

1 **Minutes of the Capital Improvements Program special meeting of the Planning**
2 **Commission of Henrico County held in the County Administration Building in the**
3 **Government Center at Parham and Hungary Spring Roads, beginning at 6:00 p.m.,**
4 **Thursday, March 11, 2021. Display Notice having been published in the Richmond**
5 **Times-Dispatch on February 22, 2021 and March 1, 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. John A. Vithoukias, County Manager
19 Mr. Steve Yob, Deputy County Manager
20 Mr. Brandon Hinton, Deputy County Manger *
21 Mr. Justin Crawford, Budget Director
22 Other Department Heads and Key Officials
23 Ms. Jean Moore, Assistant Director of Planning *
24 Ms. Rosemary D. Deemer, AICP, County Planner
25 Mr. Ben Sehl, County Planner
26 Ms. Kristin Smith, County Planner
27 Mr. Miguel Madrigal, County Planner
28 Ms. Kuronda Powell, Account Clerk
29 Ms. Martha Diuguid, Office Assistant
30
31

32 * (Virtually)
33

34 **Mrs. Patricia S. O'Bannon, the Board of Supervisors' representative, abstains on**
35 **all cases unless otherwise noted.**
36

37 Mr. Mackey - I'd like to call this meeting to order. This is the public hearing
38 on the Capital Improvements Program, considering the Fiscal Year 2021-2022 through
39 Fiscal Year 2030-2031. At this time, I would like to turn the meeting over to Mr. Joe
40 Emerson.
41

42 Mr. Emerson - Thank you, Mr. Chairman, members of the Commission.
43

44 Mr. Archer - Good evening, Mr. Emerson.
45

46 Mr. Mackey - Evening.
47

48 Mr. Emerson - This evening, as the Chairman stated, we will be holding a
49 public hearing on the Capital Improvements Program for Fiscal Year 2021-22 through
50 Fiscal Year 2030-31. But prior to beginning that I do want to go through the process that
51 we have been following in order to accept public comment. Because, of course, as I
52 noted, this is a public hearing.

53
54 We do want to thank those who are joining us via Webex and our livestream for our March
55 11th Planning Commission public hearing. Following the introduction and presentation
56 of each case, and of course, in this matter, the topic is the CIP, for those attending
57 virtually, staff will send a message asking if anyone would like to speak about the proposal
58 after the presentation has been made.

59
60 The request will be done using the chat feature located in the bottom-right corner of the
61 Webex screen. We recommend everyone press this now at this time, if you can, to open
62 the chat screen and follow the staff's prompts. To be put on the list of speakers you must
63 send your request to the correct contact person. Using the chat feature's drop-down
64 menu select Kristin Smith before replying. Please be aware this feature is only being
65 used to identify speakers. Messaged questions or comments will not be answered, as
66 they should be directed to the Planning Commission.

67
68 When it is your turn, you will be introduced, unmuted, and prompted to speak. Following
69 your question or comment, you will be muted again. Please be aware there is a time limit
70 for speakers. The Commission provides the applicant and any proponents, and in this
71 case, we have the presentation from staff, but anyone who wants to speak on a proposal
72 will have up to 10 minutes cumulatively to speak. The Commission can extend that time
73 limit at their discretion in order to accommodate those who may want to speak.

74
75 Please keep your comments brief to allow for the greatest number of speakers.
76 Individuals who have chosen to attend tonight's meeting in person will be called upon first
77 and then staff will identify speakers waiting on Webex. For those of you present in the
78 room, there is a lectern located in the rear of the room for both the applicants and the
79 public to utilize when addressing the Commission.

80
81 As a reminder, there is a 25-person guideline limit on room capacity. Because of that we
82 would request that once the item you are in attendance for has been heard, that you
83 vacate the room so others can enter.

84
85 With that said, Mr. Chairman, it is now time for your presentation from the County
86 Manager. It's the one time of the year that he comes down and speaks to us, so we're
87 always excited to hear from him. And he will be speaking to you on the Capital
88 Improvements Program, again for Fiscal Year 2021-22 through Fiscal Year 2030-31.

89
90 Mr. Mackey - All right, thank you, sir.

91
92 Mr. Vithoukas - Mr. Chairman, members of the Planning Commission, this is
93 a highlight for me and staff to be able to come here and visit you once a year, and we can

94 do it as frequently as you would like--any kind of update from the County Manager or the
95 staff. But this is procedural presentation. And --

96

97 Mr. James - We'll get through the procedure here first.

98

99 Mr. Vithoulikas - Please. Help me with the proceedings.

100

101 Mr. James - It's my pleasure.

102

103 Mr. Mackey - Thank you, Fred.

104

105 Mr. Vithoulikas - So, what you are looking at this year is a little different than
106 what we have presented in years past. And that is Justin Crawford, our Budget Director
107 and our Director of Finance, Meghan Coates, have been busy working on a different type
108 of capital presentation. So, for the first time in our history, really, we are working at a 10-
109 year capital effort.

110

111 Now when you go out past five, the numbers get kind of fuzzy, obviously, but you can --
112 if you know something is coming, you can definitely, in that 10-year horizon, present a
113 holder of sorts. And also, you know, the years, it seems like maybe I'm just getting older,
114 but it seems like time flies a lot quicker. And, you know, that annual budget, whether it's
115 an operating or capital budget, is upon you very quickly. So, ultimately, what you are
116 going to see here is -- and the 10-year period is divided into the first 5 years, which you
117 will see here, --and then the second year 5-year time period.

118

119 So, this is the first five years. You'll see the categories, obviously Education. And, for
120 the first time, you're also seeing a collective summarization of our road needs. So, you
121 have the third largest road network in the Commonwealth of Virginia in this county. And
122 I think we are one of the -- out of all of the counties, I think, from a landmass size, we're
123 somewhere in the '50s or '60s.

124

125 So, we're not a large county, but we have developed an extensive roadwork via roadway
126 networking. So, you'll see a billion plus dollars in potential road improvements.
127 Roadways also can include sidewalks, they can include bike lanes, they can include bike
128 paths, anything, as far as mobility. And so, you'll see the categories there.

129

130 Fire -- typically fire stations, General Services, our -- facilities, IT is becoming more of a
131 capital requirement. Mental Health --you have both the Woodman -- the Woodman facility
132 that at some point we are going to have to start talking about a renovation or some sort
133 of rebuild. You'll see some Library projects.

134

135 Sewer/Water: that is our economic development; the future of the county --mostly sewer.
136 Drainage projects: and you will see -- who was I talking to about drainage? And so, you
137 are going to see drainage not just show up in the capital budget as it did years ago,
138 because, you know, I remember in years past we would put a list together and say, you
139 know, It's on the list. But the list was all unfunded.

140
141 So, Mr. Baka, what you're going to see going forward in this capital budget is an annual
142 allocation of pay-as-you-go funding for those type of projects. But we potentially, in this
143 year, could start more detailed discussions regarding a referendum in November of '23.
144 And drainage actually could be a project category. Justin, do you recall the last time, was
145 it in the '80s, that we had drainage as a category?
146
147 Mr. Crawford - I believe so.
148
149 Mr. Vithoukas - So, it's not -- it's not unheard of. It is unusual, but the drainage
150 needs of the county continue to increase with, you know, changing weather patterns and
151 whatnot that we are experiencing. Or whether it's weather cycles, but last year was one
152 of the wettest years that we had as a county.
153
154 So, this is the proposed capital budget. Again, the driver for most of the spending is
155 Education. At \$89.6 million you're seeing a \$235.2 million recommended effort. All of
156 this within the -- every affordability measure that we have: pay-as-you-go multiple funding
157 sources that present themselves here. We're closing out the referenda from 2016.
158
159 And then in Education you are going to see some new efforts, if you will, but let me delve
160 into some of the highlights. So, 38 percent of the capital budget -- and that's going to
161 change each year. Those percentages, because of the size of some of these capital
162 budgets.
163
164 The final portion of the 2016 Bond Referendum is appropriated. You're also going to see
165 a lot of emphasis continue on maintaining existing infrastructure. We've got assets,
166 especially within the utility realm, that need to continue to be replaced. And then you're
167 also going to see two new things. So CVTA is the Central Virginia Transportation
168 Authority, that 10 localities in the Richmond Planning District Commission actually were
169 able to carve out from the General Assembly last year. That money is starting to come
170 in, and it can be used for anything road related, whether it's capital, whether it is a
171 sidewalk, whether -- you can actually use it on maintenance which we will not do, because
172 our maintenance funding we've done very well with.
173
174 But you're also going to see another highlight in the capital budget, and that is within the
175 realm of Education. The recommendation is to make a pretty significant investment in
176 career and technical education in the county.
177
178 So, in Education we obviously finish out the bond referendum with the renovation of
179 Adams Elementary School. But you are seeing \$54 million in new VPSA bonds. Those
180 are Virginia Public School Authority bonds that the county has the ability to issue. They
181 will be stand-alone bonds and will be Triple-A rated.
182
183 To renovate the Highland Springs ACE Center, which is the old portion of Highland
184 Springs behind it, you're going to see a significant investment there. And then you are
185 also going to see a significant expansion of the Hermitage ACE Center.

86

87 So, what this means is right now we have about 1,000 kids that we can't get into career
188 and technical ed. And, at the same time, we think your student enrollment overall is flat
189 or declining. But, in this area, we have kids that want to participate in a program and
190 these programs actually are leading to jobs where in the trades, I don't have to tell you,
191 Mr. Witte, actually, you know, someone can do much better in many cases than with a
192 four-year college degree.

193

194 So, there's definitely a need. And then you will also see the Meals Tax come back and
195 other funding sources that are being used for Technology. You will see a \$3 million Land
196 Reserve. It's no secret we are looking for a piece of property in the Three Chopt or
197 western portion of the county for a new elementary school. And that's what that will be
198 allocated for. And then, obviously, the maintenance needs of 72 schools that we have
199 now.

200

201 Within the area of Public Safety, you'll see largely firehouse projects-- a bond project,
202 Firehouse 23. You'll see additional resources going in there. We are close to identifying
203 where that location will be. Fire Station 20 is obviously on-campus. If you didn't know
204 that that is the Staples Mill Firehouse. You also have some additional resources the
205 Phase 2 of this project for the construction of what is being referred to as a stormwater
206 basin. But I think Chief Oughton, it's pretty much a big lake.

207

208 Mr. Oughton - Yes, sir.

209

210 Mr. Vithoulkas - From what I have seen, many of the ducks will have multiple
211 lakes now on the campus to -- and that is, obviously, for stormwater. I say that in jest,
212 but it is a significant BMP. And the reason that we allocated that much for this project is
213 it basically allows the rest of the campus to be -- we won't have to worry about another
214 BMP with all of the space that we have.

215

216 So, you'll also see a lot of news, a lot of -- a lot of conversation with the Board in the
217 retreat regarding a recovery center. We've gotten a lot of positive feedback and we are
218 looking for a private-sector partner to basically come in and help us manage what could
219 be a -- what will be a recovery center.

220

221 We do not, in my opinion, want to throw a whole lot of county staff into a facility like this.
222 We want to build it and, you know, we'll oversee it, but ultimately there's a place for the
223 private sector to help us with recovery. And so, you'll see more conversation going
224 forward regarding that.

225

226 I mentioned Transportation. Obviously, we have a \$9 million project that is on the books,
227 really, for the Richmond Henrico Turnpike project. In reality, that project has been let
228 loose and so this funding is basically repaying a funding source for that project.

229

230 We were also able to use some state aid for that. Terrell Hughes actually was able to
231 help us with the Commonwealth Transportation Board and basically get some state

232 funding advanced to us. We have a significant economic development project, Mr.
233 Archer, as you're aware, that is coming into the northern portion of that property. And so,
234 this road improvement could not come at a better time.

235
236 We also have bicycle/pedestrian improvements that you are going to see coming forward.
237 \$2 ½ million allocated for those type of improvements as well as sidewalks, and then \$20
238 million --\$20 million that is coming in from CVTA. This is our revenue that our taxpayers
239 are paying. And the way the CVTA revenue works is 50 percent of what is generated in
240 these 10 localities will stay with the locality. The other 35 percent will go into a regional
241 pot that is administered by a board for us. Frank Thornton is the Chairman of the CVTA.
242 And then 15 percent will go into transit in the region and the 15 percent allocation actually
243 allowed us to re-align what we are putting into transit and have GRTC utilize those funds
244 as opposed to purely local funds from the county. So that \$20 million we actually think
245 could come in closer to 30. So, stay tuned as far as some of the road improvement
246 projects.

247
248 We have a list. Magellan Parkway, you'll see Woodman on there. We have an access
249 road through Glover Park, engineering services for future projects, and matching funds
250 for revenue share that comes from the state so we can leverage our money and basically
251 double it. And, in the operating budget, you'll see a recommendation for some additional
252 capital project help for Terrell Hughes so that we don't have to outsource this. Or we can
253 do both, but not as much outsourcing, if you will, on these projects.

254
255 Drainage/Stormwater: Okay. So, total, the proposed capital budget has \$4.1 million for
256 multiple categories here. \$1.75 million has been recommended for various drainage
257 projects across the county including land acquisition, including residential drainage
258 projects, erosion and flooding mitigation, and even something called stream restoration.

259
260 So, we have gotten into streams. And the reason for that is because, you know, the --
261 we are seeing more and more, or different weather changes in weather, there's been a
262 lot more flooding, the complaints --Mrs. O'Bannon, I don't have to tell you, you know, the
263 emails that you get weekly from Tuckahoe residents because the topography of
264 Tuckahoe, let's face it, Tuckahoe is more prone to drainage issues and Varina --those
265 two districts lead all of the complaints that we get. It's simply because of topography.
266 Varina areas like Sandston are just flat.

267
268 We really can't do a whole lot. Tuckahoe is just -- yeah. So, this begins that effort. A lot
269 of discussion went into this from the Board of Supervisors. And I want to thank our Public
270 Works folks for everything that they have done.

271
272 You're going to see a recommendation for \$39.8 million for Recreation and Parks. That
273 includes a new park right outside of Sandston -Taylor Park. Be part of our inventory for
274 recreation and tourism. Cheswick is getting a redo. Cheswick was, I believe, our first
275 park in the county. And so, there's an allocation to redo Cheswick Park. Tuckahoe Creek
276 Park, Mrs. O'Bannon has done something truly special there. That effort continues.

77 Three Lakes Nature Center rehabilitation, it's hard to imagine but Three Lakes, which is
78 one of the most visited parks in our region.

279
280 Actually, the infrastructure in that park has gotten quite old. Tuckahoe Park is another
281 regional or a park that will help us with our sports efforts as well as our sports tourism.
282 Mrs. O'Bannon is heavily involved in that. And last, recently, the Board acquired a piece
283 of property that will change the entrance into that park and make it even more desirable
284 for the neighborhood.

285
286 A number of general government and maintenance projects --first-year recommendation
287 totals just over \$4 million. These are the things we need to do to keep our buildings the
288 way they are. There's a reason that when you come to a lot of the county facilities they're
289 maintained. Even though we have, whether it's a, you know, 90-year-old school or a
290 building that has been in service for many, many years. We take care of our infrastructure
291 and this is where you see those efforts coming forward.

292
293 Public Utilities: You'll see a recommendation of \$33.3 million. Again, this is an annual
294 effort, and I cannot stress enough how important maintaining this is to the economic
295 development's success of the county.

296
297 We also, years 6 through 10, have a number of schools that are -- that you start to see
298 come up, come forward. Again, this is a hazier horizon, but you'll see a number of
299 elementary schools. Questions like, "What do we do with the Kane Road property?"
300 really come into play out here. And, you know, we had purchased it for schools and
301 recreation. You know, schools -- is it a high school, is it a middle school?

302
303 All of this we need to start carving out in our mind because, you know, the development,
304 I don't, believe is going to stop. You know, you're not going to get fewer demands in
305 Three Chopt for project A or project B. And, ultimately, you know, the first five years have
306 something that we didn't expect, which is land for an elementary school. We still have
307 that Kane Road property, but where it's situated really doesn't -- it's not the ideal site for
308 an elementary school. Because you've got one down the street and one up the street.

309
310 Fire -- you've got multiple additions and renovations. We need to start -- continue to train
311 our folks, so a fire tactical training facility pops up in that horizon. The Eastern
312 Government Center, you know, at some point we are going to have to give that building
313 some love.

314
315 And then you've got high school turf, field, and track replacements. We just -- it feels like
316 we just did these synthetic fields, but we need to start thinking about we're going to have
317 to replace them. And they do have 10-year lifespans, so if some of them will pop up in
318 here.

319
320 And then, oh, by the way, there is an additional one billion, with a B, in transportation
321 projects, because the population of this county is not going to do anything but increase.

322 And so, people, and companies, move to locations that quality of life is a component. And
323 part of that is not waiting and sitting in traffic for half your life.

324
325 So, to summarize, this CIP formally protects the infrastructure or projects the county's
326 infrastructure needs over a 10-year period. The capital budget, that first year, you'll see
327 we're finishing the 2016 bond projects as we talk about another referendum.

328
329 We are recognizing that revenue source from the Central Virginia Transportation
330 Authority, which is revenue generated by your citizens and businesses, and prioritizes
331 education and maintenance funding.

332
333 I want to close by simply thanking the agency heads for all of the work that they continue
334 to put forward. Because, again, it's easy for someone like a county manager to say, you
335 know, I think we ought to look at this over a longer period of time. But somebody's got to
336 be able to do the work.

337
338 And so, it's not just the Budget Office, but, you know, Terrell, what you were able to do
339 with prioritizing roads. So, we had a list for roads, but it didn't -- it didn't go in the capital
340 budget. We had a list for drainage, and it was just a list. And, you know, you all have
341 been able to carve out -- Steve, I can't thank you enough for everything that you have
342 done. Utilities, Bentley, you're seeing -- you're seeing these expectations of, yes, we can
343 do the -- you know.

344
345 When we go into -- Mrs. O'Bannon, how many times has it been said, you know, "This is
346 private property." But down the street, you know, you've got that private property is
347 causing, you know, what could be a significant cost to the county as far as road
348 degradation or other costs that we will incur. So, we are starting to get into some of these
349 areas where we, basically, you know, solutions for the citizens.

350
351 You can see, the Capital Improvement Program, you'll see actually each project broken
352 out in this document. And then at any point, Mr. Chairman, that the Planning Commission
353 has any questions of me or staff, it doesn't -- it's not just tonight.

354
355 Mr. Mackey - Absolutely.

356
357 Mr. Vithoukas - Please, just we're here to serve.

358
359 Mr. Mackey - Well, thank you, Mr. Manager. I'd like to -- on behalf of the
360 Board I'd like to thank you for that insightful coverage of this budget. And I'd like to piggy-
361 back what you -- on what you said as far as thanking the staff for all the work that went
362 into this. The new inclusions of the road line items and the drainage, I'm sure that would
363 be very, very helpful, you know, going forward with the Planning Department. And I'm
364 sure we will be able to benefit from that.

365
366 Before we go to the public comments or questions, does anyone from the Board have
367 any questions for the Manager or for staff?

58
369 Mr. Archer - I had two questions, Mr. Manager.
370
371 Mr. Mackey - Yes, sir.
372
373 Mr. Archer - -- but you already answered them. So, I won't ask them.
374
375 Mr. Mackey - I said he was very insightful.
376
377 Mrs. Thornton - Yes.
378
379 Mr. Archer - I keep forgetting to ask, when is Belmont going to open?
380
381 Mr. Vithoulikas - May -- end of May. So, we had an update -- the Board of
382 Supervisors received an update at the last work session. Here as a matter of fact. And
383 so, end of May there's going to be a grand opening. Have you driven by it recently?
384
385 Mr. Archer - I've walked the property, just a little bit of it.
386
387 Mr. Vithoulikas - Oh, you did. So, you've actually --
388
389 Mr. Archer - Yeah. I didn't go over all of it. I went down what used to be
390 the 9th hole and I drove down the back 9 for a little bit and turned around and came back.
391
392 Mr. Vithoulikas - Well, I'd love to hear your perspective firsthand, because I'm
393 not a golfer. I know you are.
394
395 Mr. Archer - Looks very pretty.
396
397 Mr. Vithoulikas - But the feedback that we've gotten so far has been really,
398 really positive.
399
400 Mr. Mackey - All right. Any other questions? Go ahead, Mr. Baka.
401
402 Mr. Baka - Yes, sir. Mr. Manager, thank you very much --
403
404 Mr. Vithoulikas - Yes, sir.
405
406 Mr. Baka - -- for appearing tonight and helping us with this discussion and
407 facilitating this. Now, I was also, just on behalf of the Planning Commission, say a huge
408 thank you to the entire staff for their dedication and tireless work to improve the lives, the
409 daily lives, of county residents.
410
411 I do want to say, I think you mentioned, on behalf of a lot of Tuckahoe residents, and
412 thank you very much for making drainage a part of the CIP after so many years. I wouldn't

413 have even known or guessed that could be a category. But I'm elated to hear that. I'm
414 very glad.

415

416 I did want to ask a couple questions real quick. One and two, the regional pot of funds in
417 the CV -- CVTA. You mentioned that 50 percent is generated by locality. Pretty much
418 comes back -- the 35 percent regional pot, is that then a competitive source where
419 projects that benefit the entire region are funded by some type of funding system that is
420 important to the Board?

421

422 Mr. Vithoukas - Yes. So, you've got 10 localities, including the Town of
423 Ashland that are in the PDC and the actual calculation has not been finalized. Actually,
424 let me get -- Terrell, you want to come up and speak to that?

425

426 Mr. Baka - Thank you. I appreciate that.

427

428 Mr. Vithoukas - But the idea is that, you know, you've got to be able to prove
429 a need. And, you know, the neediest projects that benefit the region are what is going to
430 be pulled out of that pot. But the reality is, you've got some smaller localities you think of
431 Goochland, Ashland. You're going to have to do something that does both. Where
432 everybody benefits, but then you hit some regional projects. One that's popped up early
433 is the -- what is the trail from -- ?

434

435 Mr. Mackey - Yeah. Come on up.

436

437 Mr. Hughes - Thank you, Mr. Manager. Mr. Chairman.

438

439 Mr. Mackey - Good evening, sir.

440

441 Mr. Hughes - Members of the Planning Commission.

442

443 Mr. Baka - Good evening.

444

445 Mr. Hughes - Good evening. To answer your question, yeah. We're
446 actually very active in discussions amongst ourselves and with a lot of our partner
447 localities on coming up with how CVTA is going to prioritize. Actually, one of our own,
448 Todd Eure, he's actually the Chair of the CVTA Technical Committee. So not only is Mr.
449 Thornton very pivotal as the Chair of CVTA, but we've got a person in the Technical
450 Committee which is kind of tasked with all of those technical details of prioritization.

451

452 So, I can assure you, you know, with the regional pot, we're working on -- with our partner
453 localities on kind of what's important to every locality, as far as what is a regional benefit.
454 But we're also looking at it through a lens of what will benefit Henrico County as well. So,
455 we're trying to, you know, we've got a very strong seat at the table to make sure that those
456 needs are considered so that whenever an objective process comes out, some of our --
457 we're hoping some of our projects will show up.

458

59 Mr. Vithoukias - Would you also tell the Planning Commission, what did you
.60 do at VDOT before you came to Henrico? Because this is -- this is kind of -- I want you
461 all to hear this. Because this is going to help us with that 35 percent.
462
463 Mr. Hughes - Oh, yeah. Oh. Thank you, Mr. Manager. Yeah, so prior to
464 coming I was actually in Planning at VDOT. But one of the programs that I helped
465 administer was the SMART SCALE Program at VDOT, which is the statewide funding
466 prioritization process. So, I was -- I was part of the -- I would call it the administration and
467 putting that together, working with the Commonwealth Transportation Board on policy
468 updates and kind of, I mean, very familiar with a lot of the inner workings of that. So, this
469 -- we're kind of building CVTA from the ground up. And, I guess, you know, working with
470 Todd, sharing information on what worked, what doesn't work, and just kind of going from
471 there.
472
473 Mr. Mackey - Thank you. And we'll --
474
475 Mrs. Thornton - Can you give us an example of, like, something that maybe
476 could be on the books for --?
477
478 Mr. Hughes - As far as projects?
479
480 Mrs. Thornton - Like, yeah. You had said, "Well, we might have something
'81 cooking on the books."
32
483 Mr. Hughes - Oh. Just as far as, like, what -- well, I mean, we've got our
484 lists here with what's -- with it -- yeah, with what's in CVTA. So, we've been working with
485 Plan RVA and a couple of the others. So, the Manager mentioned Fall Line. That's one
486 thing that, you know, we want to -- we're hoping from a regional standpoint that that'll
487 show up for regional funding.
488
489 Mrs. Thornton - That'd be great.
490
491 Mr. Hughes - Since that's one of our high priorities. But we don't want to
492 completely do it with our local match in CVTA.
493
494 Mrs. Thornton - Right.
495
496 Mr. Hughes - Another big project is North Gayton Interchange project up
497 there in, I guess, the Short Pump area to try to relieve some of the congestion.
498
499 Mrs. Thornton - That's what I wanted to hear.
500
501 Mr. Hughes - That's what -- okay. To relieve some of that. But no. We've
502 got projects all over the county that, you know, we're looking at. You know. In the east
'03 you've got the Capital Trail that we're looking at some enhancements. We've got the
4 airport. There's some things with Richmond-Henrico in that area that supports economic

505 development. Green City has a lot of needs that we're looking to hit. And, like I said, just
506 kind of throughout the county in, you know, there's a lot of projects we think really would
507 benefit the region. Henrico County actually has more highway than any other locality in
508 the region as well. So, we've got a lot of high priority interchanges and roads.

509

510 Mrs. Thornton - Okay.

511

512 Mr. Mackey - I had a question for you, Terrell. You spoke about the airport.
513 Were you part of the new terminal that they were building over there? Part of that project?

514

515 Mr. Hughes - No. Not yet.

516

517 Mr. Mackey - Oh, okay. Okay. All right, thank you.

518

519 Mr. Hughes - But, yeah. We, you know, foot forward. We're -- we've
520 actually had a meeting with the airport just trying to figure out some of their long-term
521 goals as well.

522

523 Mr. Mackey - Okay. All right. Thank you.

524

525 Mrs. O'Bannon - I'm chairman of the airport commission.

526

527 Mr. Baka - Mr. Chairman, if I may.

528

529 Mr. Mackey - Yes, sir, absolutely.

530

531 Mr. Baka - I have one more question for the Manager, and this was
532 related to the recovery center you talked about facilitated by health services and
533 Department of Social Services. At the January retreat where I was listening online one
534 Friday morning, or maybe it was a -- maybe it was a Saturday morning. Not sure if it was
535 a Saturday. But there was some discussion at the retreat, I think, that focused on would
536 the recovery center serve the needs of Henrico residents who live in the county, who have
537 domicile, live here or would it be a center to serve, I guess, all people within the area, the
538 region, outside the county? So, is there any consideration as the county provides funding
539 for this of who benefits from the service?

540

541 Mr. Vithoulkas - So the intent is for it to be, you know, for our residents. But
542 when we go in and partner with a third party, or whether it's a hospital or a university or,
543 you know, some entity like that, you know, the -- that partner is then going to get rights to
544 be able to do -- to help us do what we need to do.

545

546 So, it's a tradeoff, if you will, where with some of the facilities that we're building, think the
547 aquatic facility. We're not operating it. But you have a private entity that is. Our residents
548 are able to use it. We get some free use out of it.

549

550 So, I think, on the recovery side, you are going to have -- the intent is obviously for county
551 residents. But depending on who the partner is, we could have other regional residents
552 as well. But what I can tell you about that, is that there won't be an impact on the taxpayer.
553

554 Mr. Baka - Okay.

555
556 Mr. Vithoukas - Because the county resident side, the intent there, is that we
557 serve those folks. And we're looking for, you know, partnerships with smaller groups.
558 You may see recovery facilities come into the picture. All of that is being determined now.
559 And it's Tony McDowell, our Deputy County Manager, and Laura Totty, who are basically
560 quarterbacking that effort for us.
561

562 What I -- the only -- the only hard line that I have given staff is, I do not believe the county
563 needs to open or manage a hospital. So, that's probably the worst thing you can do as a
564 local government. It's costs that'll never go away. It's even worse than the nursing home
565 that the county had a number of years ago that we were able to divest of. But doing it this
566 way, a private entity may be able to avoid capital costs. We benefit on the operating side.
567

568 Mr. Baka - Thank you.

569
570 Mr. Mackey - All right. If there aren't any other -- oh. I'm sorry. Mrs.
571 O'Bannon.

572
573 Mrs. O'Bannon - Mr. Manager, I was going to wait on this, but I think I'll mention
574 it. Is this on? Since the General Assembly, in its wisdom, has decided that marijuana will
575 be legal, I think logically and ethically any taxes that come from the sale of marijuana, I
576 would say 50 percent of the tax money, should go to programs, PR programs, to
577 scientifically show why you should not smoke marijuana, especially teens.
578

579 And then the other 50 percent of it should go to drug rehab facilities, or function in just
580 the type of process that we're talking about. That's why I bring it up now.
581

582 I would hope the county will lobby the General Assembly to do that, and I could certainly
583 write it up. And I think I probably would have a lot of people who agree. But I just want
584 to make a point of that. You talked about how you would fund it -- you would probably --
585 what are you going to do? A public-private partnership type thing? Or --
586

587 Mr. Vithoukas - Yeah. I -- what I envision, Mrs. O'Bannon, is a, you know, with
588 all of the notoriety that goes with the budget process. And the private sector being aware
589 that there is a project that is funded. I foresee an unsolicited proposal coming forward.
590

591 Mrs. O'Bannon- Certainly they see the need.
592

593 Mr. Vithoukas - Yes.
594

595 Mrs. O'Bannon - I mean, for all kind of reasons. But I've -- I will be promoting
596 that, what I just said, because I think it's -- it is very logically and ethically, it would be the
597 reason to even make it legal in the first place. So, thank you.

598
599 Mr. Vithoulkas - Yes ma'am. It's just something that, quite frankly, the staff
600 and I really haven't wrapped our hands around as far as what this is. I can tell you that
601 police are really worried. Our mental health folks are worried because, you know, the
602 reality is that as a -- right now most of the violent crime that you have in the county comes
603 about because of marijuana. Not any other drug. I mean, you've got a police officer back
604 there who can tell you horror stories. But people are killing themselves for the type of
605 drug that is on the street. And today's marijuana, I mean, is just -- it's very strong. I mean,
606 it's being mixed with other drugs. So, yeah, and it is. I mean, I have had three police
607 chiefs tell me as county manager, they believe it's a gateway drug. So, to your point,
608 we're going to -- but it's not legal yet.

609
610 Mrs. O'Bannon - Okay. The other thing is, if you follow the, what was it, the
611 tobacco settlement? You know the --

612
613 Mr. Vithoulkas - Yes.

614
615 Mrs. O'Bannon - They -- that's where they put billions of dollars.

616
617 Mr. Vithoulkas - Yeah. The master --

618
619 Mrs. O'Bannon - And if it's particularly aimed at teenagers and it has worked.
620 50-some percent, or 60 percent decrease --

621
622 Mr. Vithoulkas - Clearly.

623
624 Mrs. O'Bannon - -- in regular tobacco smoking. And now we're going to
625 promote marijuana smoking? I mean, so that was what I was really following was that.
626 But I have personal reasons too. I mean, I could get into that, but I'm not now.

627
628 But I just want to point that out that if we are going down that road. And you mentioned
629 about the problem with funding it in the future and the -- I agree that that's not what the
630 county should do. But a public-private partnership. But that would be where some of the
631 money could come from. That organization or a company that does rehab, drug rehab.
632 Thank you.

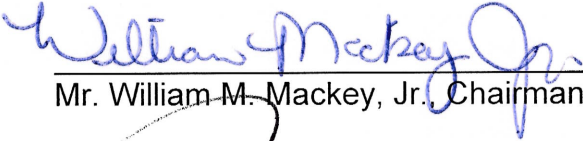
633
634 Mr. Vithoulkas - Point made, and I will anticipate some discussion if not earlier
635 than the legislative briefing, but ahead of that.

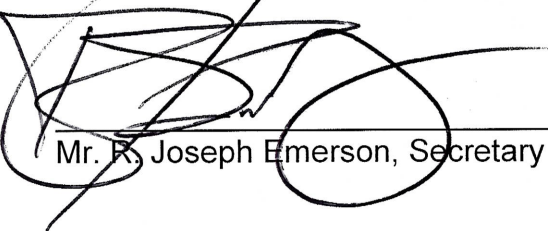
636
637 Mrs. O'Bannon - Okay. Thank you.

638
639 Mr. Mackey - We don't have any other questions or comments. Ms. Smith,
640 do we have anyone on Webex with any questions or comments for the Manager?

41
642 Ms. Deemer - We have no one on Webex.
643
644 Mr. Mackey - Okay. Thank you, Rosemary.
645
646 Mr. Archer - Mr. Chairman, so we won't get away too fast, and I know we
647 don't do this enough, but I'd like to take the opportunity to thank the Manager and all of
648 the department heads and staff for how well you all have guided us through this pandemic.
649
650 Mr. Mackey - Absolutely.
651
652 Mr. Archer- It's pretty amazing. And even considering the fact that you've
653 been able to come up with some financial aid for the employees. And I think that's
654 commendable.
655
656 Mr. Vithoukas - It's all these folks behind us. The folks in uniforms are the
657 ones working pandemic the hardest. Emergency Management. But it's all of our
658 agencies. I mean, it's been incredible to watch. It's a once in a lifetime occurrence. And
659 I'm just so proud of the fact that everybody's been able to step up. Recognize it, and then
660 step up.
661
662 Mr. Mackey - As a county we're very fortunate to have the leadership and
663 the staff that we have. We don't say it enough. Well, we don't have any other comments
664 I believe, a motion would be in order for approval.
665
666 Mr. Baka - So moved.
667
668 Mr. Witte - Second.
669
670 Mrs. Thornton - Well, Mr. Chairman, thank you all. I just -- I haven't said it, but
671 I appreciate everything. We'll do it little more formal. Well, Mr. Chairman, I move that we
672 recommend approval of Resolution PCR-4-21, Capital Improvement Program, FY '21-'22,
673 through FY '30-'31.
674
675 Mr. Baka - Second.
676
677 Mr. Mackey - All right. We have a motion for approval by Mrs. Thornton and
678 a second by Mr. Baka. All in favor, say aye. Any opposed? The ayes have it. The
679 motion is granted. Thank you, Mr. Manager.
680
681 Mr. Vithoukas - Thank you all.
682
683 Mrs. Thornton - Thank you.
684
685 Mr. Archer - Thank you, sir.
36

687 Mr. Witte - Thank you, sir.
688
689 Mr. Mackey - All right, Mr. Emerson.
690
691 Mr. Emerson - Mr. Chairman, given the time, our meeting, regular meeting,
692 begins at 7:00. So, it would be appropriate to recess the meeting until that time.
693
694 Mr. Mackey - Okay. All right. Now we'll be in adjournment till we reconvene
695 at 7 o'clock for our rezoning meeting.
696

697
698
699
700 
701 Mr. William M. Mackey, Jr., Chairman

702
703
704 
705
706 Mr. R. Joseph Emerson, Secretary
707

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, March 11,**
4 **2021. Display Notice having been published in the Richmond *Times-Dispatch* on**
5 **February 22, 2021 and March 1, 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: Ms. Jean Moore, Assistant Director of Planning *
19 Ms. Leslie News, Principal Planner, ASLA
20 Ms. Rosemary D. Deemer, AICP, County Planner
21 Mr. Seth Humphreys, County Planner
22 Mr. Ben Sehl, County Planner
23 Mr. Livingston Lewis, County Planner
24 Ms. Kristin Smith, County Planner
25 Mr. Salim Chishti, County Planner
26 Ms. Alex Gruendl, Engineer, Public Works *
27 Mr. John Cejka, Traffic Engineer, Public Works *
28 Mr. Justin Briggs, Henrico County Public Schools *
29 Mr. Miguel Madrigal, County Planner
30 Ms. Kuronda Powell, Account Clerk
31 Ms. Martha Diuguid, Office Assistant
32

33 * (Virtually)
34

35 **Mrs. Patricia S. O'Bannon, the Board of Supervisors' representative, abstains on**
36 **all cases unless otherwise noted.**
37

38 Mr. Mackey - Good evening and welcome. I call this meeting back to order.
39 This is the Henrico County Planning Commission Rezoning Meeting for March 11, 2021.
40 At this time if you haven't already done so I ask that you would silence or turn off your
41 cellphones and join the Commission in our Pledge of Allegiance.
42

43 [Pledge of Allegiance]
44

45 Thank you. If we have anyone from the news media that is on via Webex, we welcome
46 you to the meeting as well. We don't have anyone in attendance. Also like to welcome
47 Ms. -- Supervisor O'Bannon, who is sitting with us this year from the Board of Supervisors.

48
49 Let's see. At this time I'll turn the meeting over to Mr. Emerson.

50
51 Mr. Emerson - Thank you, Mr. Chairman. Again, as you noted, we did hold
52 a public hearing that began at 6 o'clock on the Capital Improvements Program for the
53 County. You heard a presentation from the County Manager. You took public input,
54 which there was none this evening. And then you voted on a resolution recommending
55 approval of the Fiscal Year 2021-22 through Fiscal Year 2030-31 Capital Improvements
56 Program. And then you recessed your meeting and, of course, you just reconvened.

57
58 With that said, Mr. Chairman, we do have the next item on our agenda, which are the
59 requests for withdrawals and deferrals. But before we begin that, let me again go over
60 the participation guidance for our virtual meetings. Again, we thank those of you joining
61 us via Webex or livestream for the March 11th Planning Commission public hearing.

62
63 Following the introduction and presentation of each case attendees present in the board
64 room will have an opportunity to comment. For those attending virtually, staff will send a
65 message asking if anyone would like to speak about the proposal. This will be done using
66 the chat feature, which is located in the bottom-right corner of the Webex screen. We
67 recommend everyone press this now to open a chat screen and then follow staff's
68 prompts.

69
70 To be put on the list of speakers, you must send your request to the correct contact
71 person. Using the chat feature's drop-down menu select Kristin Smith before replying.
72 Please be aware, this feature is only being used to identify speakers. Messaged
73 questions or comments will not be answered, as they should be directed to the Planning
74 Commission. When it is your turn you will be introduced, unmuted, and prompted to
75 speak. Following your question or comment you will be muted again.

76
77 Please be aware there is a time limit for speakers. The Commission provides the
78 applicant and any proponents 10 minutes to speak. The opposition is also provided 10
79 minutes. That is a cumulative time-period of the 10 minutes. Questions from the
80 Commission do not count toward the time limit, and the applicant may reserve time to
81 answer questions. Please keep your comments brief to allow for the greatest number of
82 speakers.

83
84 Individuals who have chosen to attend tonight's meeting in person will be called upon
85 first. Then staff will identify speakers waiting on Webex.

86
87 For those of you present in the room with us tonight, there is a lectern located in the rear
88 of the room for both the applicants and the public to utilize when addressing the
89 Commission.

90
91 Also, as a reminder, there is a 25-person guideline limit on room capacity. Because of
92 that we would request that once the item you are in attendance for has been heard that
93 you vacate the room so others can enter.

94
95 With that said, Mr. Chairman, again, the first item on your agenda this evening is the
96 consideration of your withdrawals and deferrals. We'll begin with an item on page 2 of
97 your agenda, REZ2021-00012, HHHunt-Hans Klinger. The deferral is requested by the
98 applicant to the April 15, 2021 meeting.
99

100 **REZ2021-00012 Jeffrey P. Geiger for HHHunt-Hans Klinger:** Request to
101 conditionally rezone from R-6C General Residence District (Conditional) and O-2C Office
102 District (Conditional) to R-6C General Residence District (Conditional) Parcels 740-766-
103 2619 and 740-766-6112 and part of Parcels 740-765-3690, 740-766-3730, 739-766-9016,
104 739-766-9601 containing 8.448 acres located on the north line of Twin Hickory Lake Drive
105 approximately 263' east of its intersection with Pouncey Tract Road (State Road 271). The
106 applicant proposes residential condominiums as an expansion of rezoning request
107 REZ2020-00029. The R-6 District allows no more than 19.8 units per acre. The use will be
108 controlled by zoning ordinance regulations and proffered conditions. The 2026
109 Comprehensive Plan recommends Office. The site is in the West Broad Street Overlay
110 District. **Staff – Seth Humphreys (Deferral Requested to April 15, 2021 Meeting)**
111

112 Mr. Mackey - All right, thank you. Is there anyone in person or via Webex
113 that is in opposition to REZ2021-00012, HHHunt-Hans Klinger, to be deferred to the -- by
114 the applicant to the April 15th meeting?
115

116 Ms. Deemer - We have no one on Webex.
117

118 Mr. Mackey - All right. Thank you.
119

120 Mrs. Thornton - Okay. Well, Mr. Chairman, I move that REZ2021-00012,
121 HHHunt-Hans Klinger be deferred to the April 15, 2021 meeting at the request of the
122 applicant.
123

124 Mr. Baka - Second.
125

126 Mr. Mackey - All right. We have a motion to defer by Mrs. Thornton and a
127 second by Mr. Baka. All in favor, say aye. Any opposed? The motion is granted.
128

129 Mr. Emerson - Mr. Chairman, remaining on page 2 of your agenda we now
130 move to REZ2020-00039, Brian Kelmar. The deferral is requested by the applicant to the
131 April 15, 2021 meeting.
132

133 **REZ2020-00039 Brian Kelmar:** Request to amend proffers accepted with
134 Rezoning case C-69C-85 on Parcel 741-741-8889 located on the south line of Patterson
135 Avenue (State Route 6), approximately 125' east of its intersection with Pump Road. The
136 applicant proposes to amend Proffer #4 to allow a detached, changeable message sign.
137 The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan
138 recommends Office. **Staff – Rosemary Deemer (Deferral Requested to April 15, 2021
9 Meeting)**

140
141 Mr. Mackey - All right, is there anyone in person or via Webex that is in
142 opposition to the deferral by the applicant to this -- of REZ2020-00039, Brian Kelmar, to
143 the April 15th meeting?
144

145 Ms. Deemer - We have no one on Webex.
146

147 Mr. Mackey - Thank you.
148

149 Mr. Baka - Mr. Chairman, I'll make a motion to defer REZ2020-00039,
150 Brian Kelmar to the April 15th agenda at the request of the applicant.
151

152 Mr. Witte - Second.
153

154 Mr. Mackey - All right, we have a motion by Mr. Baka, a second by Mr. Witte.
155 All in favor, say aye. Any opposed? The ayes have it and the motion is granted.
156

157 Mr. Emerson - Mr. Chairman, moving on to page 3 of your agenda, we now
158 move to REZ2021-00005, Godsey Properties Incorporated. Let's see if we can get it to
159 come up on the screen. There we go. Godsey Properties Incorporated. The deferral is
160 requested by the applicant to the April 15, 2021 meeting.
161

162 **REZ2021-00005 Andrew M. Condlin for Godsey Properties, Inc.:** Request to
163 conditionally rezone from A-1 Agricultural District to R-5AC General Residence District
164 (Conditional) Parcels 804-726-5470 and 804-726-5470.001 containing 120.4 acres located
165 on the north line of Creighton Road at its intersection with Gordon Lane (Glenwood Golf
166 Club). The applicant proposes detached dwellings with zero lot lines. The R-5AC District
167 allows a maximum density of 6 units per acre. The uses will be controlled by zoning
168 ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
169 recommends Traditional Neighborhood Development and Environmental Protection Area.
170 The site is in the Enterprise Zone. **Staff – Livingston Lewis (Deferral Requested to April
171 15, 2021 Meeting)**
172

173 Mr. Mackey - Thank you, sir. Is there anyone in person or via Webex in
174 opposition to the deferral of REZ2021-00005, Godsey Properties Incorporated, to be
175 deferred by the applicant to the April 15th meeting?
176

177 Ms. Deemer - We have no one on Webex.
178

179 Mr. Mackey - All right.
180

181 Mr. Archer - Mr. Chairman, I move that we honor the applicant's request
182 and defer this case to the April 15, 2021 meeting.
183

184 Mrs. Thornton - Second.
185

186 Mr. Mackey - All right, we have a motion by Mr. Archer, a second by Mrs.
187 Thornton, to defer the case to the April 15th meeting as requested by the applicant. All
188 in favor, say aye. Any opposed? The ayes have it and the motion is carried.

189
190 Mr. Emerson - Mr. Chairman, also on page 3 of your agenda you have
191 PUP2021-00001, Godsey Properties Incorporated. The deferral is requested by the
192 applicant to the April 15, 2021 meeting.

193
194 **PUP2021-00001 Andrew M. Condlin for Godsey Properties, Inc.:** Request
195 for a Provisional Use Permit under Sections 24-13.4(c), 24-120 and 24-122.1 of Chapter
196 24 of the County Code to allow adjustable side yard setbacks for lots within the R-5A
197 General Residence District on Parcels 804-726-5470 and 804-726-5470.001 located on
198 the north line of Creighton Road at its intersection with Gordon Lane (Glenwood Golf Club).
199 The existing zoning is A-1 Agricultural District. The R-5A zoning district is proposed for the
200 A-1 district with REZ2021-00005. The R-5A District allows an overall maximum density of
201 6 units per acre. The 2026 Comprehensive Plan recommends Traditional Neighborhood
202 Development and Environmental Protection Area. The site is in the Enterprise Zone.

203 **Staff – Livingston Lewis (Deferral Requested to April 15, 2021 Meeting)**

204
205 Mr. Mackey - All right, I wouldn't imagine we would have anyone on Webex
206 in opposition to this?

207
208 Ms. Deemer - We have no one on Webex.

209
210 Mr. Mackey - All right, thank you.

211
212 Mr. Archer - Mr. Chairman, I move that PUP2021-00001, Godsey
213 Properties, be deferred to the April 15th meeting at the applicant's request.

214
215 Mr. Mackey - Second. I have a motion to defer PUP2021-00001, Godsey
216 Properties Incorporated, to the April 15th meeting by Mr. Archer, seconded by Mr.
217 Mackey. All in favor, say aye. Any opposed? The ayes have it and the motion is carried.

218
219 Mr. Emerson - Mr. Chairman, that completes your requests for withdrawals
220 and deferrals and we now move on to requests for expedited items. And your one
221 expedited item requested this evening appears on page 2 of your agenda. It is Provisional
222 Use Permit 2021-00005, Richard Souter. Again, this is requested for expedited approval.

223
224 **PUP2021-00005 Richard Souter:** Request for a Provisional Use Permit under
225 Sections 24-32.1(w), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for
226 commercial or office square footage of less than 25 percent of the total building square
227 footage of the UMU district on Parcels 797-711-6015 and 797-712-6941 located on the
228 west line of Old Osborne Turnpike (State Route 5) at its intersection with Bickerstaff Road.
229 The existing zoning is UMUC Urban Mixed-Use District (Conditional). The 2026
230 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area.

231 **Staff – Ben Sehl (Expedited Agenda Requested)**

232
233 Mr. Mackey - All right, thank you. Is there anyone in person or via Webex
234 in opposition for the expedited approval of PUP2021-00005, Richard Souter?

235
236 Ms. Deemer - We have no one on Webex.

237
238 Mr. Mackey - All right, with that being said, I move that we recommend
239 approval of PUP2021-00005, Richard Souter, with the three conditions listed in the staff
240 report.

241
242 Mrs. Thornton - Second.

243
244 Mr. Mackey - Motioned by Mr. Mackey, seconded by Mrs. Thornton. All in
245 favor, say aye. Any opposed? The motion is granted.

246
247 **REASON:** Acting on a motion by Mr. Mackey, seconded by Mrs. Thornton,
248 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
249 Supervisors **grant** the request because it is reasonable in light of the surrounding uses and
250 existing zoning on the property, and it would not be expected to adversely affect public
251 safety, health or general welfare.

252
253 Mr. Emerson - Mr. Chairman, we now move into your regular agenda, and
254 we have a pair of companion cases leading us out this evening. And it begins with
255 REZ2020-00041, which is Andrew M. Condlin. Also presented with this, and these will
256 require separate motions after your hearing, is Provisional Use Permit 2021-00006, again
257 Mr. Condlin for Hundred Acre Woods Incorporated. The staff report will be presented by
258 Mr. Seth Humphreys.

259
260 **REZ2020-00041 Andrew M. Condlin for Hundred Acre Woods, Inc.:** Request
261 to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District
262 (Conditional) Parcel 752-773-1086 containing 33.62 acres located at the terminus of Opaca
263 Lane. The applicant proposes a residential development of detached dwellings for sale with
264 zero lot lines. The R-5A District allows an overall maximum density of 6 units per acre. The
265 use will be controlled by zoning ordinance regulations and proffered conditions. The 2026
266 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4
267 units per acre and Environmental Protection Area.

268 **Staff – Seth Humphreys**

269
270 **PUP2021-00006 Andrew M. Condlin for Hundred Acre Woods, Inc.:** Request
271 for a Provisional Use Permit under Sections 24-13.4(c), 24-120 and 24-122.1 of Chapter
272 24 of the County Code to allow adjustable side setbacks for lots within the R-5A General
273 Residence District on Parcel 752-773-1086 located at the northern terminus of Opaca
274 Lane. The existing zoning is A-1 Agricultural District. The R-5A zoning district is proposed
275 for the A-1 district with REZ2020-00041. The R-5A District allows an overall maximum
276 density of 6 units per acre. The 2026 Comprehensive Plan recommends Suburban

77 Residential 2, density should not exceed 3.4 units per acre and Environmental Protection
78 Area. **Staff – Seth Humphreys**

279
280 Mr. Mackey - Is there anyone in person or via Webex in opposition to
281 REZ2020-00041, Hundred Acre Woods, Incorporated or PUP2021-00006, Hundred Acre
282 Woods, Incorporated?
283

284 Ms. Deemer - Yes. We have opposition.
285

286 Mr. Mackey - Okay. We will take the names down and we will get to their
287 questions after the staff report. Thank you, Mr. Humphreys.
288

289 Mr. Humphreys - Thank you, Mr. Chairman. As Mr. Emerson mentioned, these
290 two requests are proposed to conditionally rezone 33.62 acres from A-1 to R-5AC for a
291 residential subdivision and a provisional use permit to allow alternative side-yard setbacks
292 in said subdivision.
293

294 The request -- the subject site totals 33.62 acres on one parcel seen here. Which is
295 predominantly currently used for horse stables and a riding facility with some of the
296 environmentally sensitive areas still wooded along the perimeter and other areas along
297 the perimeter towards the subdivision.
298

299 The property is located at the northern terminus of Opaca Lane where the Holloway at
300 Wyndham subdivision ends. The access to the subject property was improved in
301 conjunction with rezoning case REZ2013-00014, which created the Holloway at
302 Wyndham subdivision. Access to the parcel would also be provided through the same
303 subdivision to the south of Opaca Lane on Maben Hill Lane, as shown here.
304

305 Revised proffers, dated February 9th, were submitted and appeared in your staff report.
306 The revised proffers addressed many of the topics typically accepted with similar requests
307 and previously raised by staff -- concerns raised by staff.
308

309 This includes, but is not limited to, varied home styles, building and driveway materials,
310 plantings, sidewalks, and construction hours. Based on the maximum number of units
311 that have been proffered, 75, the density for the project would be 2.23 units per acre. The
312 proffered conceptual here shows how those 75 units would be arranged.
313

314 Houses would have a minimum of a one-car garage and a minimum square footage of
315 2,400 square feet with an average of 2,700 square feet. Lots would have a minimum
316 width of 60 feet and street trees would be planted at regular intervals. The areas of the
317 project determined to be in the floodplain would be rezoned to C-1, Conservation District,
318 and recreational amenities would be provided.
319

320 They would expand those on the adjacent development, Holloway at Wyndham, such as
321 the existing trail network as well as other amenities that they have planned. The revised

322 proffers also address crawl spaces and foundations in a manner consistent with the
323 pattern of development set by adjacent existing development.

324

325 The companion case, Provisional Use Permit 2021-00006 to allow adjustable side-yard
326 setbacks would accommodate side yards versus zero-lot lines. Because the house can
327 be in the middle of the lot versus on the side of the lot it would result in lot configurations
328 that are more consistent with the adjacent development.

329

330 The Comprehensive Plan recommends Suburban Residential 2 and Environmental
331 Protection Area uses for the site. The residential use and an overall density of 2.2 units
332 per acre generally fits with the recommendation of the plan. The applicant has submitted
333 revised proffers, a revised conceptual plan, and applied for a companion provisional use
334 permit for adjustable side-yard setbacks.

335

336 These items address concerns previously raised by staff, and, for these reasons, staff
337 supports this request. Once again, I would like to remind you if you want to approve both
338 or take action on either of these, they would require separate motions. This concludes
339 my presentation and I'll be happy to take any questions you may have.

340

341 Mr. Mackey - Thank you, Mr. Humphreys. Is -- are there any questions from
342 the Commission? Anybody have a question for Mr. Humphreys? All right.

343

344 Mrs. Thornton - Not at this time.

345

346 Mr. Mackey - All right, how would you like to proceed? Did you -- hear from
347 the opposition?

348

349 Mrs. Thornton - Yes. And then -- and he can --

350

351 Mr. Mackey - Okay. All right. Mrs. Thornton would like to hear from the
352 opposition at this time.

353

354 Ms. Deemer - Mr. Chairman, we are now going to unmute Mr. Urban. He is
355 now unmuted.

356

357 Mr. Urban - I would like to know how come they can put 3 or 400 acres of
358 houses and townhouses and then the right of way the Nuckols Road comes right by two
359 and three quarters of acres of land I got, but I -- can't nobody do nothing with mine
360 because they want to take it all for their road and make your price so high that won't
361 nobody buy it. Bon Secours had a deal on it and they keep giving up because the road.

362

363 Mrs. Thornton - Can he state where he lives?

364

365 Mr. Mackey - I'm sorry, Mr. Urban, for the record, would you state where
366 you live, please?

367

368 Mr. Urban - And Bon Secours had the deal, but they gave it up on account
369 of the road.
370
371 Mr. Mackey - Mr. Urban would you --
372
373 Mr. Urban - And the county wanted so much money to fix the road and all,
374 they wouldn't -- they gave it up.
375
376 Mrs. Thornton - Mr. Urban, we will address --
377
378 Mr. Urban - Yep.
379
380 Mrs. Thornton - We will address that. Do you want to address it, Seth, or do
381 you want to let --?
382
383 Mr. Humphreys - I'm just going to say where his property is.
384
385 Mrs. Thornton - Okay.
386
387 Mr. Humphreys - His property is located at the --
388
389 Mrs. Thornton - Corner.
390
391 Mr. Humphreys - Corner at Nuckols and, well, Ridgefield Parkway.
392
393 Mrs. Thornton - No. No.
394
395 Mr. Humphreys - Not Ridgefield Parkway but the --
396
397 Mrs. Thornton - Twin Hickory.
398
399 Mr. Humphreys - Yeah.
400
401 Mrs. Thornton - Yeah.
402
403 Mr. Humphreys - Right here at the corner at the exit where this comes out onto
404 Nuckols.
405
406 Mrs. Thornton - Joe, do you want to?
407
408 Mr. Emerson - Can we see the property on the zoning map, possibly, Seth?
409
410 Mr. Humphreys - No. It doesn't go that far.
411
412 Mr. Emerson - Doesn't go that far?
.3

414 Mr. Humphreys - No, I was trying to look.
415
416 Mr. Emerson - Right. Mr. Urban's property is located, as Mr. Humphreys
417 said, at the corner of -- I guess it formerly was Opaca. Is it a different name now there at
418 Nuckols, Seth?
419
420 Mr. Humphreys - Yes.
421
422 Mr. Emerson - They did change the name. Twin Hickory Lake Drive.
423
424 Mr. Mackey - Okay.
425
426 Mr. Emerson - It's located at the corner of Twin -- is it Twin Hickory, or Twin
427 Hickory Office? Anyway, we know where it is. It's at the intersections as you remember
428 was formerly known as Opaca. We recently changed the name of it.
429
430 It is a corner that is a high-traffic intersection. Mr. Urban is correct. It was Henrico Doctors
431 that had a proposal for an emergency care facility on that corner. The traffic does demand
432 quite a bit of road improvement along with relocation of signals in order for that property
433 to develop.
434
435 And, of course, as we know, the commercial properties are required to carry the cost of
436 those improvements. It is in close proximity to the interchange. And, of course, VDOT
437 does weigh into that review as well. So, both our Public Works Department and VDOT
438 do have certain levels of improvement that need to be made there and that impacts that
439 property. Any other property at a similar intersection would be impacted the same way
440 and be expected to make the same improvements.
441
442 Mr. Mackey - Okay.
443
444 Mr. Emerson - If that helps.
445
446 Mrs. Thornton - Yes, thank you.
447
448 Mr. Mackey - Ms. Deemer, do we have anyone else in opposition?
449
450 Mr. Urban - You see what they said. No, I don't have no opposition to
451 them building back there, but --
452
453 Ms. Deemer - Mr. Chairman, we have no other opposition, thank you.
454
455 Mr. Mackey - Okay. All right. Mr. Urban, your concerns will be addressed
456 in a few minutes.
457
458 Mrs. Thornton - Okay?
459

50 Mr. Mackey - All right.
51
52 Mrs. Thornton - And he was on the case of the HSA.
53
54 Mr. Mackey - Okay.
55
56 Mrs. Thornton - Or HCA. Sorry, I'm sorry.
57
58 Mr. Condlin - Mr. Chairman, members of the Commission, Andy Condlin
59 here now to comment here on behalf of the applicant. I'd first like to address -- is the
60 microphone on? Not sure I know how to turn it on. It is on?
61
62 Mrs. Thornton - Yeah. There you go.
63
64 Mr. Condlin - Okay. All right. Now it's on. He's yelling at me from back
65 there, so we could hear that. So, I'm representing Stanley Martin on this case. To
66 address the issue that Mr. Urban raised, obviously, as Mr. Emerson talked about, you
67 have to be able to handle the road improvements. This particular case, as it said in the
68 staff report by the transportation department, that the existing road infrastructure can
69 handle the existing -- the traffic as well as the traffic anticipated from this particular
70 development.
71
72 This road's improvements on Opaca Lane were already -- and Holloway -- were done by
73 the Holloway Subdivision, and were -- are accommodating the traffic on this particular
74 property.
75
76 With respect to the other development that Mr. Urban was talking about, HCA did take a
77 look at that. And, based on the traffic improvements that have to handle not only coming
78 out of the unknown road that we can't seem to come up with the name of that used to be
79 Opaca Lane but also Nuckols Road. You know, the traffic on Nuckols has to be
80 accommodated too. And being able to take the office product from across the street and
81 be able to do the signal timing and the lanes that are necessary at that intersection.
82
83 So, the anticipation was not only this development based on the Comprehensive Plan
84 and other development in the area, but also existing traffic. Particularly that on Nuckols
85 Road is accommodating all that traffic. So, certainly with respect to this case, we're not
86 impacting that any more than what's already being able to be accommodated by the
87 existing roads.
88
89 So, with that we're also, of course, as Mr. Humphreys talked about, underneath the
90 density that's recommended by the Comprehensive Plan, but also below the density of
91 the surrounding subdivisions as well. So, with that, I would ask for your recommendation
92 and happy to answer any other questions you may have.
93
94 Mr. Mackey - All right. Mr. Urban, hopefully that addressed your issues or
95 concerns.

506
507 Mr. Urban - Do what?
508
509 Mr. Mackey - Did Mr. Condlin address your issues or concerns?
510
511 Mr. Urban - Yeah. I thought I'm concerned. I'd just like to know what they
512 going to do.
513
514 Mr. Mackey - Okay. All right.
515
516 Mrs. Thornton - Do you --
517
518 Mr. Condlin - I'm not sure I understand the question, then.
519
520 Mr. Mackey - I think he wants you to just talk about the development, I would
521 imagine.
522
523 Mr. Condlin - Well, as has already been stated obviously, we're all -- we're
524 providing for 75 homes on 33 acres. And, again, with pretty substantial environmental
525 features on the property that's why we're asking for the R-5AC as well as the PUP, to be
526 able to center the homes on the lots themselves. So, from that standpoint, as I said, the
527 Transportation Department has already looked at this and said that the road network can
528 accommodate this.
529
530 And with the additional proffers that we've provided and the quality standards that are
531 consistent with the home sizes and the home prices in the area, Stanley Martin's going to
532 be introducing four new types of homes on here, two elevations, and the size of the homes
533 specifically are going to, as we proffered, average 2,700 square feet with a minimum of
534 2,400 square feet. So, with that, we think we're within the consistency with the
535 development in the area. And it can be -- and we're addressing all the impacts that we're
536 providing for, including the accommodation for the road improvements.
537
538 Mr. Mackey - All right. Thank you, Mr. Condlin. Does anyone have any
539 questions for Mr. Condlin?
540
541 Mrs. Thornton - Did you happen to bring any elevations?
542
543 Mr. Condlin - I didn't. I'd -- from the standpoint of I thought they were going
544 to be part of this. But I didn't.
545
546 Mrs. Thornton - They're still working on them.
547
548 Mr. Condlin - Yeah. So, we've got them. We showed them during the
549 community meeting, and I can shoot those to you as well.
550

51 Mrs. Thornton - Yeah. That's okay. He said he was working on some news
52 ones because of basements that were potentially -- well, because of the topography of
553 the land.
554
555 Mr. Condlin - That's alright.
556
557 Mrs. Thornton - So I just was curious if you had the new elevations.
558
559 Mr. Condlin - I got -- I don't -- I've got -- I think Mr. Swink was on the line. I
560 don't know if he's got any of that. I have not seen any of that come through. I think they're
561 still working on them.
562
563 Mrs. Thornton - Okay.
564
565 Mr. Condlin - Based on the basements.
566
567 Mrs. Thornton - I think Mr. Urban was concerned about his own land and how
568 he -- why doesn't anybody want to buy it. I think that was his concern. Not maybe
569 technically on your piece.
570
571 Mr. Condlin - Right. Not sure I can answer that question from a -- from that
572 standpoint.
573
574 Mrs. Thornton - Yeah. Do you -- are we okay with Mr. Urban?
575
576 Mr. Mackey - I think so. Yes, yes, we are.
577
578 Mrs. Thornton - Okay. Is there anybody else?
579
580 Mr. Mackey - Any other questions?
581
582 Mr. Archer - No.
583
584 Mrs. Thornton - Okay. Well, if there's no opposition here or anything, Mr.
585 Chairman, I move that we recommend approval of REZ2020-00041, Hundred Acres
586 Woods Incorporated with proffers in the staff report dated February 9, 2021.
587
588 Mr. Archer - Second.
589
590 Mr. Mackey - All right. We have a motion for approval of REZ2020-00041
591 by Mrs. Thornton, a second by Mr. Archer. All in favor say aye. Any opposed? The
592 motion is granted.
593
594 **REASON:** Acting on a motion by Mrs. Thornton, seconded by Mr. Archer,
595 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
6 Supervisors grant the request because it continues a pattern of development consistent

597 with the area, and the proffered conditions should minimize the potential impacts on
598 surrounding land uses.

599
600 Mrs. Thornton - And also, Mr. Chairman, I move that we recommend approval
601 of PUP2021-00006, Hundred Acre Woods Incorporated, with the two conditions in the
602 staff report.

603
604 Mr. Witte - Second.

605
606 Mr. Mackey - We have a motion for approval of PUP2021-00006, by Mrs.
607 Thornton and a second by Mr. Witte. All in favor, say aye. Any opposed? The motion is
608 carried.

609
610 **REASON:** Acting on a motion by Mrs. Thornton, seconded by Mr. Witte,
611 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
612 Supervisors grant the request because the recommended special conditions should
613 minimize the potential impacts on surrounding land uses and it is reasonable in light of
614 the surrounding uses and proposed zoning on the property.

615
616 Mr. Emerson - Mr. Chairman, you now move on to page 3 of your agenda to
617 consider POD2020-00486. And we also have a companion case with this that will be
618 presented at the same time, and that's POD2020-00355, Timmons Group for Lakewood
619 Manor Baptist Retirement Community, Incorporated and Virginia Baptist Homes,
620 Incorporated, doing business as LifeSpire of Virginia. The staff report will be presented
621 by Mr. Salim Chishti.

622
623 **POD2020-00486 Lakewood Manor - Cottages - Phase 2 and Master Plan -**
624 1900 Lauderdale Drive. Timmons Group for Lakewood Manor Baptist Retirement
625 Community, Inc. and Virginia Baptist Homes, Inc. d/b/a Lifespire of Virginia: Request for
626 approval of a plan of development and master plan, as required by Chapter 24, Section
627 24-106 of the Henrico County Code, to construct 19 new, one story, approximately 2,973
628 square feet, independent living cottages with 2 car garages. The proposed master plan
629 includes facilities within the existing lifecare facility, as well as new and proposed projects
630 in three phases consisting of a new entrance to Lauderdale Drive satellite parking lot, the
631 cottages proposed with this POD, and 4 future hybrid residences. The 168.228 acre site
632 is located on the south line of Lauderdale Drive at the intersection with John Rolfe
633 Parkway, on parcels 732-744-7564, 733-745-8147, 733-746-2622, and 734-744-4554.
634 The zoning is R-6C, General Residence District (Conditional), A-1, Agricultural District,
635 and C-1, Conservation District. County water and sewer. **(Tuckahoe)**

636
637 **PLAN OF DEVELOPMENT AND LIGHTING PLAN (Deferred from October 2020)**
638 **POD2020-00355 Lakewood Manor – Secondary Entrance (formerly Satellite**
639 **Parking Lot) - 1830 Lauderdale Drive. Timmons Group for Lakewood Manor Baptist**
640 **Retirement Community, Inc. and Virginia Baptist Homes, Inc. d/b/a Lifespire of Virginia:**
641 **Request for approval of a plan of development and lighting plan, as required by Chapter**
642 **24, Section 24-106 of the Henrico County Code, to construct a parking lot with an internal**

13 connection to the existing parking area and a new, gated entrance to Lauderdale Drive
14 for an existing lifecare facility. The 1.848-acre portion of the overall 168.228 acre site is
15 located on the south line of Lauderdale Drive at the intersection with Wood Grove Circle,
16 on parcels 733-745-8147 and 734-744-4554. The zoning is R-6C, General Residence
17 District (Conditional), A-1, Agricultural District, and C-1, Conservation District. County
18 water and sewer. (Tuckahoe)

19
20 But before I turn it over to Mr. Chishti, I do want to point out to you that this is a different
21 item than what you'd previously been considering, and it is not a legislative matter where
22 you make recommendations to the Board of Supervisors for final approval. There is a
23 distinction between zoning regulations and the Plan of Development regulation. The Plan
24 of Development is regulated through the zoning code, so we don't want to become
25 confused on that. But this is not a rezoning matter.

26
27 A rezoning is a discretionary action, which is what you just heard and made a
28 recommendation to the Board of Supervisors. It's a legislative policy-making power, and
29 it is granted to the local governing body to determine the appropriateness and
30 compatibility of land uses. And that's why you consider the recommendations of the
31 Comprehensive Plan and other features when you make those considerations.

32
33 The Board of Supervisors has designated the Planning Commission as an agent for
34 reviews and approvals of plans of development. Reviews and approvals of plans of
35 development are ministerial powers that are granted to the locality. And, as you know,
36 during the COVID period that administrative authority has been delegated to the Director
37 of Planning and, when appropriate, we bring forward plans of development to the
38 Commission for public input because of public interest.

39
40 Again, this is a ministerial power. It is granted to the locality to ensure the property to be
41 used in the manner for which it is already zoned or entitled. Develops according to the
42 specific rules and guidelines authorized by state law contained in your zoning code and
43 according to the specific rules and guidelines. Which, in this case, would be the zoning
44 regulations applicable to R-6C zoning for a lifecare facility. If the applicant's plan of
45 development complies with these regulations, approval is required by law, by the State
46 Code of Virginia.

47
48 You will hear from Mr. Chishti that this development does meet those requirements of our
49 local ordinances and state code. So, it is different from what you just heard. With that
50 said, Mr. Chairman, I will now turn this over to Mr. Chishti for public -- for his presentation.

51
52 Mr. Mackey - Okay, Mr. Secretary, should I ask if we have any public
53 comments now?

54
55 Mr. Emerson - Yes, sir.

56
57 Mr. Mackey - Okay.

58
59 .8

689 Mr. Emerson - Yes, sir, you should.
690
691 Mr. Mackey - Thank you, sir. All right, thank you. Do we have anyone in
692 person or via Webex that has any public comments for this case?
693
694 Ms. Deemer - We have no one Webex.
695
696 Mr. Mackey - All right. Thank you.
697
698 Mr. Chishti - Thank you, Mr. Chairman.
699
700 Mr. Mackey - And you, sir.
701
702 Mr. Chishti - And good evening, Commissioners and Mrs. O'Bannon. Nice
703 to actually see people in person these days.
704
705 Mr. Mackey - Nice to see you.
706
707 Mr. Chishti - It's a rare -- it's a rare opportunity. So, let me just start out by
708 saying that since the preparation of our original staff report a revised plan was received
709 from Lakewood that removes the proposed satellite parking lot in the first phase of the
710 master plan and retains only the proposed new entrance onto Lauderdale Drive. And
711 we'll speak about that when I talk about the next POD.
712
713 The cottages and the master plan in the first of two that will be presented this evening are
714 for Lakewood Manor. In this first case, the applicant is proposing to construct 19 one-
715 story independent-living cottages, each including a two-car garage.
716
717 Let me get to a -- this is -- this is the location outlined in yellow. And this right here is the
718 overall layout with the cottages being there. And there's a more enlarged version of that.
719
720 The plan also includes a proposed re-design of the main entrance, which you see over
721 here with the new gatehouse, an added lane, added driving lane, and a gate system. And
722 it's located, again, at the intersection with John Rolfe Parkway. So, it's basically in the
723 same place where the gatehouse is now, but it's a new one, whereas they consider the
724 one that's there now a temporary one.
725
726 As far as the elevations of the cottages go, there you see one type. They have four basic
727 types and they mostly differ in their roof lines and in some minor options that they have.
728 They're all pretty similar to each other, one-story, residential-type buildings.
729
730 The exterior wall materials are a brick-base with a fiber-cement siding and PVC trim.
731 Some of the elevations also show that there's a brick exterior on the entire wall. As far
732 as the master plan goes, it is included with this POD. It depicts existing facilities within
733 the Lakewood complex. It also depicts three phases of future development.
734

735 Phase 1 is that new entrance, which I'll be discussing in a moment, onto Lauderdale Drive.
736 That has a gated employee and delivery entrance. The second phase is the 19
737 independent-living cottages that we're looking at right now. And the third phase, which is
738 down here, outlined in that blue-dashed line, it's a construction of four future hybrid
739 residences with an unknown date at this time, as far as we know. Those future hybrid
740 residences will require a separate POD submission for detailed review. The master plan
741 also presents information on current and future parking and residential unit counts.
742

743 A community meeting was held via Webex on the evening of February 22, 2021 to give
744 neighboring residents the opportunity to voice their opinions about the proposed projects.
745 Before and during the meeting questions were asked about the choice of location for the
746 proposed future development shown on the master plan and whether other places on the
747 Lakewood property could be used instead. The applicant indicated that the current
748 master plan represents results of all options that have been considered, including
749 operational requirements for the facility, as well as environmental limitations for
750 development.
751

752 At that meeting and subsequently comments have been raised concerning loss of trees
753 and habitat at the cottage building sites along the western portion of the site. The
754 applicant explained that environmental limitations on the Lakewood properties limit the
755 locations for the development of areas shown on the master plan. And, due to
756 construction, there it -- due to construction, there will be some loss of natural vegetation
757 that is part of the development process, but the site design has kept this loss to a
758 minimum.
759

760 There will also continue to be a natural wooded buffer between the development and
761 neighboring properties consisting of the RPA, the county park land, and the Tuckahoe
762 West Recreation Association land. This buffer will be of varying width -- varying width but
763 will -- but averaging approximately 450 feet.
764

765 Concerns regarding clearing and flooding were also raised about the location of the
766 satellite parking lot, but as stated previously, the parking lot has been removed from
767 consideration.
768

769 County staff have reviewed the proposed POD and have determined that it complies with
770 the zoning code requirements, the additional proffered development standards, and
771 technical design requirements.
772

773 Staff recommends approval subject to the annotations on the plans, and the standard
774 conditions for developments of this type, and additional conditions 29 through 33 in the
775 agenda.
776

777 I now move to the POD2020-00355 report. This POD is the second of these two that are
778 being considered concurrently for Lakewood Manor. After removal of the parking lot from
779 this application, the applicant is proposing to construct a new entrance from Lauderdale
780 Drive across from the intersection with Wood Grove Circle. This will also include

781 improvements to Lauderdale Drive, including new striping to create a right-turn lane into
782 Lakewood from the southbound lanes and a new left-turn lane into Lakewood from the
783 north-bound lanes. This new entrance will be controlled by gates and a system of
784 identifying authorized personnel, and it is intended to be used only by staff, contractors,
785 and for deliveries.

786
787 Again, a community meeting was held by -- via Webex in the evening of February 22,
788 2021 to give neighboring residents the opportunity to voice their opinions about the
789 proposed project.

790 At that meeting, neighbors expressed concerns about proposed parking lot. The
791 applicant and the applicant's engineer were responsive to questions, and stated
792 willingness to try and mitigate any impacts, but in the end decided to remove the parking
793 lot entirely from consideration.
794

795
796 The new entrance is also proposed in the master plan as Phase 1. And, again, county
797 staff have reviewed the proposed POD and have determined that it complies with the
798 zoning code requirements, the additional proffered development standards and technical
799 design requirements. Staff recommends approval subject to the annotations on the plans,
800 the standard conditions for the developments of this type and, in this case, additional
801 conditions 29 through 31 in the staff agenda.

802
803 Representatives are here or online from Lakewood and the Timmons Group to answer
804 any questions. This concludes my presentation. I am also happy to answer any questions
805 the Commissioners or Mrs. O'Bannon might have.

806
807 Mr. Mackey - Thank you, Mr. Chishti. Are there any questions by anyone
808 on the Commission or Mrs. O'Bannon?

809
810 Mr. Baka - I have a few questions.

811
812 Mr. Mackey - Absolutely.

813
814 Mr. Baka - I don't know if any other Commissioners -- Mr. Chishti, first of
815 all, thank you for your diligent work and efforts on this report. I know it's been a lot of
816 effort to get us to this point.

817
818 Mr. Chishti - Certainly.

819
820 Mr. Baka - I did have a question that the -- well, before I talk about the
821 gate, let me -- let me just go back to Mr. Emerson's comments a minute ago. I said --
822 wanted to say I appreciate understanding that the perspective again that this is a POD
823 plan of development. And if the applicant meets all the criteria, and believe they meet --
824 we believe they meet the criteria of the ordinance, then we are -- it's not a discretionary
825 case. We're compelled to approve it. So, appreciate that explanation.

826

27 I did have a question about the limited-access gate. Because with all the details we had,
28 Salim, this is one item I wasn't totally clear on. But the bottom of that first paragraph on
829 page 6 says, "A new entrance will be used by staff and contractors and for deliveries will
830 be controlled by gates and a system of identifying authorized personnel."
831
832 And maybe this is a question for the applicant, but is that true that that would be a limited
833 access gate where regular families and people visiting friends won't be able to turn in?
834 There would pretty much need to be limited access to --
835
836 Mr. Chishti - That's my understanding. Yes. It's strictly for staff,
837 contractors, and deliveries.
838
839 Mr. Baka - That's great, because early on that was a concern we had,
840 that the north-bound traffic would be turning left there would catch -- would catch -- with
841 a major amount, significant amount of the traffic that normally goes in at the main
842 entrance. So, I -- that's a -- that's a real plus. Okay. Other than that, I don't have any
843 questions for staff, just for the applicant.
844
845 Mr. Mackey - Okay. Did you have a question for the staff, Mrs. O'Bannon?
846
847 Mrs. O'Bannon - No, I think Mr. Baka covered it.
848
849 Mr. Mackey - Okay, thank you.
850
851 Mrs. O'Bannon - Thank you.
852
853 Mr. Baka - Could I hear from the applicant?
854
855 Mr. Mackey - Absolutely. Can we hear from the applicant, please?
856
857 Mr. Baka - And just to double check with Ms. Deemer online. We have
858 no one else on Webex at this time, correct?
859
860 Ms. Deemer - Correct, we have no one on Webex.
861
862 Mr. Baka - Thank you.
863
864 Mr. Meyer - Good evening and thank you for your time. My name is Derek
865 Meyer. I'm the Director of Construction Management for LifeSpire of Virginia, the parent
866 company to the Lakewood Continuing Care Retirement Facility. Thank you for your time
867 this evening.
868
869 We're here requesting approval for the development, as Mr. Chishti mentioned, of 19
870 cottages, a new second entrance which we feel we really need to this campus, as well as
871 four new future hybrid-home buildings at a date to be determined depending on funding.

872 We are a not-for-profit organization, so we aren't certain as to when those new hybrid
873 homes will be developed. We would like to proceed with the cottages as soon as possible.

874
875 Mrs. Thornton - I just had a question. Do they rent the cottages at Lakewood
876 Manor?

877
878 Mr. Meyer - No ma'am. They pay an entry fee and then a monthly fee. It's
879 not technically a rental, but it's --

880
881 Mrs. Thornton - Oh. Okay. So, you can come into independent living and then
882 it's a progression?

883
884 Mr. Meyer - Yes, ma'am. That's correct.

885
886 Mrs. Thornton - Okay.

887
888 Mr. Mackey - Mr. Baka.

889
890 Mr. Baka - Mr. Meyer, thank you very much, first of all, for your
891 willingness to put together the community meeting and attentiveness and responsiveness
892 to the residents' concerns.

893
894 There were, I mean, as you know, a dozen homes or so on Quietwood Court and nearly
895 all the folks had at least one member of their household, I think, on the Webex meeting
896 with you and Mr. Cook. And appreciate that.

897
898 So, the new development last -- in the last week was that the satellite parking area -- the
899 parking area on that southeastern corner of the property near Quietwood would -- was
900 now removed from the plans and no longer on the plans.

901
902 Can you comment and tell us is that a permanent move of deleting that from the plans
903 that that parking lot will no longer come back in the future as a proposal?

904
905 Mr. Meyer - So, as you know, as participating in that community meeting,
906 we absolutely heard our neighbors' concerns about the parking lot. And that's what led
907 us to make the decision last week to voluntarily remove that parking lot from this planned
908 submission and to give us an opportunity to further exhaust any other options that we
909 may have on-campus for parking availability for operationally, you know, meeting our
910 needs. So, we've removed it from the application at this point in time, and we're still
911 further assessing the campus and what we may or may not be able to do.

912
913 Mr. Baka - Okay. And I understand you're in the process of assessing
914 that. You -- no doubt it generally made the neighbors pleased or happy. It made them
915 happy to hear that the parking lot had been removed from the plans. I think it was as
916 many as 84 spaces close up against their houses, their lot lines. I guess it would probably

17 even make them even happier if the -- if the parking lot -- if it didn't come back in the
18 future. But I -- if I understand you correctly, you're evaluating that and assessing that.

919
920 One of the emails that came in to Mr. Chishti and I was from a gentleman -- was from Chris
921 Holloman, one of the residents there, who asked on Quietwood Court would you be willing
922 to consider any type of satellite parking at another location in the area and then perhaps
923 bringing in shuttles to help with staff and employees? Is that something you're willing to
924 take a look at and consider?

925
926 Mr. Meyer - It is. Mrs. O'Bannon raised that question to us back in August.
927 And when we evaluated that, the liability associated with it and the financial responsibility
928 did not meet with what we felt would be good servants to our residents. So, we looked at
929 that, but we did not feel that that was the best course of action in servant leadership for
930 our residents.

931
932 Mr. Baka - Okay. And I empathize with you that you, you know, you --
933 now that you've all had these 84 parking spaces here, at least on this plan, you know,
934 where does that need go elsewhere on campus? So, the 19 cottages haven't been
935 constructed quite yet and they're, of course, for approval tonight -- the four hybrid homes.

936
937 Is there a chance to incorporate some parking spaces at those residential units? Either
938 on the first floor of the unit or on those streets and those neighborhoods over there?

939
940 Mr. Meyer - Each of those units has its own parking included with it. So,
941 there is parking in those future hybrid homes, much like there's parking on the two most
942 recently completed hybrid home buildings.

943
944 And then, as Mr. Chishti said, each cottage has a double-car garage and there are visitor
945 spots associated with that cottage development as well.

946
947 Mrs. Thornton - I think you were saying the four new hybrid units in the back,
948 maybe, use some of that land for the parking? Is that what you were saying, Mr. Baka?

949
950 Mr. Baka - Yes. I mean, any options -- and I know, I guess, I know you'll
951 look at any available option possible.

952
953 Mr. Meyer - Yes, sir, we are exploring that. And we do show parking
954 accompanying those surface parking, not just in-building parking, accompanying those
955 four new hybrid-home buildings. In the -- in the very bottom between the two are hybrid
956 homes in the middle. There's surface parking lot provided as well.

957
958 Mr. Baka - Okay. I have no further questions.

959
960 Mr. Mackey - Does anyone else on the Commission have any questions?
961 All right.

963 Mr. Baka - Thank you. Thank you for your presentation and thank you
964 for your responsiveness to the app -- to the residents to make an adjustment there on the
965 plans. As Mr. Chishti said in his staff reports, the staff believes that the application -- so
966 this is R-6C zoning, which does allow the uses requested. And Mr. Chishti explained that
967 if the applicant meets the requirements of the ordinance then, for lack of a better word,
968 we're compelled to approve that.

969
970 So, I will move for approval, Mr. Chairman. I move that we approve POD2020-00486,
971 Lakewood Manor Cottages, Phase 2 and Master Plan subject to the annotations on the
972 revised plans, standard conditions for development of this type, and additional conditions
973 29 through 33.

974
975 Mr. Witte - Second.

976
977 Mr. Mackey - All right. We have a little motion for approval of POD2020-
978 00486, Lakewood Manor Cottages Phase 2 and Master Plan by Mr. Baka, a second by
979 Mr. Witte. All in favor, say aye. Any opposed? The ayes have it. The POD is granted.

980
981 29. Details for the gate and locking device at the entrance road shall be submitted for
982 review by the Traffic Engineer, Police and approved by the County Fire Marshal.
983 The owner or owner's contractor shall contact the County Fire Marshal prior to
984 completion of the fence installation to test and inspect the operations of the gates.
985 Evidence of the Fire Marshal's approval shall be provided to the Department of
986 Planning by the owner prior to issuance of occupancy permits.

987 30. Approval of the construction plans by the Department of Public Works does not
988 establish the curb and gutter elevations along the Henrico County maintained right-
989 of-way. The elevations will be set by Henrico County.

990 31. The conceptual master plan, as submitted with this application, is for planning and
991 information purposes only. All subsequent detailed plans of development needed
992 to implement this conceptual plan shall be submitted for staff review and Planning
993 Commission approval, and shall be subject to all regulations in effect at the time
994 such subsequent plans are submitted for review/ approval.

995 32. The location of all existing and proposed utility and mechanical equipment
996 (including HVAC units, electric meters, junctions and accessory boxes,
997 transformers, and generators) shall be identified on the landscape plan. All building
998 mounted equipment shall be painted to match the building, and all equipment shall
999 be screened by such measures as determined appropriate by the Director of
1000 Planning or the Planning Commission at the time of plan approval.

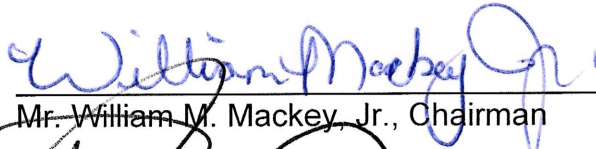
1001 33. Except for junction boxes, meters, and existing overhead utility lines, and for
1002 technical or environmental reasons, all utility lines shall be underground.

1003
1004 Mr. Baka - Mr. Chairman, I move that we approve POD2020-00355,
1005 Lakewood Manor Secondary Entrance, formerly satellite parking lot, subject to the
1006 annotations on the plan -- revised plans, the standard conditions for development of this
1007 type and additional conditions 29 through 31.

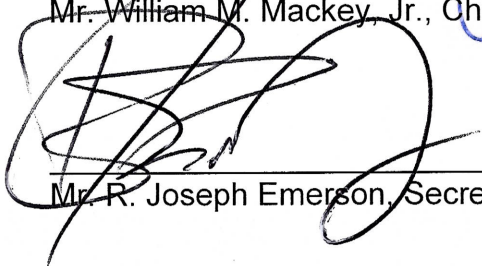
1008

1009 Mr. Witte - Second.
1010
1011 Mr. Mackey - Mr. Witte? Okay. You have a motion by Mr. Baka to approve
1012 POD2020-00035, Lakewood Manor, Secondary Entrance, formerly satellite parking lot.
1013 And it's seconded by Mr. Witte. All in favor, say aye. Any opposed? The motion is
1014 carried.
1015
1016 29. Details for the gate and locking device at the entrance road shall be submitted for
1017 review by the Traffic Engineer, Police and approved by the County Fire Marshal.
1018 The owner or owner's contractor shall contact the County Fire Marshal prior to
1019 completion of the fence installation to test and inspect the operations of the gates.
1020 Evidence of the Fire Marshal's approval shall be provided to the Department of
1021 Planning by the owner prior to issuance of occupancy permits.
1022 30. All exterior lighting fixtures shall be designed and arranged so the source of light
1023 is not visible from the roadways or adjacent residential properties. The lighting shall
1024 be low intensity, residential in character, and the height or standards shall not
1025 exceed 15 feet.
1026 31. Approval of the construction plans by the Department of Public Works does not
1027 establish the curb and gutter elevations along the Henrico County maintained right-
1028 of-way. The elevations will be set by Henrico County.
1029
1030 Mr. Meyer - Thank you.
1031
1032 Mr. Emerson - Mr. Chairman, that completes our agenda this evening. You
1033 do not have any minutes to approve because, as you know, our last meeting was delayed
1034 twice because of the weather, so we haven't had a chance to finish the transcription and
1035 we'll have two sets of minutes for you at your next meeting.
1036
1037 Mr. Mackey - Okay.
1038
1039 Mr. Emerson - I would like to take this opportunity to introduce a new staff
1040 member to you.
1041
1042 Mr. Mackey - Okay.
1043
1044 Mr. Emerson - We -- I would -- I would never say Sylvia could be replaced,
1045 because she was irreplaceable. But we do have a nice young lady that has stepped in to
1046 assist us and that is assuming those responsibilities. And it's Ms. Martha Diuguid. And
1047 she's with us here this evening. Martha, stand up. Martha comes to us with a --
1048
1049 Mrs. Thornton - Great name.
1050
1051 Mr. Emerson - -- a long, long history and experience in the legal field. We're
1052 very happy to have her. She has been with us, I guess, about a month now. Is that right?
1053 Or three weeks?
1054

1055 Ms. Diuguid - Three weeks.
1056
1057 Mr. Emerson - So, she's just getting settled in. And, of course, you know, as
1058 I've shared with her, I'm not -- it's hard enough for all of us to deal with this COVID type
1059 of operation, but certainly she's coming into a different situation. But she's settling in and
1060 we're very happy to have her here and welcome her here to work with us. So, you'll be
1061 hearing from Martha in the future, I'm sure.
1062
1063 Mr. Mackey - All right. Thank you, Mr. Secretary. Welcome, Ms. Diuguid.
1064 I'm happy to have you aboard, and we appreciate all you do.
1065
1066 Ms. Diuguid - Thank you.
1067
1068 Mr. Mackey - Thank you.
1069
1070 Mr. Emerson - And with that said, Mr. Chairman, I have nothing further for
1071 the Commission this evening.
1072
1073 Mr. Mackey - Well, if there's no further business, I believe a motion for
1074 adjournment will be in order.
1075
1076 Mr. Baka - So moved.
1077
1078 Mr. Mackey - Motioned by Mr. Baka, seconded by --
1079
1080 Mrs. Thornton - Second.
1081
1082 Mr. Mackey - Mrs. Thornton. All in favor, say aye. Meeting adjourned.



Mr. William M. Mackey, Jr., Chairman



Mr. R. Joseph Emerson, Secretary