

1 Minutes of the regular monthly meeting of the Planning Commission of the
2 County of Henrico held in the County Administration Building in the Government
3 Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. Thursday,
4 January 13, 2011. Display Notice having been published in the Richmond Times-
5 Dispatch on December 23, 2010 and December 30, 2010.

6
Members Present: Mr. C. W. Archer, Chairman C.P.C. (Fairfield)
Mr. Tommy Branin, Vice Chairman (Three Chopt)
Mr. E. Ray Jernigan, C.P.C., (Varina)
Mrs. Bonnie-Leigh Jones (Tuckahoe)
Mr. Ernest B. Vanarsdall, C.P.C., Chairman (Brookland)
Mr. R. Joseph Emerson, Jr., Director of Planning, Secretary
Mrs. Patricia O'Bannon, Board of Supervisors Representative

Also Present: Ms. Jean Moore, Assistant Director of Planning
Mr. James P. Strauss, CLA, Principal Planner
Mr. Benjamin Blankinship, Principal Planner
Mr. Benjamin Sehl, County Planner
Mr. Livingston Lewis, County Planner
Mr. Roy Props, County Planner
Ms. Lisa Taylor, County Planner
Mr. Al Ciarochi, Director of Operations, Schools
Mr. Mike Jennings, Traffic Engineer, Public Works
Ms. Kim Vann, Henrico Police
Ms. Sylvia Ray, Recording Secretary

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

10
11 Mr. Vanarsdall - Good evening, everybody. Welcome to the Henrico
12 County Planning Commission meeting. This is first meeting of 2011. I hope
13 everybody had a Happy New Year and a Merry Christmas and a nice holiday. I'd
14 like to welcome all the Commissions back and the staff. And a special welcome
15 to Mrs. O'Bannon on the end. Mrs. O'Bannon will be sitting with the Commission
16 this year representing the Board of Supervisors. She's the immediate past
17 chairman of the Supervisors.

18
19 Is there anyone from the media here this evening?

20
21 All right. With that I'd like to ask everyone to stand and Pledge Allegiance to our
22 Flag.

23
24 Mr. Vanarsdall - Thank you. Now I'll turn the meeting over to our
25 Secretary and our leader, Mr. Joe Emerson.
26

27 Mr. Emerson - Thank you, Mr. Chairman. The first items on your
28 agenda tonight are the requests for withdrawals and deferrals. Those will be
29 presented by Mr. Jim Strauss.

30

31 Mr. Strauss - Good evening, members of the Commission. The first
32 deferral staff is aware of is in the Three Chopt District and is on page one of the
33 agenda. This is a request for a Provisional Use Permit in order to allow extended
34 hours of operation for an existing movie theater. The applicant is requesting a
35 two-month deferral to the March 10th meeting.

36

37 **P-1-11 J. Thomas O'Brien, Jr. and Michael J. Rothermel**
38 **for Regal Cinemas, Inc.:** Request for a Provisional Use Permit under Section
39 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to
40 allow extended hours of operation for an existing movie theater on part of Parcel
41 739-762-4639, located on the north line of W. Broad Street (U.S. Route 250)
42 approximately 600' west of its intersection with Pouncey Tract Road (State Route
43 271). The existing zoning is B-2C Business District (Conditional) and M-1 Light
44 Industrial District. The Land Use Plan recommends Commercial Arterial. The site
45 is located in the West Broad Street Overlay District.

46

47 Mr. Vanarsdall - Anyone in the audience in opposition to the deferral of
48 P-1-11, J. Thomas O'Brien, Jr., and Michael J. Rothermel for Regal Cinemas?
49 No opposition.

50

51 Mr. Branin - I'd like to move that P-1-11, J. Thomas O'Brien, Jr.,
52 and Michael J. Rothermel for Regal Cinemas, be deferred to the March 10, 2011,
53 meeting, per the applicant's request.

54

55 Mrs. Jones - Second.

56

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

59

60 At the request of the applicant, the Planning Commission deferred P-1-11, J.
61 Thomas O'Brien, Jr., and Michael J. Rothermel for Regal Cinemas, to its meeting
62 on March 10, 2011.

63

64 Mrs. O'Bannon - The Board member here abstains every time.

65

66 Mr. Vanarsdall - So noted, Mrs. O'Bannon.

67

68 Mrs. O'Bannon - Thank you.

69

70 Mr. Strauss - The next deferral is in the Brookland District on page
71 two of the agenda. This is C-21C-10. It is Old Glen Allen Properties. This is a
72 request to conditionally rezone from R-2A One-Family to B-1C for office and

73 retail use. The applicant is requesting a one-month deferral to the February 10,
74 2011 meeting.

75
76 **C-21C-10 Fred S. Kirby for Old Glen Allen Properties, LLC:**
77 Request to conditionally rezone from R-2A One-Family Residence District to B-
78 1C Business District (Conditional), Parcel 770-767-3587 containing
79 approximately 1.83 acres located along the north line of Mountain Road
80 approximately 150' west of its intersection with John Cussons Dive. The
81 applicant proposes retail and office uses. The uses will be controlled by zoning
82 ordinance regulations and proffered conditions. The Land Use Plan recommends
83 Suburban Residential 1; density should not exceed 2.4 units per acre.

84
85 Mr. Vanarsdall - Anyone in the audience in opposition to the deferment
86 of C-21C-10, Fred S. Kirby for Old Glen Allen Properties, LLC? No opposition. I
87 move that C-21C-10, Fred S. Kirby for Old Glen Allen Properties, LLC, be
88 deferred at the applicant's request to February 10, 2011.

89
90 Mr. Jernigan - Second.

91
92 Mr. Vanarsdall - Motion by Mr. Vanarsdall, second by Mr. Jernigan. All
93 in favor say aye. All opposed say no. The ayes have it; the motion passes.

94
95 At the request of the applicant, the Planning Commission deferred C-21C-10,
96 Fred S. Kirby for Old Glen Allen Properties, LLC, to its meeting on February 10,
97 2011.

98
99 Mr. Strauss - The next deferral is on page two of the agenda and is
100 also in the Brookland District. This is C-25C-10, Atack Properties, Incorporated.
101 This is a request to conditionally rezone from O/SC Office Service to RTHC
102 Residential Townhouse District. A residential townhouse development is
103 proposed. The applicant is requesting a deferral to the February 10, 2011
104 meeting.

105
106 **(Deferred from the December 9, 2010 Meeting)**

107 **C-25C-10 Robert Atack for Atack Properties, Inc.:** Request to
108 conditionally rezone from O/SC Office Service District (Conditional) to RTHC
109 Residential Townhouse District (Conditional), part of Parcel 761-775-6361
110 containing 3.3 acres, located along the north line of Hunton Park Boulevard
111 approximately 200' west of its intersection with Hunton Ridge Lane. The
112 applicant proposes a residential townhouse development of no more than
113 thirteen (13) homes. The use will be controlled by zoning ordinance regulations
114 and proffered conditions. The Land Use Plan recommends Suburban Residential
115 1, where density should not exceed 2.4 units per acre, and Environmental
116 Protection Area.

118 Mr. Vanarsdall - Anyone in the audience in opposition to the deferral of
119 C-25C-10, Robert Attack for Attack Properties, Inc.? No opposition. I move that C-
120 25C-10, Robert Attack for Attack Properties, Inc., be deferred to February 10,
121 2011, at the applicant's request.

122

123 Mr. Branin - Second.

124

125 Mr. Vanarsdall - Motion by Mr. Vanarsdall, second by Mr. Branin. All
126 in favor say aye. All opposed say no. The ayes have it; the motion passes.

127

128 At the request of the applicant, the Planning Commission deferred C-25C-10,
129 Robert Attack for Attack Properties, Inc., to its meeting on February 10, 2011.

130

131 Mr. Strauss - The last request for deferral that staff is aware of is in
132 the Varina District on page two of the agenda. That would be C-22C-10, Felts &
133 Kilpatrick Construction. This is a request to conditionally rezone from R-3, B-1,
134 and B-1C to R-3 One-Family Residence District and B-1C Business District. The
135 applicant is requesting a two-month deferral to the March 10, 2011 meeting.

136

137 **(Deferred from the December 9, 2010 Meeting)**

138 **C-22C-10 Felts & Kilpatrick Construction Co. Inc.:** Request to
139 conditionally rezone from R-3 One-Family Residence District, B-1 Business
140 District, and B-1C Business District (Conditional) to R-3 One-Family Residence
141 District and B-1C Business District (Conditional), Parcels 802-702-8535, -8929, -
142 9916, 803-702-2315, -1801, and part of Parcels 803-701-8673 and 803-702-
143 3300, containing 3.825 acres, located at the northeast intersection of New Market
144 Road (State Route 5) and Midview Road. The applicant proposes retail and
145 single family uses. The uses will be controlled by zoning ordinance regulations
146 and proffered conditions. The Land Use Plan recommends Suburban Residential
147 2; density should not exceed 3.4 units per acre.

148

149 Mr. Vanarsdall - Anyone in opposition to the deferral of C-22C-10,
150 Felts & Kilpatrick Construction Company, Inc.? No opposition, Mr. Jernigan.

151

152 Mr. Jernigan - Mr. Chairman, with that I'll move for deferral of case
153 C-22C-10, Felts & Kilpatrick Construction Company, Inc., to the March 10, 2011
154 meeting by request of the applicant.

155

156 Mr. Archer - Second.

157

158 Mr. Vanarsdall - Motion by Mr. Jernigan, second by Mr. Archer. All in
159 favor say aye. All opposed say no. The ayes have it; the motion passes.

160

161 At the request of the applicant, the Planning Commission deferred C-22C-10,
162 Felts & Kilpatrick Construction Company, Inc., to its meeting on March 10, 2011.

163

164 Mr. Vanarsdall - Thank you, Mr. Strauss.

165

166 Mr. Emerson - Mr. Chairman, that takes us to the next item, which
167 are requests for expedited items. We have no expedited items tonight. That takes
168 us to the next item on your agenda, which will be the elections of your slate of
169 officers for the 2011 calendar year.

170

171 Ladies and gentleman of the Commission, as you know, the bylaws of the
172 Planning Commission, Article 4, require the election of a chair and vice-chair
173 annually at the Commission's first January meeting. With this being the first
174 January meeting of the Commission, now of course it is time for your annual
175 elections. First I'd like to thank the outgoing chairman, Mr. Vanarsdall, for all of
176 his hard work, guidance, and assistance to staff in this previous year. With that
177 said, I would like to open the floor first for nominations for chairman and then I
178 will close that. Then I will open the floor for nominations for vice chair; close that;
179 and then I will ask for a vote to elect the two positions.

180

181 Mr. Vanarsdall - Mr. Secretary, I recommend Mr. Chris Archer. I
182 nominate Chris for Chairman for 2011.

183

184 Mr. Jernigan - Second.

185

186 Mr. Emerson - If there are no other nominations for Chair, I will close
187 the nominations for Chair and now open the nominations for Vice Chair.

188

189 Mrs. Jones - I'd like to nominate Tommy Branin from the Three
190 Chop District as Vice Chairman for the Planning Commission.

191

192 [Blank section continues; cannot hear who seconded the nomination.]

193

194 Mr. Emerson - Thank you. I will now close the floor for nominations
195 for Vice Chair. We need a motion to elect Mr. Chris Archer as Chairman for the
196 2011 calendar year and Mr. Tommy Branin as Vice Chairman for the 2011
197 calendar year for the Henrico County Planning Commission.

198

199 Mr. Jernigan - So move, Mr. Secretary.

200

201 Mr. Emerson - Is there a second?

202

203 Mrs. Jones - Second.

204

205 Mr. Emerson - All in favor say aye. All opposed say no. The ayes
206 have it; the motion passes.

207

208 Congratulations gentlemen.

209

210 Mr. Archer - Mr. Vanarsdall, before you get too comfortable, would
211 you join me down here please? I guess you and I have been around here so
212 long. I was trying to think of something wise that I could say, but you've been
213 here so many years I can't think of anything else that's left to say. It's been
214 sixteen years for me and I know much longer for you. But in any event, you've
215 served as Chairman many times and we always enjoy your chairmanship. You
216 do a fine and thorough job each time you serve. It makes it much easier for us
217 that sit with you to go through what we have to go through. And we appreciate it.
218 In recognition of that we'd like to present you with this gift.

219
220 Mr. Branin - Mr. Vanarsdall, I want you to know I spent hours
221 picking this out.

222
223 Mr. Vanarsdall - Thank you, everybody that had something to do with
224 this. I want to say that I always enjoy being chairman and I enjoyed it this year.
225 And another gift that's very nice is the cooperation you get out of the
226 Commission. It's a pleasure working with you. I look forward to the next one.

227
228 Mr. Emerson - Mr. Chairman, that now takes us to the next item on
229 the agenda, which are the cases to be heard.

230

231 **P-2-11 Gloria L. Freye for New Cingular Wireless PCS,**
232 **LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120**
233 **and 24-122.1 of Chapter 24 of the County Code in order to replace an existing**
234 **106' light pole with a 125' light pole style telecommunications tower and related**
235 **equipment, on part of Parcel 743-770-4669, located approximately 880'**
236 **northwest of the intersection of Twin Hickory Lake Drive and Twin Hickory Road**
237 **(Deep Run High School). The existing zoning is A-1 Agricultural District. The**
238 **Land Use Plan recommends Government.**

239

240 Mr. Archer - Thank you, Mr. Secretary. Is there anyone here who
241 is in opposition to P-2-11, Gloria L. Freye for New Cingular Wireless PCS, LLC?
242 No opposition. Mr. Props?

243

244 Mr. Props - Mr. Chairman, members of the Commission. New
245 Cingular Wireless requests approval to replace an existing 106-foot-high light
246 pole with a 125-foot-high light pole/telecommunications tower and related ground
247 equipment. The existing light pole is located at the Deep Run High School
248 athletic/football field on property zoned A-1. The area is surrounded by a mixture
249 of residential, county facilities, and academic uses.

250

251 The 2026 Comprehensive Plan recommends the site for Government. Goals and
252 policies of the Plan are supported through the co-location on an existing
253 structure, the incorporation of a low profile antenna design for improved visual
254 separation, and the use of public property to reduce adverse visual impacts.

255

256 The Henrico School Board conducted a public hearing on September 22, 2010,
257 and authorized the provisional use permit application. A balloon float and a
258 community meeting were conducted by the applicant to identify and address
259 specific visibility and compatibility impacts. Condition 7 has been expanded to
260 ensure the equipment building matches other school facilities and Condition 14
261 has been added to protect the Tower's visual appearance. The proposed light
262 pole/tower replacement would occupy the original pole location and the
263 associated equipment building would be located under the athletic bleachers,
264 largely screened from view.

265
266 In summary, this light pole/tower replacement would expand and improve
267 network coverage in a manner that would have a minimal visual impact on the
268 surrounding area. Given the site's development suitability, overall consistency
269 with the 2026 Comprehensive Plan and the incorporation of enhanced mitigation
270 measures, staff supports this request contingent upon conditions revised from
271 the staff report, dated January 7, 2011, and distributed this evening.

272
273 This concludes my presentation and I would be happy to answer any questions.

274
275 Mr. Archer - Thank you, Mr. Props. Any questions for Mr. Props
276 from the Commission?

277
278 Mr. Branin - I have none.

279
280 Mr. Archer - There's no opposition. Do you need to hear from the
281 applicant?

282
283 Mr. Branin - I would like to talk to the applicant, but we don't need
284 a presentation.

285
286 Ms. Freye - Good evening Mr. Chairman, members of the
287 Commission. My name is Gloria Freye. I'm an attorney from McGuire Woods
288 here on behalf of AT&T. Also here is John Miller representing AT&T and Al
289 Ciarochi from the School Board.

290
291 Mr. Archer - Good evening. We've missed seeing you, Ms. Freye.

292
293 Ms. Freye - And I have missed you, too.

294
295 Mr. Branin - Ms. Freye, I just wanted to thank you for working so
296 diligently with not only our Commission and staff, but also the school. As a
297 Commission, we have recommended that schools be looked at as a location.
298 School light poles are currently used in many different states and many different
299 jurisdictions in this state. I just wanted to thank you for your diligence in helping
300 us move this forward.

301

302 Ms. Freye - Thank you.

303

304 Mr. Branin - To the school board representative in the room this
305 evening, thank you for allowing us to move forward. Hopefully this test will prove
306 to be beneficial to the community as well as the schools. That's all I have.

307

308 Mr. Archer - All right. Thank you, Ms. Freye.

309

310 Ms. Freye - Thank you.

311

312 Mr. Branin - Mr. Chairman, I would like to move that P-2-11, Gloria
313 L. Freye for New Cingular Wireless PCS, LLC, move forward to the Board with a
314 recommendation for approval with the conditions stated this evening, 1 through
315 14.

316

317 Mr. Jernigan - Second.

318

319 Mr. Archer - Motion by Mr. Branin, second by Mr. Jernigan. All in
320 favor say aye. All opposed say no. The ayes have it; the motion passes.

321

322 **REASON:** Acting on a motion by Mr. Branin seconded by Mr.
323 Jernigan, the Planning Commission voted 5-0 (one abstention) to recommend
324 the Board of Supervisors **grant** the request because the conditions should
325 minimize the potential impacts on surrounding land uses and it would provide
326 added services to the community.

327

328 **(Deferred from the December 9, 2010 Meeting)**

329 **C-28C-10 Robert Atack for Atack Properties, Inc.:** Request to
330 conditionally rezone from R-3 One-Family Residence District, O/SC Office
331 Service District (Conditional), and B-3 Business District to R-5AC General
332 Residence District (Conditional), Parcels 761-774-1070, -2729, and 760-774-
333 7961 containing 13.284 acres, located along the south line of Hunton Park
334 Boulevard between Old Mountain Road and Hunton Park Lane. The applicant
335 proposes a single-family zero lot line development of no more than forty-nine (49)
336 homes. The use will be controlled by zoning ordinance regulations and proffered
337 conditions. The Land Use Plan recommends Office and Urban Residential,
338 where density should range from 3.4 to 6.8 units per acre.

339

340 Mr. Archer - Is there anyone here who opposes C-28C-10, Robert
341 Atack for Atack Properties, Inc.? Go ahead, Mr. Lewis.

342

343 Mr. Lewis - Thank you, Mr. Chairman, members of the
344 Commission.

345

346 This request for R-5AC zoning to build 49 homes was discussed in detail during
347 the December 9th Planning Commission. The Commission deferred the case at

348 the applicant's request to provide time to hold a community meeting and discuss
349 various issues raised by Hunton Park residents. On January 5th, the applicant
350 met with over 35 citizens who shared concerns about traffic volume and safety,
351 sidewalks, and other topics. Since the community meeting, the Department of
352 Public Works has collected data on the Hunton Park Lane/Hunton Park
353 Boulevard intersection, and has contacted VDOT to initiate a signal warrant study
354 for the intersection of Hunton Park Boulevard and Staples Mill Road. The County
355 Traffic Engineer is here this evening to answer questions about these efforts.

356
357 Copies of the revised proffers dated January 11, 2011, have been handed out to
358 show a change to Proffer 15 and one addition to the conceptual plan. Proffer 15
359 no longer requires the homeowners' association for this development to be
360 annexed into an existing Hunton Park association. And regarding the conceptual
361 plan, you'll notice a Transitional Buffer 10 has been added along the site's
362 southern boundary to reaffirm the code requirement in that location. This is from
363 Lot 28, I believe that is, behind the rear of all of these lots here and down to Old
364 Mountain Road.

365
366 Staff maintains that this development would enhance the variety of residential
367 choices in Hunton Park and would be a logical, compatible extension of the
368 surrounding residential development pattern. For these reasons, staff supports
369 the proposed use in this location. Time limits would need to be waived for the
370 revised proffers.

371
372 This concludes my presentation and I'll be happy to answer any questions.

373
374 Mr. Archer - Thank you, Mr. Lewis. Are there questions from the
375 Commission for Mr. Lewis?

376
377 Mr. Vanarsdall - I don't have any questions.

378
379 Mr. Archer - Anyone else? Thank you, Mr. Vanarsdall.

380
381 Mr. Vanarsdall - I'd like to hear from the applicant. Good evening Mr.
382 Theobald.

383
384 Mr. Theobald - Good evening, Mr. Chairman, ladies and gentlemen.
385 I'm Jim Theobald here this evening on behalf of Attack Properties.

386
387 Mr. Archer - Good evening, Mr. Theobald; good to see you.

388
389 Mr. Theobald - Good evening; nice to see you all. Happy New Year.

390
391 This is a request to rezone approximately 13.2 acres from Office/Service—
392

393 Mr. Archer - Mr. Theobald, I'm sorry for interrupting you; I haven't
394 done this in a while. There was someone who had conditional opposition I
395 believe. Would you like to reserve some time?

396
397 Mr. Theobald - Yes, I'd like to reserve two minutes.

398
399 Mr. Archer - I'm sorry, sir, go right ahead.

400
401 Mr. Theobald - That's quite all right.

402
403 This is a request to rezone approximately 13.2 acres from Office/Service, B-3
404 and R-3 to 49 single-family detached homes under the R-5A category. This case
405 and the one that was deferred a few moments ago represent the final changes to
406 the Hunton community. Some of you may remember that this community started
407 out as essentially an Industrial, Light Industrial, and Office/Service type
408 community with very limited residential in order to take advantage of some
409 proposed economic development opportunities that were there long, long ago.
410 But the pattern of development that has occurred out here has essentially been
411 residential. Now there are the two parcels left.

412
413 This doesn't show the full extent of the Hunton community, but what's essentially
414 left is the piece that we're discussing. What we're discussing this evening is this
415 portion of the property here, which is zoned a combination of the Office/Service,
416 B-3 and R-3. The case we deferred is this little triangle here next to the existing
417 townhomes, which is also zoned Office/Service. Everything else has been
418 developed. The Office/Service and C-1 land that you see over here is obviously
419 flood plain and is not capable of being developed.

420
421 So we find ourselves at the tail end, if you will, of the development life of the
422 Hunton community. Although we are not professional planners, you and I spend
423 most of our days thinking about planning notions. If you look at this map and you
424 look at the surrounding uses with the condominiums, the Villas at Hunton, which
425 is just a terrific project; the apartment project over here owned now by the
426 Gumenick's; and the single-family and townhomes and the other residential
427 developments in this area, and you look at these two orphan pieces, what would
428 you think that the zoning ought to be? I don't think Office/Service would come to
429 mind. You might be tempted to think of that as some other attached townhome or
430 condominium or multi-family product. But in fact what we believe is the right
431 answer, the logical answer, and an appropriate transition is single-family
432 detached housing as being the best alternative of all.

433
434 This case is very well proffered. I'm just not sure how you would proffer it any
435 more extensively. It's been the result of negotiations with staff and the Planning
436 Commissioner and input from neighbors. It is well proffered and compatible to the
437 other Hunton cases. We've proffered such things as the size and style of homes.
438 Proffered significant landscaping along Hunton Park Boulevard consistent with

439 the landscaping schemes in place. We have a buffering not only at the rear, but
440 the transitional buffering along the side next to the existing R-3.

441
442 I would like to just focus a little bit on the association issues; I know that got a lot
443 of discussion last time. A simple question was posed to us, "Hey, can we annex
444 this property into the next-door association," and that has set off a lot of research.
445 It's complicated at Hunton. I think the preliminary answer and the reason to
446 change the proffers is we're not really sure. In fact, I'm becoming less and less
447 sure that you could annex this property of single-family detached homes into
448 the—clearly not the condominium community. There is a recreational association
449 community that's separate from the actual buildings over here. I'm not thinking
450 that that's going to work legally.

451
452 So we changed this proffer to say—There has to be an association; we know
453 that. There needs to be a guarantee to maintain the common area and the
454 private roads. If we can't roll into a master association and if we find, in fact, that
455 it's not appropriate to roll into the recreation association, then they'll be a
456 separate association. Not really a problem. It's 49 homes. They'll hire the same
457 folks to manage the association, hopefully, as the others. It'll be the same
458 landscaping crews, the same people who maintain the roads. I know there was
459 concern over that and the proffer that suggested it had to be annexed perhaps to
460 the one next door. That's likely not going to be appropriate, but we have another
461 way to guarantee you that this community will be well maintained just as the
462 others are.

463
464 There was a community meeting held on January 5th. I was not in attendance at
465 that meeting, but I understand that many of the issues discussed were issues
466 that were not directly related to the zoning conditions, but sort of tangentially
467 related to finishing the development at Hunton. I'm sure people will speak to that
468 a little later.

469
470 This request, as you see in your staff report, is consistent not only with the Land
471 Use Plan, but with surrounding development. Density proposed for this piece is
472 at the very low end of what is suggested by your Land Use Plan. The request is
473 supported by staff in your staff report. In fact all departments reflected in the staff
474 report have stated that they see no negative impacts on County infrastructure as
475 a result of this request.

476
477 Once again I would just suggest to you looking at this map and the surrounding
478 zoning, that single-family detached homes are probably the least intensive use
479 and the right transition for this site. With that I'll be happy to answer any
480 questions.

481
482 Mr. Archer - Thank you, sir. Any questions for Mr. Theobald?
483 Thank you, sir.

484

485 Mr. Theobald - Thank you.
486
487 Mr. Archer - The opposition may now speak. If you would come
488 down, please, to the podium and state your name and address for the record.
489 While you're coming, the rules for opposition are that each side has ten minutes.
490 That's inclusive of everyone and Mr. Theobald has reserved two minutes of his
491 time for rebuttal.
492
493 Mr. Falbee - Good evening. My name is Paul Falbee. I live in the
494 Townes of Hunton Park. I live on Friars Walk Lane.
495
496 Mr. Archer - Good evening, sir.
497
498 Mr. Falbee - I was here last time relative to the other parcel that he
499 mentioned. However my concerns right now are with Hunton Park Boulevard and
500 that is why I am here. It seems that there were devices put out on Hunton Park
501 Boulevard for one day this week. I assume it is to be out there to monitor the
502 traffic patterns of both incoming and outgoing on Hunton Park Boulevard. I said
503 conditionally I would speak because I have concerns about making decisions
504 based on one day's worth of data. It's not of value. I spent 35 years in IT and if
505 somebody told me that I was to monitor how a computer system that was running
506 and I was to make decisions on one day's worth of data, I would tell them exactly
507 they did not know what they were talking about. I will say to you that you need to
508 have more data to be able to get a good picture of what goes on on Hunton Park
509 Boulevard. That was my condition for coming up here at this point in time. Thank
510 you for hearing me. Yes sir.
511
512 Mr. Branin - What day was that?
513
514 Mr. Falbee - I want to say it was either Wednesday or Thursday. It
515 was both? So it was there approximately on a 24-hour basis. There were sets
516 along Hunton Park Boulevard; there was also a set, the gentleman said, on Old
517 Mountain Road. And only on one side, going in; not coming back out. I'm sorry;
518 but this is not a way to monitor a situation or do an evaluation or to collect data.
519 My opinion, sir. But as a resident, I am concerned about the traffic that is out
520 there both for the possibility of accidents, access, and the possibility of future
521 accidents that could occur. Thank you for your time; I appreciate it.
522
523 Mr. Archer - Thank you. Does anybody have any questions?
524
525 Mr. Vanarsdall - You live on Friars Walk Lane?
526
527 Mr. Falbee - Yes sir, I live on Friars Walk Lane. Yes sir. I was one
528 of the first in the area and I've been living there for about eight years now.
529
530 Mr. Vanarsdall - What was this, the hose that they used?

531
532 Mr. Falbee - Yes sir. And there were boxes put on the median
533 itself. You could see there was a double hose set up and a little bit further there
534 was a single hose set up. Further down past Friars Walk Lane I believe there
535 was another setup like that also.

536
537 Mr. Vanarsdall - For traffic both ways.

538
539 Mr. Falbee - I only noticed on the inbound lane. I had gone out
540 early in the afternoon and it wasn't on the outbound side. But when I came back
541 in, that's when I saw it.

542
543 Mr. Vanarsdall - Thank you.

544
545 Mr. Falbee - Thank you.

546
547 Mr. Archer - Is there anyone else who would like to speak?

548
549 Mr. Vanarsdall - Sergeant Wilson, I recognize you now but didn't the
550 other day.

551
552 Mr. Wilson - Nice to see you again.

553
554 Mr. Vanarsdall - Same to you.

555
556 Mr. Wilson - Brian Wilson. I live at 11498 Abbots Cross Lane. This
557 all started back in December here at the first meeting. Several residents came
558 out; we all didn't get a chance to speak at that time as to our opposition to both of
559 these proposals, the one currently before you today and the one that's been
560 deferred to February 10th.

561
562 We did have that community meeting back on January the 5th. All the people that
563 were at that meeting are not here tonight. I heard 35 was the number that was
564 put out; I counted 45 people in the room. Some of the issues that were brought
565 up, morning and evening traffic as it pertains to the whole stretch of Hunton all
566 the way up to Route 33. Mike Jennings, Traffic Engineer, came out and spoke to
567 it and said he hadn't had time to fully look at the situation, had that time to
568 examine all the data. He brought up some statistics about crashes. I asked him a
569 few questions. I think his information was a little bit incomplete and he said he
570 was going to go back and look at it again.

571
572 VDOT has been contacted about doing a traffic signal study; they haven't gotten
573 back to us yet. That issue is not right yet. The issue of sidewalks was discussed.
574 Drainage. The fact that there are too many houses and we can't sell the ones
575 that we have in the area now. Too many townhouses. We can't sell the ones that
576 we have in the area now. The Villas haven't sold out because the market is

577 down. The issue of the cemetery being in the middle of this area was also
578 brought up. There was no current pricing given for the houses and it was
579 somewhat vague.

580
581 At a bare minimum, this should be deferred again. It's not sufficiently been
582 looked at completely enough. We have significant opposition from the community
583 that has attended both your meetings and the community meeting. We're working
584 on organizing and getting a more accurate count of the number of people who
585 are in opposition to this so we can give that to you. I think you need to listen to
586 the residents and the people that were there. We were proposed that this was
587 going to be a mixed-used community—business, residential—and we're trying to
588 change in midstream. It's not fair to the people who bought into the property.

589
590 That's pretty much what I took away from the meeting. A lot of promises; nothing
591 on paper. Until that happens, this and the other recommendation will not have
592 our support.

593
594 Mrs. Jones - Mr. Wilson, may I ask you a question? You went
595 through a number of issues, but the one that you just spoke about was that you
596 had anticipated a mixed-use community. What is it that you and your neighbors
597 would like to see on this parcel? What is your vision?

598
599 Mr. Wilson - This community was billed to me as a mini Innsbrook.
600 It was supposed to be mixed use and there would be people working in these
601 places and it would increase the value of our houses because people would want
602 to work and live close to work. I don't know if all this property started out as
603 residential. And if this was planned as business use before, I don't understand
604 why it's now more appropriate that it's residential just because he can't fill
605 business space.

606
607 Mrs. Jones - You feel that a residential use for this parcel will
608 diminish the value of your homes? Is that what you're telling me?

609
610 Mr. Wilson - Absolutely. You can't sell a house in our community
611 now without going below what you owe on it. Most of us.

612
613 Mrs. Jones - I would suggest that may or may not be a special
614 situation for the Hunton Park area.

615
616 Mr. Wilson - No, no, no, by no means. I understand it's tough times
617 all around and that's not what I'm saying. Given those currently-existing
618 problems, I don't think we need to heap this one on top because he no longer
619 has a use for the business space that he had proposed initially.

620
621 Mrs. Jones - Until we can get some answers from the applicant
622 about things such as the Office/Service area—

623
624 Mr. Wilson - That's how it was billed to me and to everyone else.
625 It's in our packets that we got from Ryan Homes when we purchase all of our
626 homes. Mini Innsbrook, apartments, age-restricted community, single-family
627 homes and townhouses. A nice mixture so it wasn't too many of any one thing
628 competing with anyone else.

629
630 Mr. Vanarsdall - Mr. Wilson, keep in mind that the Board of
631 Supervisors has to look at this.

632
633 Mr. Wilson - I do understand that.

634
635 Mr. Vanarsdall - So this is not the last chance you'll have.

636
637 Mr. Wilson - I certainly do understand that, but I think it has yet to
638 be vetted to the fullest. You guys are the first step. And my understanding is that
639 once it gets past you guys, it's pretty much going to be a done deal. I know
640 nothing is 100% in this world. I was told this was going to be office space and
641 now it's trying to be residential.

642
643 Mr. Vanarsdall - I don't understand why you would want Office/Service
644 instead of residential when you're already in there. Talk about traffic coming out,
645 if you have Office/Service, you have additional vehicles—

646
647 Mr. Wilson - I absolutely understand that.

648
649 Mr. Vanarsdall - —you have trucks. And you have people working in
650 the warehouse and in the office—. I never did understand that.

651
652 Mr. Wilson - I absolutely understand what you're saying. That's
653 one part of a number of issues that I outlined tonight. I didn't want to take up the
654 whole ten minutes; I wanted to give other people a chance to speak.

655
656 Mr. Vanarsdall - Thank you.

657
658 Mr. Archer - Thank you, Mr. Wilson. I believe we still have some
659 time left?

660
661 Mr. Emerson - Yes sir, we have a little less than six minutes left.

662
663 Mr. Archer - Does anyone else want to speak?

664
665 Mr. Brown - Bradley Brown, 11601 Old Mountain Road. Top of the
666 evening to you sir. Two things. One I see addressed with the buffer across the
667 back; I'm okay with that. The thing that we didn't talk about was moving the
668 entrance back to line up parallel with The Villas across the way. Right now when

669 you make your turn on Hunton Park Boulevard and come up to turn on Hunton
670 Park Lane, there's 140 feet from that corner. It's my understanding again it's
671 supposed to be 150 feet. Plus, we have The Villas lining up to come out already;
672 that's in place. Blakemore dropped asphalt equipment over there tonight as I was
673 headed here, so evidently they're getting ready to asphalt that. I think the two of
674 them should line up so we got an equal number of traffic coming out of these. I
675 live [?] coming out of there every morning.

676

677 Another issue we talked about over at the community meeting was the private
678 cemetery down there. You're saying now—and I think we discussed this over
679 there—this is going to be a private community association or whatever. How are
680 those folks going to feel about a funeral procession coming through their
681 neighborhood and the kids out there riding tricycles playing and you've got 50
682 people getting ready to put somebody in a hole? The association says we don't
683 want it in here, then what are you going to do? There is no other access to that
684 cemetery. I think that's something that needs to be addressed before you send
685 this any further to be discussed.

686

687 Mr. Archer - Any questions for Mr. Brown from the Commission.

688

689 Mr. Brown - Thank you, sir.

690

691 Mr. Archer - Thank you, sir. We have a few minutes left, I believe.
692 Good evening, ma'am.

693

694 Ms. McClellan - Ann McClellan, 11356 Abbots Cross Lane.

695

696 Mr. Vanarsdall - Tell them you're president of the association.

697

698 Ms. McClellan - I am. I'm here not so much representing that at this
699 meeting, but a statement that Mr. Atack's representative made led me to offer
700 some comments that I had been thinking about, too. His statement was, "We're
701 not professional planners." When all of this has been coming about, I've been
702 thinking. In the business that I do, we do things called "lessons learned." You
703 look at a project and you say where could we have done better or what could we
704 have done to maybe mitigate issues that come up later.

705

706 I was thinking about this with this particular rezoning and Hunton Park
707 community. My thought was how maybe a lot of this could have been prevented
708 with these issues of sidewalks and that is when the County initially agreed to
709 rezone it from the office park status to residential, that at that time some of the
710 proffers that would have made a real community like this be put into play at that
711 time. Before any of the houses or the apartments were built if costs for sidewalks
712 and lighting were incorporated into the developer's cost of the properties sold,
713 those then could have been a part of this. But because it was an office park and
714 it was rezoned to residential, I don't think any of that was taken into

715 consideration. It really is a full community there. There is one entrance and then
716 there are all these different levels of housing, of types of housing to suit people's
717 needs. With our society today, the busyness of everyone, to be able to have
718 sidewalks, to have things like that that put you out in the community, that
719 encourage exercise, that encourage you meeting your neighbors really would be
720 a positive thing. I think it would maybe have eliminated some of the concerns that
721 have come up with this.

722
723 If this comes about again and if Planning and Zoning can have any input when
724 they change something from an office park to a residential area, at the beginning
725 look at other things besides just moving the proffers in from a certain type of
726 zoning to another one, I think that might be a good thing. Thank you.

727
728 Mr. Archer - Thank you, ma'am. Any questions from the
729 Commission? All right. Is there any time left?

730
731 Mr. Emerson - A minute and a half.

732
733 Mr. Archer - We have a minute and a half if somebody else would
734 like to say something.

735
736 Ms. Cofer. My name is Jennifer Cofer. I'm a resident of The
737 Villas at Hunton Park. I live at 122 Siena Lane. I've been living there for just over
738 a year.

739
740 Actually, I'm in favor of the residential community going up there. I moved in a
741 year ago. I was not told about service. For me, I think it would offer our
742 community another option and it would attract a different buyer. It would offer a
743 buyer in an apartment another option other than the condominiums. I also think
744 that it would take away an unknown variable. We have a planned community of
745 49 single-family homes. This would give us an unknown variable elimination, tell
746 us what's going on in there, and take some question out of what will be there in
747 the future there.

748
749 As far as the sidewalks and the lighting, I live in The Villas of Hunton Park. Our
750 homeowners' association fees are already \$165 a month. I don't care for them to
751 go up any further. We were not promised sidewalks when we signed onto it and
752 I'm not willing to increase my dues for the sidewalks. As far as meeting my
753 neighbors and exercising, I exercise every day. I walk my dog within The Villas
754 and there we have aggregate pathways in our community. I feel that that's
755 sufficient for us. Thank you.

756
757 Mr. Archer - Thank you, ma'am. Any questions from the
758 Commission?

759
760 Mr. Vanarsdall - Thank you.

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Mr. Emerson - That's used all the time.

Mr. Archer - All right. At this point, Mr. Theobald, you get an opportunity to respond. You reserved two minutes, but I believe you have a little bit more.

Mr. Emerson - I believe he has about six minutes in total.

Mr. Theobald I will try not to use it all. Just a couple of comments. I think Ms. McClellan sort of summed it up correctly and that is had this been a planned community with known uses from the beginning—like a Wyndham or Wellesley or you name it—then these sorts of things might have been taken into account in terms of amenities. But the reality is we are where we are. We have a community that hasn't developed as originally planned and now we're at the tail end. I think in concept she has a good notion, but it kind of highlights the fact that we are where we are and that nobody really saw this community developing out quite this way.

Interesting comments about traffic because this is zoned Office/Service. As Mr. Vanarsdall pointed out, Office/Service is not Office. Office/Service is closer to Light Industrial where you have trucks making deliveries and distribution, etcetera. I heard the statement, but I just have a hard time believing that the community as a whole would prefer to see Office/Service at the entrance to this wonderful residential community. The interesting thing is that the various issues that Mr. Wilson listed, absolutely none of those get accomplished if you turn down this case. Not one. Traffic is higher with Office/Service than it is for Residential. You don't get sidewalks. We've heard from a number of people, "Hey, to put in sidewalks at this point, don't increase my dues to maintain them or insure them. We don't want the liability." It won't improve sales in the neighborhood in general or in my neighborhood or in your neighborhood. He has valid points; it's just that I can't solve those issues through this zoning case.

Cemetery, I have a copy of the deed reserving the cemetery from the current owner. That cemetery is reserved; it's protected. It's described and fully identified. It also reserves a pedestrian easement to get to it and gives the developer the ability to provide alternate pedestrian access to the cemetery in order to do the development. So I don't think it could have been better thought out than it has been and documented. This is from 1990.

That's really it. I understand the comments of neighbors; I just don't know how to get anybody there. The traffic, again, is less for single-family detached housing than it would be based on the current zoning. I understand VDOT is doing a traffic warrant study, but we all know how that works. It either meets the warrants or it doesn't. If it doesn't, there's no possibility of getting a traffic light. If it does, then somebody gets to pay for it. A light here is probably a quarter of a million

807 dollars. I know the County doesn't want to pay for that. You can split a quarter of
808 a million dollars over 49 homes at the tail end of a development that's going to be
809 enjoyed by everybody else. So if the study comes back that there are warrants
810 there—I understand it's a difficult place to get out; they're not kidding about that.
811 There is a lot of mainline traffic going up and down Staples Mill Road to and from
812 Hanover. But if it turns out that the warrants are there, then I think we all need to
813 get together and work with VDOT and our State representatives to see if we can
814 make that light a reality.

815

816 I think those are the realistic choices that come out of this discussion, but not
817 necessarily out of this request for rezoning, which I think is extremely logical and
818 a better deal. That's really all.

819

820 Mr. Archer - Thank you, sir. Any questions for Mr. Theobald?

821

822 Mrs. Jones - I do have one. I just don't want some of the citizens
823 who have raised some points here to think that we're not hearing them. One of
824 the ones I wanted to address right now is the traffic issue. Several folks were
825 mentioning how can you possibly get an idea of whether the impacts of traffic
826 from a new development will be able to be able to be handled on a 24-hour
827 basis. I know how this is done. I would hope just for the benefit of the citizens
828 that we can go ahead and explain how those counts are done and how the
829 assessment is made. Or maybe you're you'd turn it over to Mr. Jennings, but
830 someone should.

831

832 Mr. Branin - I was going to request Mr. Jennings come up.

833

834 Mr. Archer - Okay.

835

836 Mr. Branin - I have a couple of questions for him.

837

838 Mr. Archer - Mr. Jennings, would you come up please, sir.

839

840 Mr. Jennings - Good evening. I'm Mike Jennings, Traffic Engineer for
841 Henrico County.

842

843 Mr. Archer - Good evening, sir.

844

845 Mr. Jennings - Good evening.

846

847 Mrs. Jones - Could you just walk us through the steps of how you
848 assess whether a development will have an impact with traffic.

849

850 Mr. Jennings - What we do is our normal system counts and we do
851 traffic signal studies. We normally do a 24-hour study during the middle of the
852 week. We've found that that's a good representation of the traffic. Based on this

853 case, we had a meeting last Wednesday, which I wanted to get some information
854 in preparation for this meeting. With our snow event this week, I had to get it out
855 last week. So we did put it out over a 24-hour period. What the citizens saw were
856 two different things. We had the approaches to the Hunton Park
857 Boulevard/Hunton Park Lane intersection for a signal study to see what was
858 coming through that intersection. And then the two tubes that they saw sixteen
859 feet apart between Staples Mill and Hunton Park Lane, and then the other one to
860 the west, those were actual speed studies. Those gave us a total volume in each
861 direction and the speed that cars were doing.

862
863 What we found is that a signal is not warranted at the intersection of Hunton Park
864 Lane and Hunton Park Boulevard in their current conditions and there have been
865 no reported accidents at that intersection ever. I even added in the proposed
866 development, The Villas being complete, and even further down, The Manor
867 building out, The Ridges building out. Even with those numbers added into that
868 equation, that intersection does not warrant any modifications at this time. But I
869 did find that there is a speeding problem on Hunton Park Boulevard. I was going
870 to get with Police and let them know what we found in our speed studies.

871
872 In response to the VDOT request at Staples Mill and Hunton Park Boulevard,
873 right after our Planning Commission meeting at the end of last year, I did request
874 that they study that intersection and also look at another request of the citizens,
875 which was to possibly reduce the speed limit on Staples Mill Road. I checked
876 with them Wednesday. Their studies have not been completed yet and they
877 expect the results within the next couple of weeks.

878
879 That's where we stand right now.

880
881 Mrs. Jones - It's obviously an important factor. We do a complete
882 analysis for every case that comes before us through your department. I just
883 wanted people to know what the process was. Thank you.

884
885 Mr. Vanarsdall - You don't have any way of knowing when that will be?

886
887 Mr. Jennings - I communicated with their regional traffic engineer on
888 Wednesday and he expected the study to be complete within the next couple of
889 weeks. So an exact date I do not know, sir.

890
891 Mr. Vanarsdall - We've heard that couple of weeks on several cases
892 and it moves into a month.

893
894 Mr. Jennings - It could.

895
896 Mr. Vanarsdall - Can't wait on that. That's ok.

897
898 Mr. Branin - Can I make one comment?

899

900 Mr. Archer - Sure.

901

902 Mr. Branin - Ms. McClellan, a comment that you made about
903 learning from the past and so forth, when this project came in to the County and
904 was changed zoning, was in the late 1980's.

905

906 Mr. Emerson - Possibly 1989 or 1990, I believe.

907

908 Mr. Branin - Late '80s, early '90s—In around 2000/2004, the
909 Commission here in Henrico did indeed learn from past cases. As the
910 developments became larger, and with Wyndham and everything becoming the
911 West End, and Varina and everyone started to grow more and more, the
912 Commission as a whole looked at the necessity of sidewalks, looked at the
913 necessity of common areas and amenities for communities. So your comment in
914 regards to Hunton Park, that was one of the big cases that we looked at in what
915 communities need and what communities want.

916

917 Every year we have an open forum where we talk to the community, the County
918 as a whole, and get recommendations for what people want. It's always more
919 sidewalks, bicycle lanes, and so forth. I think comparatively if you looked at this
920 case when it came in the '90s and all of the cases that come through that would
921 be consistent with this, you'll see different types of proffers. We don't have a
922 book of rubber-stamp proffers that we put on cases and we've been doing it for
923 20 years. This is a living Commission that has grown with the community and
924 with what the people ask for and what they need. I just wanted to make the
925 comment to you that we're not sitting up here with blinders and doing the same
926 things we did in 1990.

927

928 Mr. Archer - Thank you, Mr. Branin.

929

930 Mr. Vanarsdall - Thank you, Mr. Branin.

931

932 Mr. Archer - All right, Mr. Vanarsdall.

933

934 Mr. Vanarsdall - I move to waive the time limits on the proffers.

935

936 Mr. Jernigan - Second.

937

938 Mr. Archer - Motion by Mr. Vanarsdall, second by Mr. Jernigan to
939 waive the time limits on the proffers. All in favor say aye. All opposed say no.
940 The ayes have it; the motion passes. The time limits are waived.

941

942 Mr. Vanarsdall - I have a few things I jotted down here to talk about.
943 The first thing, I want to thank you all for coming again. It's the second time
944 you've been here and some of you were at the community meetings. I

945 understand where you're coming from and sympathize with you. I know that you
946 don't want to see those trees go; I wouldn't either. It's happened to me personally
947 in my neighborhood—had the trees and no one ever promised they would stay
948 there. We used to have picnics in there and Christmas time with Christmas
949 caroling. Something else was put there and it increased the traffic in the
950 neighborhood but it soon got better. Nobody moved. Everybody lived happily
951 ever after. It's one of those things. The thing that you have to keep in mind—I
952 know you already know this, but it needs to be said—if someone owns property
953 and wants to develop it, thank goodness in America you have the right to do that.
954 But it has to be under the law. As I said earlier, I don't understand why anybody
955 would want Office/Service or Office or anything out there. Hunton Park is one of
956 the prettiest places we have. In fact, it's even prettier than going into Wyndham
957 because you don't see fast markets, and banks, and YWCA's, or anything. You
958 just see a lot of pretty landscaping. I don't understand that, but that's okay.
959 Residential zoning is bound to be better than to have cars and other kinds of
960 vehicles. With the other zoning you'll have the trucks, cars, and people coming
961 and going. Also warehousing and a lot of things like medical labs that are inside
962 of the buildings. Been through that over on Rancho Road. They had everything
963 inside. The people working inside didn't want to use the air conditioning and just
964 opened the doors and the whole neighborhood got it. You don't want that.

965
966 I don't think that you're going to notice the traffic as much as you think you are. I
967 know you won't notice it for a pretty good while. I understand it won't be started
968 until 2012 and it may not be finished until 2013. There is nothing to say that has
969 to be, so I'm not saying that's what it will be.

970
971 You may not understand the role of the Planning Commission entirely. We do not
972 make the decision on rezoning; we make decisions on the plan of developments
973 and the subdivisions and a lot of other things. We forward this to the Board with a
974 recommendation and the Board does whatever they think they should do the
975 best. Between now and the Board, you still have another chance to come. All the
976 things you talked about will be addressed between now and the Board meeting.
977 Looked at— Bradley, for your benefit. Public Works and others will be looking at
978 that before that is completed about the ten feet. So that will be taken care of.

979
980 What we do is we have a criteria to go by. One of the things is the 2026 Land
981 Use Plan and this case falls under that and is consistent with it. Also the goals,
982 objectives, and policies of the Land Use Plan; this case comes under that. And
983 staff recommends it. All these things we have discussed tonight will be
984 addressed between now and Board time. You can bet on that. As much as
985 possible. You're not gonna have sidewalks. As Theobald said and I think Ann
986 summed it up very nicely.

987
988 With that, I recommend C-28C-10, Robert Attack for Attack Properties, Inc., to the
989 Board of Supervisors for approval.

990

991 Mr. Jernigan - Second.

992

993 Mr. Archer - Motion by Mr. Vanarsdall, second by Mr. Jernigan. All
994 in favor say aye. All opposed say no. The ayes have it; the motion passes.

995

996 **REASON:** Acting on a motion by Mr. Vanarsdall seconded by Mr. Jernigan,
997 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
998 Supervisors **grant** the request because it continues a form of zoning consistent
999 with the area and the proffered conditions will provide quality assurances not
1000 otherwise available.

1001

1002 Mr. Vanarsdall - Again, thank you all for coming.

1003

1004 Mr. Archer - For the people from the neighborhood, the Board of
1005 Supervisors will meet on this on February the 8th at this venue.

1006

1007 **C-2C-11 Randy Hooker for Slurry Pavers, Inc.:** Request to
1008 conditionally rezone from B-3 Business District, M-1 Light Industrial District, and
1009 M-2 General Industrial District to M-2C General Industrial District (Conditional),
1010 Parcels 805-722-3777 and 805-722-9069 containing 14.87 acres, located on the
1011 south line of Nine Mile Road (State Route 33) at its intersection with Echo
1012 Avenue. The applicant proposes a contractor's equipment storage yard. The use
1013 will be controlled by zoning ordinance regulations and proffered conditions. The
1014 Land Use Plan recommends Light Industry, Environmental Protection Area, and
1015 Office. The site is in the Enterprise Zone and is part of the Nine Mile Road
1016 Corridor Revitalization/Reinvestment Opportunity Area.

1017

1018 Mr. Archer - Thank you, Mr. Secretary. Is there anyone here in
1019 opposition to C-2C-11, Randy Hooker for Slurry Pavers, Inc.? No opposition. Mr.
1020 Lewis, sir.

1021

1022 Mr. Lewis - Good evening. Thank you, Mr. Chairman.

1023

1024 This is a request to rezone two parcels on the south line of Nine Mile Road from
1025 M-1, M-2, and B-3 to M-2C, for use as a contractor's equipment storage yard and
1026 offices. The 14.8-acre site is located between the I-64 interchange approximately
1027 900 feet to the west and the Henrico County Eastern Government Complex and
1028 Tourist Information Center approximately 500 feet to the east.

1029

1030 The developed western parcel contains a variety of graveled and paved parking
1031 and storage areas, a two-story brick office building, and several one-story metal
1032 warehouses. The undeveloped eastern parcel is mostly wooded.

1033

1034 Adjacent uses include a single-family residential neighborhood to the north, auto
1035 service shops to the north and west, an office and a commercial dwelling to the
1036 east, and a shipping pallet manufacturing and storage operation to the south. It

1037 should be noted given the proximity of the R-4 zoning district to the north,
1038 principal uses first permitted in the M-2 District could not operate within
1039 approximately the front 250 feet of the subject site's depth.

1040
1041 The 2026 Comprehensive Plan's recommended future land use for much of the
1042 central core of the site is Light Industry. The eastern third of the site is
1043 designated Office and the Stoney Run Flood Plain along the site's western edge
1044 is designated Environmental Protection Area. The entire site is in the County's
1045 Enterprise Zone and much of the property is also included as a Revitalization
1046 Focus Area in the 2026 Plan. Both of these designations encourage
1047 redevelopment in conjunction with building, landscaping, and other site
1048 improvements to enhance the property's external appearance.

1049
1050 The applicant submitted revised proffers this afternoon dated January 13, 2010.
1051 As illustrated on this proffered layout and described in other information from the
1052 applicant, the site would become the business headquarters for Slurry Pavers
1053 and would accommodate storage and maintenance of their construction and
1054 paving vehicles, equipment, and supplies. To identify some of the major points of
1055 the request, I will use an adapted aerial version of the applicant's exhibit.

1056
1057 The northern portion of the largest warehouse would be converted to office
1058 space. The eastern parcel would be cleared in preparation for paving the front
1059 and graveling the rear. Two turning circles and a new internal connecting drive in
1060 this location would be constructed to aid the movement of large vehicles within
1061 the site. Storage of licensed vehicles such as intermediate-size trucks, tankers,
1062 and large road tractors—which is a B-3 use—would be in the paved area.
1063 Storage of unlicensed construction vehicles and equipment, including
1064 compaction rollers, pavers, mixers, milling machines, and traffic control
1065 devices—which would be an M-2 use—will be primarily in three areas: the newly-
1066 graveled second in this location and two lower-lying graveled lots in the southern
1067 and western portions of the site. According to the applicant, outdoor equipment
1068 storage would be most intense during the construction off season from late
1069 November to late March.

1070
1071 With the County boundary less than half a mile to the west, the sections of
1072 Interstate 64 and Nine Mile Road adjacent to the subject site serve as important
1073 visual gateways for those who visit the Tourist Information Center and travel to
1074 and from the County each day. Therefore, the visual treatment of this site must
1075 be carefully considered because it will serve as an important precedent in the
1076 effort to create a high-quality appearance throughout the corridor. Some of the
1077 2026 Plan's enhancement recommendations for the area include: preference for
1078 office style buildings along Nine Mile Road; streetscape improvements;
1079 monument style signs; and screening of parking, dumpsters, mechanical
1080 equipment, and loading areas.

1081

1082 The applicant proposes varying degrees of landscaping with an ornamental fence
1083 along the property's Nine Mile Road frontage. Moving from east to west, the
1084 three landscaping segments are: a 220-foot-long Transitional Buffer 50 with an
1085 eight-foot-tall brick and wrought iron style fence; a 160-foot-long Transitional
1086 Buffer 25 with an eight-foot-tall brick and wrought iron style fence; and an un-
1087 proffered 185-foot-long planting strip varying in width from five to fifteen feet with
1088 no fence or minimum planting quantities.

1089
1090 The proposed landscaping is shown in more detail on this un-proffered exhibit,
1091 which does provide plant quantities and species. If installed and maintained
1092 substantially similar to this exhibit, staff believes the landscaping and fencing
1093 would provide an attractive and unified visual enhancement of the site. To the
1094 extent possible, the applicant should ensure these landscape areas will not be
1095 diminished by several potential encumbrances including: a VDOT-required right
1096 turn lane into the eastern entrance; future right-of-way expansions; sidewalks;
1097 overhead utility lines; and an existing billboard.

1098
1099 This proffered exhibit shows both the proposed fencing and building façade
1100 improvements. The corrugated metal on the front of the western building would
1101 be removed and replaced by EIFS above a brick base. A standing-seam roof
1102 feature would be added, and the garage bay door would be replaced with an
1103 external wall matching the rest. These details do present more of an office style
1104 appearance. It should be noted with recent revisions some fencing and
1105 landscaping details on the applicant's two proffered exhibits and one un-proffered
1106 exhibit do not match. All exhibits should be made consistent with one another
1107 and clearly represented by name and matching descriptive language in the
1108 proffers.

1109
1110 In summary, the proposed use is similar to the previous use of the property and
1111 reinvestment in this vacant Enterprise Zone site is encouraged. With the
1112 proffered enhancements, this request would be consistent with the 2026 Plan's
1113 guidance to present an attractive, unified office-style appearance in support of
1114 the County's desire to improve the Nine Mile Road corridor. For these reasons,
1115 staff supports this request with the pending clarification of the exhibits and
1116 related proffers. Time limits would need to be waived for the revised proffers.

1117
1118 This concludes my presentation.

1119
1120 Mr. Archer - Thank you, Mr. Lewis. Are there questions for Mr.
1121 Lewis from the Commission?

1122
1123 Mr. Jernigan - Mr. Lewis, do you have the other half of the rendering.
1124 Can you zoom back out?

1125
1126 Mr. Lewis - Zoom back out? Sure. Would you like me to zoom in
1127 to the landscaping.

1128
1129 Mr. Jernigan - That's fine right there. You notice these proffers are
1130 dated today. Mr. Hooker, who is the applicant, we discussed a lot of things today.
1131 So the drawings that they have now are not really what they're going to have by
1132 the time they go to the Board. They're going to have a little more intense
1133 landscaping up on the western portion in front of the office building. And the
1134 fenced area to the east will have shrubs and low-lying stuff to the front. Trees will
1135 be behind. Landscaping will be heavy behind that to hide passenger cars and
1136 light trucks that are up front, plus the heavy vehicles in the back. You did good
1137 explaining that, but we worked this out.
1138
1139 Mrs. Jones - So the exhibits will be matched and consistent with
1140 each other and they will be proffered? Is that what I'm hearing you say?
1141
1142 Mr. Jernigan - Yes. Everything is not in line tonight because we
1143 worked on this today.
1144
1145 Mrs. Jones - Right. But that is the intent?
1146
1147 Mr. Jernigan - It will be straight by the time it goes to the Board.
1148
1149 Mrs. Jones - Okay. One other question. The fencing, which is very
1150 attractive as a streetscape here. I was just looking at the changes in the
1151 proffers—I'm not a speed-reader—as we're sitting here listening to you. The
1152 ornamental-style fencing will continue along the streetscape for Nine Mile. Then
1153 as we go back into the property there will be a black vinyl-coated mesh chain
1154 link.
1155
1156 Mr. Jernigan - Yes ma'am.
1157
1158 Mrs. Jones - Okay. And that will surround the property?
1159
1160 Mr. Jernigan - Yes. They'll have that surrounding the property. That
1161 will be an eight-foot fence also.
1162
1163 Mr. Lewis - Mrs. Jones, this exhibit sort of depicts the fencing as
1164 well.
1165
1166 Mrs. Jones - Right, okay. We had a long conversation today, but I
1167 just wanted to make sure I understood where everything was.
1168
1169 Mrs. O'Bannon - What you're saying is that there is going to be more
1170 landscaping in front of the fence or inside the fence?
1171
1172 Mr. Jernigan - The landscaping on these two parcels were fine.
1173 There was a long discussion about having tall trees to hide the equipment. We

1174 didn't want to put a nice fence there and have everything hidden. So Mr. Lewis
1175 did come up with the idea today that we move the fence closer to the front, use
1176 the brick columns, and put small landscaping with shrubs and everything in front,
1177 and put the trees behind it, which would hide all the heavy equipment in the back.
1178 I spoke to the applicant and they were okay with that. That was one of the major
1179 changes.

1180

1181 Mrs. O'Bannon - I think it's an improvement.

1182

1183 Mr. Jernigan - Mr. Chairman, I don't have any more questions.

1184

1185 Mr. Archer - Would you like to hear from the applicant?

1186

1187 Mr. Jernigan - Yes I would, please.

1188

1189 Mr. Archer - Okay. Will the applicant come forward, please, and
1190 state your name for the record. Thank you, Mr. Lewis.

1191

1192 Mr. Hooker - Good evening Mr. Chairman.

1193

1194 Mr. Archer - Good evening, sir.

1195

1196 Mr. Hooker - My name is Randy Hooker. Also, Phil Tarsovich from
1197 Slurry Pavers is here tonight as well if he needs to speak. Going back to the
1198 landscape plan, some of the things that Ray and I had discussed earlier today.
1199 This plan does show shifting the fence between the Scotch pines and the pin
1200 oaks. The pin oaks and the bushes would be on the front side of the fence and
1201 the Scotch pines would provide an opaque screen on the backside of the fence
1202 to hide the vehicles parked within this paved area. Then we have a hedgerow of
1203 shrubs along here on the backside of the wrought iron fence and brick columns.
1204 And then we have ash trees and shrubs on the front side. Along through here
1205 landscaping was increased today to include three additional trees and additional
1206 shrubbery. One thing is that the site plan itself, the overall conceptual site plan,
1207 that needs to be revised to address the fencing notation and such.

1208

1209 Mr. Jernigan - Mr. Hooker, have you proffered these?

1210

1211 Mr. Hooker - A change needs to be made on this plan. Honestly, I
1212 had this plan listed as Exhibit A. Also, the conceptual site plan is listed as Exhibit
1213 A. So I probably need to an A and B, and revise the proffers to distinguish the
1214 two plans.

1215

1216 Mr. Jernigan - The sticking points that we had, which I discussed
1217 with you today, were mainly the landscaping in front of the office building, the
1218 fence on the new piece that they purchased—we've covered that—and on the
1219 office building itself. I realize that they're planning on putting an atrium on that

1220 building. Will you have the plans with the atrium shown and everything by the
1221 time it goes to the Board?
1222
1223 Mr. Hooker - As far as the architectural elevation itself, other than
1224 just the rendering? Because the rendering, has been added to the proffers at
1225 well.
1226
1227 Mr. Jernigan - Is it on—
1228
1229 Mr. Hooker - A site plan?
1230
1231 Mr. Jernigan - Is it on the site plan? Okay.
1232
1233 Mr. Hooker - Yes. I can get with Phil and we can get that and have
1234 that added to the site plan.
1235
1236 Mr. Jernigan - So the Commission will know, the applicant actually
1237 wanted to put brick on the whole front façade of this building. But because of the
1238 footings not being strong enough, he wasn't able to do it. If you go in there and
1239 dig those footings up, you're going to hit the footings that are already there.
1240 That's an engineering nightmare. The applicant does want to fix this building up
1241 to really look good. What you don't see is there is an overhead door that's on the
1242 front of that building now to the eastern side. That's going to come out and be
1243 replaced with windows to make it look like an office. They plan on putting an
1244 atrium in the front that's approximately fifteen feet. The curb line is going to be
1245 moved in. In one area it's probably about six feet down to about three feet. The
1246 additional landscaping will be put in there.
1247
1248 A couple of things that came up, and I want to discuss this because I want to
1249 make sure that Mr. Lewis is okay with it. There is a service road in here that is
1250 not part of the case. He told me about it and it was a little bit of a sticking point.
1251 The road has been there since 1912. I learned a lesson one time with Ken Cycle
1252 about a little patch of ground that's not straight; it took 2-1/2 years to get it
1253 straight. I told Mr. Lewis that I'm comfortable with the way this is. It's not part of
1254 the case. If in the event it needs to be at some time, we can run that as a case by
1255 itself. I think this case needs to move forward. People have been driving on it
1256 since 1912; I don't have a problem with it.
1257
1258 In the back, Mr. Lewis also discussed with me where it looked somewhat of a
1259 hole that you could see from Interstate 64. There is a sign back there, a billboard.
1260 and Lamar came in recently and cut all the vegetation down around that sign.
1261 Slurry has not closed on this property yet; Virginia Truck still owns it. As I
1262 explained it to Mr. Lewis, that's between Virginia Truck and Lamar Signs. I'm not
1263 going to burden Slurry Pavers with that. It looks like it might have been a little
1264 more than 2500 square feet, so that may be seen by Public Works.
1265

1266 The billboard that's up on Nine Mile Road that's in front of the eastern property,
1267 once Slurry takes over the property, they're planning on talking to Lamar about
1268 removing it.

1269
1270 Did we cover everything, Mr. Hooker?

1271
1272 Mr. Hooker - Yes. There is a current agreement for that billboard
1273 on Nine Mile Road. Mr. Tarsovich is going to speak with Lamar and tell them
1274 these plantings are a requirement for his development and the plantings aren't
1275 going to mix well with the billboard.

1276
1277 Mr. Jernigan - Thank you. Any questions for Mr. Hooker?

1278
1279 Mr. Archer - Is that a double billboard?

1280
1281 Mr. Jernigan - Yes, it's a double billboard, isn't it?

1282
1283 Mr. Hooker - It was two faces.

1284
1285 Mr. Archer - Okay, all right.

1286
1287 Mr. Jernigan - I went down and stopped on 64 today; I am brave. Mr.
1288 Lewis is right; there is a gap through there where they cut it down. Through my
1289 traveling—I've been down through North Carolina and South Carolina—there are
1290 a lot of people that don't have—you see everything from the interstate. They
1291 don't have a lot of vegetation in there. They actually clear it out and put in grass.
1292 Anyway, we'll let Lamar and Virginia Truck work on that.

1293
1294 I know we have to waive the time limits. I would like to make a motion to waive
1295 the time limits on C-2C-11, Randy Hooker for Slurry Pavers, Inc.

1296
1297 Mr. Branin - Second.

1298
1299 Mr. Archer - Motion by Mr. Jernigan, second by Mr. Branin to
1300 waive the time limits. All in favor say aye. All opposed say no. The ayes have it;
1301 the motion passes. The time limits are waived.

1302
1303 Mr. Jernigan - With that, Mr. Chairman, I would like to move for
1304 approval of C-2C-11, Randy Hooker for Slurry Pavers, Inc., and send it to the
1305 Board of Supervisors for their approval.

1306
1307 Mr. Vanarsdall - Second.

1308
1309 Mr. Emerson - Mr. Jernigan, that's with the understanding that the
1310 proffers and the site plans will be cleaned up and consistent with the discussion
1311 tonight before the Board meeting.

1312
1313 Mr. Jernigan - Yes sir. I spoke to Mr. Hooker. He'll have all that
1314 straight before it goes to the Board.
1315
1316 Mr. Archer - Motion by Mr. Jernigan, second by Mr. Vanarsdall. All
1317 in favor say aye. All opposed say no. The ayes have it; the motion passes.
1318
1319 **REASON:** Acting on a motion by Mr. Jernigan seconded by Mr.
1320 Vanarsdall, the Planning Commission voted 5-0 (one abstention) to recommend
1321 the Board of Supervisors grant the request because the employment use
1322 supports the County's economic development policies and the proffered
1323 conditions would provide for a higher quality of development than would
1324 otherwise be possible.
1325
1326 Mr. Vanarsdall - Can I call Mr. Lewis back to the microphone, Mr.
1327 Chairman?
1328
1329 Mr. Archer - Certainly, Mr. Vanarsdall, if he's willing to come.
1330
1331 Mr. Lewis - I apologize; I wasn't paying attention.
1332
1333 Mr. Archer - You have been recalled.
1334
1335 Mr. Vanarsdall - One of the things that somebody asked me about
1336 being chairman, what is the difference. I said you have to stay awake. I wanted to
1337 thank you for all the help you did on that case I had.
1338
1339 Mr. Lewis - Yes sir.
1340
1341 Mr. Vanarsdall - We talked on the phone so many times, so many
1342 days, you'd think we were going steady.
1343
1344 Mr. Lewis - I can confirm that is not the case, though.
1345
1346 Mr. Jernigan - And Livingston, I want to thank you. You did a great
1347 job on this case and I appreciate your help on it.
1348
1349 Mr. Lewis - Thank you, sir.
1350
1351 Mr. Branin - Livingston, I just want to thank you for being you.
1352
1353 Mr. Archer - I'll thank you just to make it unanimous.
1354
1355 Mr. Vanarsdall - Mr. Jennings, will you please follow that and see if we
1356 can get a light out there at the entrance?
1357

1358 Mr. Jennings - Yes sir, I will definitely follow up with VDOT to make
1359 sure the study is complete. We'll look at the warrants.

1360
1361 Mr. Vanarsdall - It should be a safety issue like it is now and VDOT
1362 may do something different if it's safety.

1363
1364 Mr. Jennings - I will look into their findings and we can discuss it to
1365 see what we can pursue.

1366
1367 Mr. Branin - Mr. Jennings, now that you're up here and we're
1368 discussing a past case, do we always test for 24 hours?

1369
1370 Mr. Jennings - Normally if it's for a signal study we put them out for
1371 24 hours during midweek. It's been found to be a good representation of the
1372 traffic out there. You don't want to do holidays when school's out or snow events.

1373
1374 Mr. Branin - I've requested them and I've seen them, but they've
1375 always been for speeding. That time period that we leave them out is how long?

1376
1377 Mr. Jennings - We have done 48 hours and we've done 24 hours.

1378
1379 Mr. Branin - They're the ones that I'm usually requesting from you.

1380
1381 Mr. Jennings - We have actually gone longer in certain
1382 circumstances.

1383
1384 Mr. Jernigan - I didn't say anything else and I was at first, but when
1385 it's a residential neighborhood all you need is 24 hours because you basically
1386 have the same people coming and going. That figure is not going to change from
1387 day to day.

1388
1389 Mr. Jennings - Mr. Jernigan, that is how we feel, except for weather-
1390 related or holidays and stuff like that. That's what we've found also.

1391
1392 Mr. Archer - Thank you, Mr. Jennings. All right, Mr. Secretary,
1393 where are we, sir?

1394
1395 Mr. Emerson - Mr. Chairman, we're at the next item on page three of
1396 your agenda, which is SIA-2-10, East Area High School Site – Substantially in
1397 Accord with the County of Henrico Comprehensive Plan. The staff report will be
1398 presented by Mr. Ben Sehl.

1399
1400 **RESOLUTION: SIA-002-10 – East Area High School Site –**
1401 **Substantially In Accord with the County of Henrico Comprehensive Plan. (Varina**
1402 **District)**

1403

1404 Mr. Archer - Good evening, Mr. Sehl. How are you sir?

1405

1406 Mr. Sehl - Good evening, Mr. Chairman, members of the
1407 Commission.

1408

1409 At the request of Henrico County Public Schools, the Planning Department
1410 conducted a Substantially in Accord study to determine whether a proposed site
1411 for a planned high school on Old Williamsburg Road is substantially in
1412 conformance with the County's adopted Comprehensive Plan.

1413

1414 Located in the Varina Magisterial District, this SIA finding would apply to two
1415 parcels. A portion of the high school site is already designated for government
1416 uses and is not part of this SIA. The high school site will be approximately 97
1417 acres.

1418

1419 The site is zoned A-1 and the proposed school is permitted use in the A-1
1420 District. The site area would allow ample room to meet required setbacks and
1421 provide buffers to adjacent uses. All adjacent properties as shown here are also
1422 zoned A-1 with the Windsor subdivision located here zoned R-2A.

1423

1424 Henrico County Public Schools provided this conceptual plan showing a possible
1425 layout for the subject property. The site will be accessed via two entrances on
1426 Old Williamsburg Road and improvements to Old Williamsburg Road, including
1427 some widening and a realignment of the road's intersection with Williamsburg
1428 Road, are planned. The building layout and the facilities planned on this property
1429 are similar to those provided at Glen Allen High School, which recently open up
1430 the road on Staples Mill Road.

1431

1432 The subject property is designated SR-1 on the 2026 Future Land Use Map and
1433 areas to the east also carry this SR-1 designation, while areas to the south are
1434 designated Rural Residential and Environmental Protection Area. As previously
1435 mentioned, property to the west that would also be part of the proposed high
1436 school site is designated for government use as shown here. And farther to the
1437 west with access off of Elko Road is Elko Middle School. The provision of public
1438 facilities, including schools, is generally compatible and appropriate with sites
1439 with an SR-1 designation.

1440

1441 Based on projected residential growth in the County and the existing
1442 governmental designation for a large portion of the proposed high school site,
1443 expansion of government uses onto the subject parcels appear to be logical. A
1444 substantially in accord finding for the proposed properties would also be
1445 consistent with several goals, objectives, and policies of the 2026
1446 Comprehensive Plan, as listed in the staff report.

1447

1448 Through proper design, the proposed use area high school site would be
1449 compatible with current recommended land uses, meet the increased

1450 programming needs of Henrico County Public Schools, and accommodate
1451 anticipated residential growth in the planned service area of this high school.
1452 Staff recommends the Planning Commission find the proposed east area school
1453 site substantially in accord with the Henrico County 2026 Comprehensive Plan.
1454

1455 That concludes my presentation. A draft resolution was provided in your packet
1456 and I would be happy to answer any questions you might have at this time.
1457

1458 Mr. Archer - Thank you, Mr. Sehl. Any questions for Mr. Sehl from
1459 the Commission?
1460

1461 Mrs. O'Bannon - Are water and sewer readily available?
1462

1463 Mr. Sehl - Mrs. O'Bannon, water is located at the intersection of
1464 Elko Road and Williamsburg Road. They have held a preliminary plan of
1465 development meeting with staff and other County departments. Water would be
1466 run down East Williamsburg Road to the site. Sewer is located here and currently
1467 provides service to Elko Middle School. They would tap into that trunk line for this
1468 site.
1469

1470 Mrs. O'Bannon - Do you know the cost to that? I'm just curious.
1471

1472 Mr. Sehl - I don't. Al Ciarochi with Henrico Schools is here. He
1473 might be able to answer that question.
1474

1475 Mr. Ciarochi - Good evening. I do not have exact costs. We do know
1476 that we're looking at about 10,000 feet of water line.
1477

1478 Mr. Emerson - Could you identify yourself?
1479

1480 Mr. Ciarochi - I'm sorry. Al Ciarochi, Director of Operations with
1481 Henrico County Schools.
1482

1483 Mr. Branin - Good evening, Mr. Ciarochi. How are you? Thank
1484 you for joining us this evening.
1485

1486 Mr. Ciarochi - Absolutely. When we look at the sewer, we don't see
1487 anything that would be abnormal in cost, but when it comes to the water, there
1488 obviously will be some costs associated with the 10,000 feet of line. But it's not
1489 something that is unfeasible within the project as we're developing the scope.
1490

1491 Mrs. O'Bannon - It's more the sewer, obviously. Where does the sewer
1492 go? It goes to Elko Middle. Is that it?
1493

1494 Mr. Ciarochi - Currently the sewer is at Elko Middle School. There is
1495 a ravine that separates, a natural wetland between the properties for the

1496 proposed high school and for the middle school. We'll be able to tap into where
1497 the sewer is already in existence between the two properties.
1498
1499 Mr. Emerson - There is a utility slide, I believe, if you come down
1500 underneath. Land Use, that probably shows the location of the lines.
1501
1502 Mr. Ciarochi - The red line here, Mrs. O'Bannon.
1503
1504 Mrs. O'Bannon - Okay.
1505
1506 Mr. Emerson - As you know, the middle school was high and it took
1507 us a while to get there. But now that we're at the middle school, we're obviously
1508 in the vicinity. So this won't be as large of a challenge. You won't have the pump-
1509 and-hauls and things that you had with the middle school.
1510
1511 Mrs. O'Bannon - You won't have to pump and haul.
1512
1513 Mr. Emerson - I would not think so, no ma'am. The line is close
1514 enough that you could connect to it. It should gravity flow down to that line, I
1515 would think.
1516
1517 Mrs. O'Bannon - It'll go down? Okay, all right.
1518
1519 Mr. Archer - Any further questions for anyone?
1520
1521 Mrs. Jones - Did I hear a projected date?
1522
1523 Mr. Sehl - I don't believe they have a planned date for
1524 construction.
1525
1526 Mr. Emerson - Do you want to speak to that, Mr. Ciarochi, as far as
1527 what you're doing and the potential projected construction and opening time, if
1528 there is one.
1529
1530 Mr. Ciarochi - Currently the design of this school is being funded
1531 through economic stimulus funds. This is not a funded project. It does appear in
1532 the CIP that will be coming before you in the next month or so. There is a
1533 tentative date based on our research and planning. As of last year they said
1534 possible opening of 2015. But again, the project is not funded at this time. We
1535 are just doing our best to go through the design to come up with a preliminary
1536 POD, knowing that when the appropriate time comes for the next bond
1537 referendum we'll be in a position to move forward.
1538
1539 Mr. Branin - Mr. Ciarochi, this land has been acquired?
1540

1541 Mr. Ciarochi - Yes it has. The parcel that is on the immediate right,
1542 that is a parcel on which the County of Henrico has moved forward with
1543 condemnation. The parcel that's on the left was previously owned by the School
1544 Board. It was purchased I believe about three years ago.

1545

1546 Mr. Archer - Thank you, sir.

1547

1548 Mr. Emerson - Mr. Chairman, when a motion is made, if we would
1549 just note the resolution SIA-002-10.

1550

1551 Mr. Archer - Would anybody care to offer a motion?

1552

1553 Mr. Jernigan - Mr. Chairman, I make a motion we accept the
1554 Resolution for the Substantial in Accord, SIA-002-10, for the East Area High
1555 School site.

1556

1557 Mr. Vanarsdall - Second.

1558

1559 Mr. Archer - Motion by Mr. Jernigan, second by Mr. Vanarsdall. All
1560 in favor say aye. All opposed say no. The ayes have it; the motion passes.

1561

1562 Mr. Emerson - Mr. Chairman, that takes us to our next item, which is
1563 a discussion item. Next year is the normal time for review of the CIP. What I'm
1564 requesting tonight is that you schedule a public hearing for February 10, 2011, at
1565 6 p.m. to consider the fiscal year 2011-2012 through fiscal year 2015-2016
1566 Capital Improvement Program. At that time you will receive a presentation from
1567 the County Manager and the Finance Department regarding the CIP.

1568

1569 Mr. Archer - All right. Having heard this request from the
1570 Secretary, can we save some time and have a motion to do it?

1571

1572 Mr. Jernigan - I'll make a motion we schedule a meeting for 6 p.m.
1573 on February 10, 2011.

1574

1575 Mr. Vanarsdall - Second.

1576

1577 Mr. Archer - Motion by Mr. Jernigan, second by Mr. Vanarsdall. All
1578 in favor say aye. All opposed say no. The ayes have it; the motion passes.

1579

1580 Mr. Branin - Where will that meeting be held?

1581

1582 Mr. Emerson - That will be in this room.

1583

1584 Mr. Emerson - Traditionally we have come in at 5:30 and we provide
1585 some sandwiches since that meeting does being early. If you'd like to do that,
1586 we'll be happy to take care of that for you.

1587
1588 Mr. Jernigan - Make a motion to make it 5:30 and convene up in the
1589 manager's conference room.
1590
1591 Mr. Emerson - That would be fine, yes sir, with a 6:00 meeting.
1592
1593 Mr. Emerson - You don't need a motion for that.
1594
1595 Mr. Jernigan - Okay.
1596
1597 Mr. Archer - So we'll meet at 5:30 on February 10th in the
1598 manager's conference room.
1599
1600 Mr. Emerson - And we'll get that set up. Mr. Chairman, the next item
1601 on the agenda would be the approval of the minutes for the Planning
1602 Commission meeting of December 9, 2010.
1603
1604 Mr. Archer - All right. Any corrections or changes?
1605
1606 Mr. Vanarsdall - Has anyone told Mrs. O'Bannon what a Board
1607 member has to do? You're supposed to read the minutes.
1608
1609 Mr. Branin - We started that with Mr. Kaechele.
1610
1611 Mrs. O'Bannon - I've always received the verbatim minutes anyway.
1612 For the last sixteen years I always request the verbatim minutes. And I have
1613 them in books on a shelf.
1614
1615 Mr. Jernigan - We had a meeting with Mr. Jennings and the Fire
1616 Marshal Seay. Were those minutes taped?
1617
1618 Mr. Emerson - Yes sir, they were, but we normally don't do those
1619 verbatim, the work session.
1620
1621 Mr. Archer - Does anyone care to move approval of the minutes?
1622
1623 Mr. Vanarsdall - I move the minutes be approved as stated.
1624
1625 Mr. Branin - Second.
1626
1627 Mr. Archer - Motion by Mr. Vanarsdall, second by Mr. Branin to
1628 approve the minutes. All in favor say aye. All opposed say no. The ayes have it;
1629 the motion passes.
1630
1631 Mr. Emerson - Mr. Chairman, we have nothing further to bring in
1632 front of the Commission this evening.

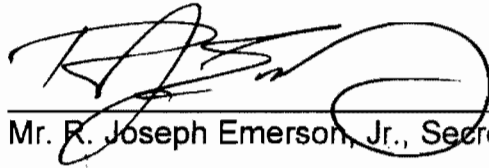
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Mr. Branin - I move we adjourn.

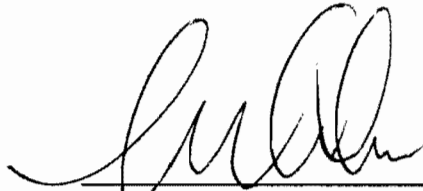
Mr. Jernigan - So move.

Mr. Archer - Motion by Mr. Branin, second by Mr. Jernigan to adjourn. All in favor say aye. All opposed say no. The ayes have it; the motion passes. Meeting adjourned.

The meeting adjourned at 8:41 p.m.



Mr. R. Joseph Emerson, Jr., Secretary



Mr. C. W. Archer, Chairperson

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