its own thing. It's a road that's
2505 just -- it's an older road. Needs some improvements. So, that's been in the CIP -- it
2506 predates this development. So, that's just a separate effort. I don't think this actually
2507 directly connects to Kain in any way.

2508
2509 Mrs. Thornton - It doesn't. Mr. Koontz's property separates it.

2510
2511 Mr. Hughes - Right.

2512
2513 Mrs. Thornton - And so if he ever sells the connectivity. So, let's just say when
2514 you do, for the future, if he didn't own that property and it did connect, do you look at the
2515 future of these homes being able to go out onto Kain Road? Your improvements?

2516
2517 Mr. Hughes - Yeah. So, I mean, typically with any, you know, rezoning
2518 case, when we get to the POD, that's' really where the phasing and the timing comes in.

2519
2520 Mrs. Thornton - Okay.

2521
2522 Mr. Hughes - And we would work with the developer on when certain

2523 improvements are needed. So, I think that's something that we would, you know, if we
2524 were -- if we're not ahead of the development and Kain Road hasn't been approved, we
2525 would certainly not want the connection there. So, that's something that would be synced
2526 up.

2527
2528 Mrs. Thornton - Okay; yeah. Yes, okay.

2529
2530 Unknown Speaker - What about -- I'm sorry, but --

2531
2532 Mr. Mackey - We can't -- we can't ask any more questions right now. The
2533 public comment portion is over.

2534
2535 Mrs. Thornton - And so, Kain Road -- looking at the improvement on Kain
2536 Road, two-lane road, 35-mile-an-hour, is that a typical what --

2537
2538 Mr. Hughes - Yeah. So, yeah. We're -- it'll either be a two-lane or the -- a
2539 three-- our three-lane section, which would basically be two-lane -- one lane in each
2540 direction plus a turn lane. And then we -- our new standard calls for a trail, a shared-use
2541 trail.

2542
2543 Mrs. Thornton - Okay.

2544
2545 Mr. Hughes - Which will provide pedestrian and biking combinations.

2546
2547 Mrs. Thornton - Okay.

2548
2549 Mr. Emerson - Mr. Hughes, could you address the concept roads? I believe
2550 that's what the citizen was trying to ask about. The two that -- the two that go north.

2551
2552 Mr. Hughes - Oh. That go north of (indiscernible).

2553
2554 Mr. Emerson - Right. And connect to Kain --

2555
2556 Mr. Hughes - Okay.

2557
2558 Mr. Emerson - -- but not developed now. One would be the one, of course,
2559 that they're - they've shown through their development that would eventually connect up
2560 through the Koontz property. And the other one is the one that goes north across the
2561 County property. Neither of which, of course, that are developed at this time.

2562
2563 Mr. Hughes - Yep. Yeah, I think you've kind of addressed it. But yeah.

2564
2565 Mrs. Thornton - Yeah. Just that you think -- forward thinking when you're
2566 making improvements. Okay. Do you all have any other questions for traffic?
2567

2568 Mr. Witte - Just out of curiosity, because this being a more than a decade
2569 project, like might take 15 years or 18 years to build it out, does that make it more
2570 manageable for traffic? For engineering, for all the issues that may occur as the PODs
2571 come in?
2572

2573 Mr. Hughes - Yeah. To answer that. Yes, I think it does. That helps out.
2574 Because, I mean, we're still going through the process of getting the interchange. It takes
2575 some time to work through road projects. Same thing with Kain. We're, you know, if
2576 we're going to make improvements, we're going to have to work with property owners on
2577 that. So, it will take time. So, this development being stretched out taking some time and
2578 I think --
2579

2580 Mr. Witte - So, it's not going to be a burden not having it all at once?
2581

2582 Mr. Hughes - No.
2583

2584 Mr. Witte - Okay.
2585

2586 Mrs. Thornton - Thank you, Mr. Hughes. I just had a question for Fire. Are
2587 they available?
2588

2589 Mr. Emerson - Fire is here, but I don't know that we prepared them for a
2590 question. But the gentleman appears to be.
2591

2592 Mrs. Thornton - I just want to make sure that they can handle Station 19, if he
2593 would just like to make a comment. If we do, because that's our newest station that would
2594 be handling this project. And that was their concerns.
2595

2596 Mr. Farmer - Hello. Good evening. Jeff Farmer with the Division of Fire.
2597 Deputy Fire Chief. We're very comfortable with the added call volume that this
2598 development would create. Fire Station 19 in Short Pump was designed and built in
2599 anticipation of the growth in this area. So, currently, the engine truck, and ambulance
2600 that are at Station 19 have pretty low call volumes, pretty low commitment time, so we're
2601 comfortable for, you know, 15 or 20 years as this is built out that Station 19 could
2602 accommodate the call volume.
2603

2604 Mrs. Thornton - Okay. Great. Thank you.
2605

2606 Mr. Farmer - Sure.
2607

2608 Mrs. Thornton - That's -- I just wanted to make sure.
2609

2610 Mr. Farmer - Yep.
2611

2612 Mrs. Thornton - Do you all have any other questions?
2613

2614 Mr. Baka - No questions.

2615
2616 Mr. Archer - I don't think so.
2617
2618 Mrs. Thornton - I had one question, Mr. Theobald, about clearing and
2619 replanting.
2620
2621 Mr. Theobald - Yes.
2622
2623 Mrs. Thornton - And protecting our wildlife that already exists there. Can you
2624 answer any of that?
2625
2626 Mr. Theobald - Well, the reality of a development, a mixed-use development
2627 like this, is while you would hope to save trees and would endeavor to save trees, when
2628 you are grading for streets, roads, putting in utilities, it's really unlikely that you can save
2629 many, if any, trees. Unlike these large lot subdivisions that, you know, that surround.
2630 Where trees actually, you know, are valuable.
2631
2632 What we would intend to do which is, I think, unprecedented is, well, this is going to take a
2633 while to get started. If we receive our approvals, the Markell|Eagle folks are going to go
2634 begin planting that whole Avenlea Trace. The green area that connects throughout the
2635 whole thing, so that those trees will be, you know, much more mature as development
2636 occurs. But nobody's going to clear 183 acres worth of land. It'll likely be in, you know,
2637 in phases. It won't be one lot at a time. But -- and then things will be replanted in the
2638 areas. You know. There's a lot of RPA areas connected with those creeks and wetland
2639 areas, et cetera. So, you know, I don't want to mislead you as to the development process
2640 in terms of clear-cutting. You know.
2641
2642 The animal issue I've never, in 40 years had to notify anybody that I was beginning my
2643 development. I mean, once in a while. -- (undiscernable comment from attendee) --
2644 Thank you. Once in a while you run into a protected species, or an endangered species,
2645 in which case you are required to do certain -- to do certain things. But as, you know, as
2646 development occurs where we all live there were once animals and they've moved as
2647 we've moved in. And it's an unfortunate fact of life. So.
2648
2649 Mrs. Thornton - Okay.
2650
2651 Mr. Theobald - That's the reality.
2652
2653 Mrs. Thornton - Well, I know Mr. Goldschmidt is a very hands-on developer.
2654 So, I am sure that he will reach out to the people that are concerned. I know he's already
2655 talked to them and he's really into this biophilia. Which I don't even -- don't ask me to
2656 explain that word. But he's taught me -- so he's very into bringing the nature into this
2657 project.
2658
2659 Mr. Theobald - Yes, correct.
2660

2661 Mrs. Thornton - He wants that wildlife nature look.
2662
2663 Mr. Theobald - Yes.
2664
2665 Mrs. Thornton - Thank you so much. And he's not here tonight to stand up for
2666 himself. But I do know his stance on that. I don't have any other questions. Do you all?
2667 Did I say it right? I don't know. Okay.
2668
2669 Mr. Theobald - We need to waive time.
2670
2671 Mrs. Thornton - Okay; the time limits?
2672
2673 Mr. Theobald - Mm-hmm. For proffers.
2674
2675 Mrs. Thornton - Okay; we're just going to -- do you want to do the PUP? Do
2676 you --
2677
2678 Mr. Theobald - I'm happy to give you the comments on the PUP.
2679
2680 Mrs. Thornton - Before I make any motions.
2681
2682 Mr. Theobald - Sure. We've been debating with staff, Condition number 4,
2683 Use-specific square-foot maximums. And I believe the first sentence is appropriate.
2684 Medical, dental, optical, offices, clinics, laboratories, indoor, recreation and entertainment
2685 facility, retail sales, services shall have no floor area limitations.
2686
2687 The second sentence, however, I just -- I really don't understand what it's intended to do.
2688 It says, "However, any medical, dental, optical, offices, clinics, or laboratories exceeding
2689 30,000 square feet and any indoor recreation/entertainment facilities exceeding 10,000
2690 square feet must be part of a multi-tenant building. Why? Why?
2691
2692 If I have a user for a big medical office building, or a hospital, or even a larger fitness
2693 center, what difference does it make that it's a multi-tenanted building? It seems to me
2694 that's a provision meant to control and hamstring a development. So, I would suggest we
2695 strike that second sentence with all respect.
2696
2697 Mrs. Thornton - Okay; Livingston, do you want to explain?
2698
2699 Mr. Lewis - I guess, generally speaking, what I would say is it's an effort to
2700 continue to mix within the mixed-use development. Create a building that has those
2701 medical uses as well as other uses similar to some of those other provisions in the UMU
2702 code which you may or may not require. Such as including retail uses on the bottom of
2703 a parking garage and things of that nature. So, that's the general intent of it.
2704
2705 Mrs. Thornton - Okay; I personally -- I don't see that it needs to be in there.
2706 As we've seen in West Broad Village, doesn't always become successful. And if you
2707 would like to choose to do that, then I think you could have the opportunity to.

2708
2709 Mr. Theobald - Sure.
2710
2711 Mrs. Thornton - But I don't want to tie your hands to you have to have, you
2712 know, a multi-tenant building. Sometimes it's not always successful.
2713
2714 Mr. Theobald - Thank you.
2715
2716 Mrs. Thornton - Okay; so, that'll just be on record, and you'll have to --
2717
2718 Mr. Theobald - I think as you make your motion with the Provisional
2719 Use Permit, you would suggest amending Condition 4.
2720
2721 Mrs. Thornton - Okay; perfect, okay. And I just had one question, Joe, that
2722 you could help us out on. The community as we heard throughout, some of them, they
2723 didn't feel like they were informed. So, can you please explain about how community
2724 meetings and how the communication to the community and how it works in --
2725
2726 Mr. Emerson - Sure. Sure. From the -- from the standpoint of a community
2727 meeting, that is a meeting that is requested by the Planning Commission of the developer
2728 to hold to inform the neighborhoods of the development. They do work with County staff
2729 to determine a mailing area in which to send out notifications. That mailing area is usually
2730 a little bit larger than what the County necessarily mails. We have to -- we have a certain
2731 area specified by state code that we have to notify. We always go a little bit beyond as
2732 well. But normally, and I don't have the maps in front of me as far as notification areas,
2733 but we normally have the developer look a little bit deeper than that.
2734
2735 In this case, your adjacent property owners, which is really what state code requires. The
2736 County has approximately 205 acres there and, of course, we're the property owner to
2737 the north and to the east of the property. That one boundary line with the Grandis
2738 property. And then, of course, the property to the west into Goochland, that is primarily
2739 in the ownership of the Grandis family and we do notify Goochland County. Then to the
2740 south, of course, is Interstate 64. Across the Interstate is the mall and some multi-family
2741 development.
2742
2743 Apartments -- apartment owners -- and I heard the gentlemen online indicate that he
2744 thought the apartments should be notified. Well, apartments are rented by individuals,
2745 and then an apartment complex is owned by one entity. Well, that is -- that is the owner
2746 under state code. So, when they receive a notification it goes to the owner of that
2747 property, not to each individual renter of an apartment.
2748
2749 So, then it's up to that owner whether or not he notifies his renters of a pending
2750 development in the area. So, that would explain how the notifications are done. And
2751 everything has gone beyond what the code requires, because Henrico likes to try to notify
2752 everyone. The developer, as noted by Mr. Theobald, did create a website at the County's
2753 request and notify the area. I believe in two mailings, Mr. Theobald?
2754

2755 Mr. Theobald - Yes.
2756
2757 Mr. Emerson - You did an initial mailing.
2758
2759 Mr. Theobald - Second mailing for the community meeting was broader than
2760 the initial.
2761
2762 Mr. Emerson - Right, so, the County's made every effort along with
2763 advertisement in the newspaper and posting of signs to notify people of these meetings.
2764
2765 Mrs. Thornton - Thank you. I feel like the signs have been successful. I'm on
2766 the Nextdoor app and I feel like that's where a lot of people post this sign, and then they
2767 can go look at the community -- at the Henrico County website. So, I do appreciate -- I
2768 love the signs that you all put out there. Because not everybody gets the newspaper
2769 anymore. So. Okay, thank you, Mr. Theobald.
2770
2771 Mr. Theobald - Thank you.
2772
2773 Mrs. Thornton - At the community meeting, we probably had maybe 20 people
2774 that attended, if that. We did hear from Mr. Koontz that night. Mr. Evans, we heard from,
2775 and also the first gentleman was Cory. So, I appreciate you all coming back out and
2776 expressing your concerns. I love residents that are invested in their community. I think
2777 that's what makes us so special and makes our community so great is when you stay
2778 involved to make sure that where you live, work, and play is something that you feel like
2779 is confident.
2780
2781 And I think Henrico County has done a great job. I feel like, overall, I had to digest this
2782 for a long time. I even heard the guy who developed it in Atlanta. And density, yes, you're
2783 like, "What? So many houses together. I don't understand." But it's more of the houses
2784 are together. And then so you don't have to spend all your time doing your yardwork.
2785 You are more into the nature and there's a lot of nature throughout this development that
2786 is going to be integrated with the walking trails, the parks, just the natural area.
2787
2788 And it might not be for everybody. It might be, you know -- and the flexibility gives them
2789 the opportunity to see what the market will yield in 10 years. And -- but they've proffered
2790 in some really strong things that will protect architect, will protect the land.
2791
2792 And so, with that, I feel like, Mr. Chairman, I move that we grant a waiver of time limits
2793 and accept the proffers dated December 9, 2021 for REZ2021-00048 Triple J. Farms,
2794 LLC, ME Taylor LLC, and ME Payne LLC.
2795
2796 Mr. Witte - Second.
2797
2798 Mr. Mackey - Second. All right. Who was that? That was you? Okay. We
2799 have a motion by Mrs. Thornton, a second by Mr. Witte, to waive the time restraints on
2800 the proffers. All in favor say aye.
2801

2802 The Commission - Aye.
2803
2804 Mr. Mackey - Any opposed? Motion is granted.
2805
2806 Mrs. Thornton - And, Mr. Chairman, I move that we recommend approval of
2807 REZ2021-00048 Triple J Farms, LLC, ME Taylor LLC, and ME Payne, LLC with the
2808 proffers dated December 9, 2021 with the understanding the applicant will work to finalize
2809 the traffic impact analysis and incorporate any findings into the proffers prior to the Board
2810 of Supervisors hearing.
2811
2812 Mr. Witte - Second.
2813
2814 Mr. Mackey - All right. A motion by Mrs. Thornton, a second by Mr. Witte,
2815 for the approval of REZ2021-00048 Triple J. Farms, LLC, ME Taylor, LLC, and ME Payne,
2816 LLC. All in favor say aye.
2817
2818 The Commission - Aye.
2819
2820 Mr. Mackey - Any opposed? The motion is granted.
2821
2822 **REASON:** Acting on a motion by Mrs. Thornton, seconded by Mr. Witte,
2823 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
2824 Supervisors **grant** the request because it would permit development of the land for
2825 residential and non-residential uses in an appropriate manner and the proffered
2826 conditions would provide for a higher quality of development than would otherwise be
2827 possible.
2828
2829 Mrs. Thornton - And, Mr. Chairman, I recommend approval of Provisional Use
2830 Permit PUP2021-00018 Triple J Farms, LLC, ME Taylor LLC, and ME Payne LLC with
2831 the revised Conditions 1 through 15 and the amended Condition number 4 dated
2832 December 9, 2021.
2833
2834 Mr. Baka - Second.
2835
2836 Unknown Speaker - The striking?
2837
2838 Mrs. Thornton - Oh. I am so sorry. Yes. Striking the second sentence -- do I
2839 need to read it?
2840
2841 Mr. Emerson - No ma'am. You said amended sentence number 4. We have
2842 your comments in the record, and I've made note of it, as I'm sure Mr. Lewis has, too. So
2843 we understand what you're -- what you're trying to do here.
2844
2845 Mrs. Thornton - Okay. Okay.
2846
2847 Mr. Baka - Second.

2848
2849 Mr. Mackey - All right. So, we had a motion by Ms. Thornton, a second by
2850 Mr. Baka to approve PUP2021-00018. All in favor say aye.

2851
2852 The Commission - Aye.

2853
2854 Mr. Mackey - Any opposed? Motion is granted.

2855
2856 **REASON:** Acting on a motion by Mrs. Thornton, seconded by Mr. Baka,
2857 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
2858 Supervisors **grant** the request because it would allow flexibility needed to develop the
2859 land for residential and non-residential uses in an appropriate manner.

2860
2861 Mr. Theobald - Thank you.

2862
2863 Mr. Emerson - Mr. Chairman, we now move on to the next item on your
2864 agenda, which appears on page 4. It's REZ2021-00063 John H. Click, Junior for
2865 Haywood B. Hyman, Jr.

2866
2867 **REZ2021-00063 John H. Click, Jr. for Haywood B. Hyman, Jr.:** Request to
2868 amend proffers accepted with C-56C-05 on Parcel 746-760-6689 located on the north
2869 line of W. Broad Street (U.S. Route 250) approximately 665' west of its intersection with
2870 Dominion Boulevard. The applicant proposes to amend proffers regarding prohibited
2871 uses. The existing zoning is B-3C Business District (Conditional). The 2026
2872 Comprehensive Plan recommends Urban Mixed Use. The site is in the Innsbrook
2873 Redevelopment Overlay District.

2874
2875 It is a request to amend proffers accepted with C-56, C-05 located on West Broad Street
2876 west of this intersection with Dominion Boulevard. The applicant proposes to amend
2877 proffers regarding Prohibited Uses. The staff report will be presented by Mrs. Lisa
2878 Blankinship.

2879
2880 Mr. Mackey - Thank you. Is there anyone in attendance or via Webex that's
2881 in opposition of REZ2021-00063 Haywood B. Hyman, Jr.?

2882
2883 Ms. Deemer - We have not heard from anyone on Webex for this case.

2884
2885 Mr. Mackey - And no one in attendance. Thank you.

2886
2887 Mrs. Blankinship - Good evening, Mr. Chairman, members of the Commission.
2888 This is a request to amend proffers accepted with Rezoning case C-56C-05 regarding
2889 permitted uses and the other housekeeping items to reflect recent changes in the county's
2890 POD process.

2891

2892 The 1.2-acre site is located on the north line of West Broad Street, approximately 660
2893 feet west of Dominion Boulevard and as part of the Innsbrook Overlay Redevelopment
2894 District.

2895
2896 The property is zoned B-3C and is surrounded by non-residential uses, including Wawa,
2897 Bennett Funeral Home, and an overflow inventory site for Carmax. This request would
2898 remove proffer language that references POD approval by the Planning Commission to
2899 be consistent with current administrative practices and amend prohibited uses currently
2900 limiting the undeveloped parcel to an automobile dealership.

2901
2902 The applicant would like to allow additional uses including a drive through restaurant while
2903 continuing to prohibit those uses that govern the B-2C parcel, including gun shops, flea
2904 markets, check-cashing facilities, and adult businesses.

2905
2906 This request would allow additional commercial uses on the site compatible with the
2907 surrounding area depending on the use which is not known at this time. The narrow width
2908 of the site could create design challenges for future development. Proffers accepted with
2909 the original case would also continue to provide protections for adjacent properties,
2910 including a 20-foot-wide landscape buffer with an 8-foot wall along the eastern property
2911 line adjacent to the funeral home.

2912
2913 The 2026 Comprehensive Plan recommends Urban Mixed-Use and the proposed proffer
2914 amendments are not expected to negatively impact the adjacent property owners.
2915 Additional flexibility and permitted uses would allow for a wider range of development
2916 options on a challenging site and the proffers would continue to provide quality
2917 assurances consistent with other developments in this area of West Broad Street. For
2918 these reasons, staff supports this request.

2919
2920 And this concludes my presentation. I'll be happy to answer any questions.

2921
2922 Mr. Mackey - Thank you, Mrs. Blankinship. Does anyone have a question
2923 or a comment for Ms. Blankinship?

2924
2925 Mrs. Thornton - I don't. I already talked to her today.

2926
2927 Mr. Mackey - Okay.

2928
2929 Mrs. Thornton - And we're going to get that resolved. Correct? When it goes
2930 to be a --

2931
2932 Mrs. Blankinship - The sidewalk.

2933
2934 Mrs. Thornton - Yes.

2935
2936 Mrs. Blankinship - You -- yes.

2937

2938 Mrs. Thornton - Okay.

2939

2940 Mrs. Blankinship - There would be a sidewalk at the time of POD. I confirmed
2941 with the traffic engineer.

2942

2943 Mrs. Thornton - Okay; perfect. Thank you.

2944

2945 Mrs. Blankinship - Mm-hmm.

2946

2947 Mrs. Thornton - I don't have any questions for her.

2948

2949 Mr. Mackey - Okay; I don't -- I don't have any more questions either.

2950

2951 Mrs. Thornton - Okay; is there anybody on Webex?

2952

2953 Mr. Mackey - No. No -- there was nobody in opposition.

2954

2955 Mrs. Thornton - Okay; do you all have any questions for her?

2956

2957 Mr. Baka - No. No.

2958

2959 Mrs. Thornton - It's pretty straight forward. Okay, Mr. Chairman, I move that
2960 we recommend approval of REZ2021-00063 Haywood B. Hyman, Jr. With the proffers in
2961 the staff report dated November 23, 2021.

2962

2963 Mr. Baka - Second.

2964

2965 Mr. Mackey - All right. We have a motion by Ms. Thornton, a second by Mr.
2966 Baka, for REZ2021-00063, Haywood B. Hyman, JR. All in favor say aye.

2967

2968 The Commission - Aye.

2969

2970 Mr. Mackey - Any opposed? Motion's granted.

2971

2972 **REASON:** Acting on a motion by Mrs. Thornton, seconded by Mr. Baka,
2973 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
2974 Supervisors **grant** the request because it was determined to be reasonable and is not
2975 expected to adversely impact surrounding land uses in the area.

2976

2977 Mr. Emerson - Mr. Chairman, the next item on your agenda this evening also
2978 appears again on page 4. It is a substantially-in-accord study for Fire Station, Number 6
2979 relocation.

2980

2981 **SIA2021-00004 County of Henrico – Fire Station 6 Relocation:** The
2982 Department of Planning has received a request from the Division Fire to initiate a
2983 Substantially In Accord study for the relocation of Fire Station 6. The proposed site

2984 consists of Parcel 811-717-8514 containing 4.5 acres located along the south line of Gay
2985 Avenue at its intersection with Millers Lane in the Varina District. The existing zoning is
2986 R-4 One-Family Residence District. The 2026 Comprehensive Plan recommends
2987 Suburban Residential 2, density should not exceed 3.4 units per acre.

2988
2989 Just based on the hour and cutting to the chase, I'm sure all of you have read this. Staff
2990 is recommending that you find it substantially in accord.

2991
2992 Substantially In Accords do not require public hearings. However, the Commission
2993 traditionally, if someone is present that wishes to provide public input, does take public
2994 input. They are not advertised. So, if you don't have anyone that wants to provide public
2995 input on this. If you have any questions of staff, Ms. Blankinship is prepared to respond
2996 to you. If not, a resolution to approve PCR-6-21 would be in order.

2997
2998 Mr. Mackey - All right. Does anyone have any questions for Ms.
2999 Blankinship?

3000
3001 Mr. Archer - Did I understand correctly that Chief Palmer is opposed to
3002 this?

3003
3004 Mr. Emerson - I think that's what he's stated the entire time.

3005
3006 Unknown Speaker - Oh, I'm sorry.

3007
3008 Unknown Speaker - (indiscernible) a motion for that?

3009
3010 Mr. Emerson - I don't -- you may not have one. Ben's out. But just a motion
3011 -- just move for approval, if not.

3012
3013 Mr. Mackey - Okay; are there no questions? All right.

3014
3015 Mr. Baka - Move the resolution.

3016
3017 Mr. Mackey - I second.

3018
3019 Mrs. Thornton - There you go.

3020
3021 Mr. Mackey - We have a motion by Mr. Baka, a second by Mr. Mackey, to
3022 find SIA2021-0004 in accordance. All in favor, say aye.

3023
3024 The Commission - Aye.

3025
3026 Mr. Mackey - Any opposed? The motion is granted. Thank you.

3027
3028 Mr. Emerson - (indiscernible) Ben Sehl's grandfather passed away and
3029 we've been scarnbling a little bit. He had to fly to Minnesota.

3030
3031 Mr. Mackey - And I am sorry to hear that.
3032
3033 Mr. Emerson - So, he normally handles those motions. So, I apologize for
3034 that.
3035
3036 Mr. Baka - Please send our condolences to him.
3037
3038 Mrs. Thornton - Yes.
3039
3040 Mr. Emerson - Absolutely.
3041
3042 Mr. Mackey - Thank you.
3043
3044 Mr. Emerson - He had to catch a plane out last night. So. Either that or early
3045 this morning. I'm not sure. I know he was gone last -- when I got back to the office, he
3046 was gone. So.
3047
3048 The next item, Mr. Chairman, on your agenda, also appearing on page 4 and, of course,
3049 you receive these revisions. We did go over them in work session to your rules and
3050 regulations. But, of course, many of them were created by the changes in the zoning
3051 code, and then we did have some cleanup revisions. If you don't have any questions for
3052 staff regarding these, a motion to approve would be in order on this as well.
3053
3054 Mr. Mackey - Does anyone need any cleanup or any revisions on the rules?
3055
3056 Mr. Archer - Mr. Chairman, I think we did that quite well while we were
3057 going through the course of the evening.
3058
3059 Mr. Mackey - I agree. Well, I believe a motion would be in order.
3060
3061 Mr. Archer - I move that it would just be accepted.
3062
3063 Mr. Witte - Same.
3064
3065 Mr. Mackey - All right. Motioned by Mr. Archer, a second by Mr. Witte, to
3066 accept the rule changes. All in favor say aye.
3067
3068 The Commission - Aye.
3069
3070 Mr. Mackey - Any opposed? The motion is granted.
3071
3072 Mr. Emerson - Now then, Mr. Chairman, based on your action you just took
3073 regarding the rules and regulations, your first action under them would be to nominate a
3074 chairman and a vice chairman to be on the agenda for election at your January 13th
3075 meeting.

3076
3077 Mr. Mackey - All right; January 13th. All right; so, I -- at this time I would
3078 open nominations for -- should I do chairman first or vice chair?
3079
3080 Mr. Emerson - However you wish to handle it.
3081
3082 Mr. Mackey - I think we should do a chairman, first chairperson.
3083
3084 Mr. Baka - Mr. Chair, I would like to nominate Melissa Thornton from the
3085 Three Chopt District to be our next Chair for 2022.
3086
3087 Mr. Witte - Second.
3088
3089 Mr. Baka - All right. Are there any other nominations?
3090
3091 Mr. Archer - I move that nominations be closed.
3092
3093 Mr. Baka - Second.
3094
3095 Mr. Mackey - All right. Well, we won't take a vote tonight. Am I correct?
3096
3097 Mr. Emerson - Correct. Not for election.
3098
3099 Mr. Mackey - Okay. Not for the election. So, on the January 13th meeting,
3100 we would have a vote on the nominee, Ms. Melissa Thornton, as Chairperson. All right.
3101 Congratulations.
3102
3103 Mrs. Thornton - We have to vote.
3104
3105 Mr. Mackey - Hmm?
3106
3107 Mrs. Thornton - We still have to vote.
3108
3109 Mr. Witte - You still have to show up.
3110
3111 Mr. Emerson - You have to be there. That's -- if you're not there, you may
3112 get two jobs.
3113
3114 Mr. Baka - We don't have a quorum.
3115
3116 Mr. Mackey - Yeah. I told my wife I might by myself (indiscernible). All right.
3117 So, now we'd like to open up nominations for the position of vice chair. Are there any
3118 nominations?
3119
3120 Mr. Archer - I would like to place in nomination the name of Mr. Robert H.
3121 Witte.

3122
3123 Mr. Baka - Second.
3124
3125 Mr. Mackey - All right; are there any other nominations?
3126
3127 Mrs. Thornton - I close the nominations --
3128
3129 Mr. Archer - We've got a whole lot to think about.
3130
3131 Mr. Baka - Second closing the nominations.
3132
3133 Mr. Mackey - All right; nominations are closed. All right. Well,
3134 congratulations, Mr. Witte. We'll take appropriate actions to vote you in on January 13th.
3135
3136 Mr. Witte - Now I do oppose that.
3137
3138 Mr. Emerson - I thought it might be some opposition.
3139
3140 Mr. Witte - Is it still tradition that the incoming president takes everybody
3141 to Hondos for dinner.
3142
3143 Mr. Archer - Yeah because it sounds good.
3144
3145 Mrs. Thornton - Perfect.
3146
3147 Mr. Emerson - Mr. Chairman, it's getting late in the evening, and everybody's
3148 getting punchy, so let's move on to page 5. For the consideration of the approval of your
3149 minutes, the Planning Commission does have two sets of minutes to approve. One for
3150 the work session and one for the regular meeting on November the 10th. And there were
3151 no errata sheets. But, of course, we will make any changes that you see fit for us to
3152 change if you have any.
3153
3154 Mr. Mackey - All right; does anyone -- I apologize. I didn't mean to talk over
3155 you.
3156
3157 Mr. Emerson - No, I'm sorry.
3158
3159 Mr. Mackey - Does anyone have any corrections to the minutes for the work
3160 session for November the 10th? All right.
3161
3162 Mr. Baka - No changes.
3163
3164 Mr. Mackey - If not, a motion would be in order.
3165
3166 Mr. Witte - Hearing none, I move for approval.

67

3168 Mr. Baka - Second.
3169
3170 Mr. Mackey - All right. It's been a motion and a second for approval of the
3171 minutes from the work session from November the 10th. All in favor say aye.
3172
3173 The Commission - Aye.
3174
3175 Mr. Mackey - Any opposed? Motion is granted. Are there any corrections
3176 to the minutes for the regular meeting for November the 10th?
3177
3178 Mrs. Thornton - No, sir.
3179
3180 Mr. Baka - No. Hearing none, I move for approval.
3181
3182 Mr. Witte - Second.
3183
3184 Mr. Mackey - All right. Motioned by Mr. Baka, second by Mr. Archer for
3185 approval of the meeting -- the regular meeting minutes as presented. All in favor say aye.
3186
3187 The Commission - Aye.
3188
3189 Mr. Mackey - Any opposed? Motion is carried.
3190
3191 Mr. Emerson - Mr. Chairman, before you adjourn, I would like to introduce to
3192 you our new office assistant in Comp Planning. You will be hearing from her on a regular
3193 basis, I'm sure. She's been -- she's been with us for at least a week now, and she's --
3194 four days, and she's -- and she -- and she is still here. This is Ms. --
3195
3196 Mr. Mackey - Especially after tonight.
3197
3198 Mrs. Thornton - Not after tonight anymore.
3199
3200 Mr. Mackey - She may rethink it.
3201
3202 Mr. Emerson - This is Ms. Carmen Rabago, and she joined us again as our
3203 new Office Assistant in the Comp Division. She comes to the County from the Department
3204 of Wildlife Services and the Maymont Foundation. Again, you'll hear from her when we're
3205 producing and distributing your rezoning packets, agendas, minutes, and other
3206 information. We're very excited to have her join the team and we look forward to her
3207 stepping into the role as we move into the new year.
3208
3209 Mr. Mackey - Well thank you Ms. Rabago. On behalf of the Commission,
3210 we'd like to welcome you aboard and thank you.
3211
3212 Mr. Archer - Mr. Chairman, before we close, I need 45 seconds.
3213

3214 Mr. Mackey - Oh, go ahead, sir.
3215
3216 Mr. Archer - First to congratulate our Secretary, Mr. Emerson, and his fine
3217 staff for all the work they did. And say goodbye to Mrs. O'Bannon. Enjoyed serving with
3218 you again this year. The officers who provide us protection while we're here.
3219
3220 Mr. Mackey - Absolutely.
3221
3222 Mr. Archer - And most of all, to Chairman Mackey, you did an excellent job
3223 in leading us and we appreciate that.
3224
3225 The Commission - Applause.
3226
3227 Mr. Mackey - I appreciate it. I'd like to piggyback on what Mr. Archer said.
3228 I remember when I first started. It was -- I think it was in 2018, I believe it was, when I
3229 first started, and I sat right down there beside Mrs. O'Bannon and then she helped me
3230 right along. I mean, during the meeting, helping me. And so, I had no idea what I was
3231 doing. I still -- I'm still learning. Just like everyone else. But I appreciate everything
3232 you've done. And you will truly be missed, Mrs. O'Bannon.
3233
3234 Mrs. O'Bannon - Well this is, you know, Planning Commission is a lot of details.
3235
3236 Mr. Mackey - It is. Mm-hmm.
3237
3238 Mrs. O'Bannon - And I just want to say that this is one -- in my opinion -- one of
3239 the best -- the best Planning Commissioner -- Commissions that I believe our Board has
3240 had. I mean, and we've gone through different people for lots of reasons, you know, and
3241 I just have noticed the time and effort that everyone here obviously puts into this. And I
3242 have been very -- I think you guys do a good job. An excellent job. And a very good
3243 Planning Commission.
3244
3245 Mr. Mackey - Well, I know I speak for everyone when we say thank you.
3246 And I think most of our motivation is because we want to make you all proud and don't
3247 feel like you made a bad decision.
3248
3249 Mr. Baka - Right.
3250
3251 Mr. Mackey - I'm just being honest.
3252
3253 Mr. Witte - One last thing. Wish everybody a happy, healthy, and safe
3254 Christmas season.
3255
3256 Mr. Mackey - Absolutely.
3257
3258 Mr. Witte - And we'll see you next year.

3260 Mr. Mackey - Absolutely.
3261
3262 Mr. Emerson - Yeah. So, on behalf of myself and staff, Merry Christmas and
3263 Happy New Year, everybody.
3264
3265 Mr. Mackey - Same here. Same here.
3266
3267 Mr. Archer - Mr. Chairman, I have one little thing before you hit the gavel.
3268
3269 Mr. Mackey - Take your time is all.
3270
3271 Mr. Archer - I know. But it's better to do it now than prolong another
3272 meeting. Right? This won't take but a minute.
3273
3274 Mr. Mackey - Oh, go ahead.
3275
3276 Mr. Archer - I've already discussed this a little bit with the Secretary.
3277
3278 Mr. Mackey - Okay.
3279
3280 Mr. Archer - We need to be on the lookout for -- somebody mentioned
3281 tonight Approved Mailboxes. That I think it was a Hunt case. We all need to be aware
3282 that there are some changes that have already started regarding mailboxes. And that
3283 happens to be with cluster mailboxes being put in single-family residences. And the
3284 people ain't happy about it. I'll tell you.
3285
3286 Mrs. O'Bannon - Oh you mean having two or three in a row, or something?
3287
3288 Mr. Archer - No. Having 50.
3289
3290 Mr. Baka - Big box.
3291
3292 Mr. Emerson - No ma'am. It's true cluster boxes. It's similar to what you
3293 would have in a --
3294
3295 Mr. Mackey - Apartment?
3296
3297 Mr. Emerson - -- a townhome or an apartment development. But they're also
3298 putting them in -- now the Postal Service is requiring them in single-family residential
3299 developments.
3300
3301 Mrs. O'Bannon - Well, you know, with -- we -- I haven't -- we -- I don't know if -
3302 - you haven't vote -- as a member of the Board I get phone calls and emails all the time
3303 that my mail didn't get here till 7:00 at night. You know. Or I didn't get mail on Tuesday
3304 and then I got a whole batch on Thursday, or something. So, I mean, that's probably what
3305 the response is about. You know. That's what they're doing to --
3306

3307 Mrs. Thornton - I think they're doing it in Three Chopt in the 55 and older.
 3308
 3309 Mr. Emerson - Oh, yes, ma'am. Absolutely there are.
 3310
 3311 Mrs. Thornton - So, that's it's easier so you don't have to go door to door in a
 3312 neighborhood. You can just go to the one area and deliver it.
 3313
 3314 Mr. Archer - Well, most people move in a single -- they expect to have a
 3315 mailbox down at the end of their walk. They go out and get their mail. And --
 3316
 3317 Mrs. O'Bannon - No, I have it in the door.
 3318
 3319 Mr. Archer - And, you know, I've got to admit, the Post Office has really
 3320 been under siege. They're understaffed, they're underfunded and whatever else you
 3321 need to say about it. But some of the post persons do say it's easier for them to put the
 3322 mail in the box than to have to sit there and sort it all out and put it in 100 boxes. So, I
 3323 don't know what -- which one. But I just want you all to be aware of it, because you're
 3324 going to hear it again, I'm sure. And there's nothing I know that we can do. But.
 3325
 3326 Mr. Emerson - No, that's a federal government decision.
 3327
 3328 Mrs. Thornton - Federal property. Mm-hmm.
 3329
 3330 Mr. Emerson - So, it's -- we don't --
 3331
 3332 Mr. Witte - Call your senator --
 3333
 3334 Mr. Emerson - They basically told us, "This is what we would be doing." And,
 3335 in some of the -- I'll use River Mill for an example. And, of course, Mr. Archer's aware of
 3336 others. But that development was approved prior to this regulation. But the regulation
 3337 came in and then they had to adjust. And we had to, essentially, make some exceptions
 3338 and things to get these cluster boxes to work. Because there was -- there was no
 3339 opportunity to think about it prior to the approval of the development and during the POD
 3340 and Subdivision approval. So, we had to kind of come back in there and retrofit these
 3341 large, you know, edifices. So, it's --
 3342
 3343 Mrs. Thornton - Wow.
 3344
 3345 Mr. Emerson - -- yeah.
 3346
 3347 Mr. Archer - And they don't put them in the most convenient place.
 3348
 3349 Mr. Witte - No.
 3350
 3351 Mr. Archer - They put them in the most inconvenient place because they
 3352 don't want to bother anybody's lot.

3353
3354 Mrs. Thornton - Right.
3355
3356 Mr. Archer - So, anyway, I said I wasn't going to go for long.
3357
3358 Mr. Emerson - You have to consider where people park, too, you know.
3359 Coming home from work or something. We -- it's a little bit of an issue. One other thing,
3360 Mr. Chairman, that I failed to note. Your next meeting on the 13th will be in the cafeteria.
3361
3362 Mr. Mackey - Okay, yeah. You did tell us they would be doing some --
3363
3364 Mr. Emerson - Yes. The cafeteria in this building, we were going to try to use
3365 the new auditorium at Tucker high school. And we had that reserved. But then we got a
3366 call and said -- that said, well, we've got some sort of band event that they thought ended
3367 at 4:00 but actually was running till 9:00 that evening. So, it's, like, 9:00 a.m. to 9:00 p.m.
3368 I don't know if it's some sort of competition or what's going on. So, we scrambled a little
3369 bit and found -- I found that we had everything that we needed in the cafeteria. So,
3370 General Services is going to pull the booths and set that room up for us then and we will
3371 use that for your meeting on the 13th while this room is under renovation.
3372
3373 Mr. Archer - Works for me. There's food in the cafeteria.
3374
3375 Mr. Mackey - If we're lucky, maybe it'll be open.
3376
3377 Mr. Baka - And thank you to all the gifts.
3378
3379 Mr. Mackey - Absolutely.
3380
3381 Mrs. Thornton - Yeah; thank you.
3382
3383 Mr. Mackey - I move that we adjourn if -- oh, if there are no further goals.
3384
3385 Mr. Emerson - They -- there's no further business. And under the new regs
3386 you can adjourn the meeting.
3387
3388 Mrs. Thornton - Yeah.
3389
3390 Mr. Mackey - Yeah. I was taking advantage of that.
3391
3392 Mr. Emerson - That's right.
3393
3394 Mr. Mackey - I don't need a motion. I can just say, meeting adjourned.
3395 Right?
3396
3397 Mr. Emerson - Meet -- just meeting adjourned.
3398

3399 Mr. Mackey -

Meeting adjourned.

3400

3401 Mr. Archer -

He's going to love that.

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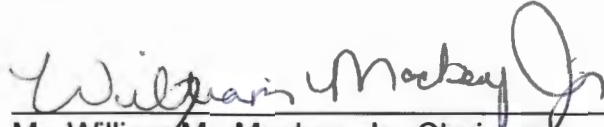
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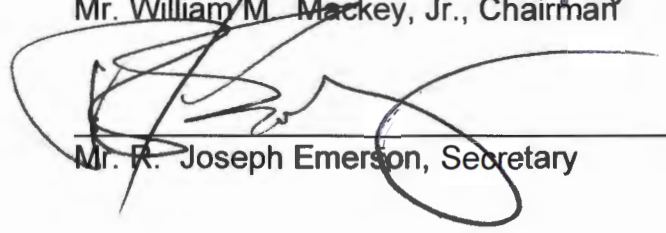
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Mr. William M. Mackey, Jr., Chairman



Mr. R. Joseph Emerson, Secretary