

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 9,**
4 **2023. Display Notice having been published in the Richmond *Times-Dispatch* on**
5 **February 20, 2023, and February 27, 2023.**
6
7

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

18 **Also Present:** Ms. Jean Moore, Assistant Director
19 Mr. Ben Sehl, Senior Principal Planner
20 Mr. Michael Morris, County Planner
21 Ms. Kelly Drash, County Planner
22 Ms. Molly Mallow, County Planner
23 Mr. Brendan McDowell, County Planner
24 Mr. Lamont Johnson, County Assistant Traffic Engineer
25 Mr. Billy Moffett, Police *
26

27 * (Virtually)
28

29 **Mr. Thomas M. Branin, the Board of Supervisors' representative, abstains on all**
30 **cases unless otherwise noted.**
31

32 **Mr. Witte -** Welcome everyone, we're readjourning our meeting that
33 started at 6:00. I ask that everyone please turn off or mute your cell phones. Do we have
34 any media in the audience this time? No? Well with that I'll turn it over to Mr. Emerson.
35

36 **Mr. Emerson -** Thank you, Mr. Chairman. I'll join with you in welcoming
37 everybody back to our meeting. We did convene at 6:00 p.m. this evening in order to
38 conduct a public hearing on the Capital Improvement Plan which was considering the FY
39 2023-24 through FY 2032-33 Capital Improvement Program. That is a yearly review that
40 the Planning Commission conducts, and that plan was recommended for approval to the
41 Board and they will of course take it up during the consideration of their overall budget.
42 We do have the meeting, the general meeting in front of us now. You did reconvene this
43 meeting at 7:01, you did recess the other meeting at 6:44 for the record. Again, I'd like to
44 welcome everyone to the Planning Commission public hearing for March 9, 2023. This
45 evening it is requested that all public comments be provided from the lectern to the rear
46 of the room. For everyone who's watching the livestream on the county website, you can
47 participate remotely in the public hearings by following these guidelines. Go to the

48 Planning Department's meeting webpage at henrico.us/planning/meetings. The
49 instructions are also on the slide that you should be able to view on your screen. Scroll
50 down under Planning Commission and click on Webex Event. Once you have joined the
51 Webex Event, please click the chat button in the bottom-right corner of the screen. Staff
52 will send a message asking if anyone would like to sign up to speak on an upcoming case.
53 To respond, select Molly Mallow from the drop-down menu and send Molly a message.
54 She will get you placed in the queue to speak. The Commission does have guidelines for
55 public hearings. This is very important it applies to all the public hearings this evening.
56 The applicant is allowed 10 minutes to present the request and time may be reserved for
57 responses to testimony. The opposition is allowed a cumulative 10 minutes to present its
58 concerns and I stress the cumulative. What that means is that everyone who wishes to
59 speak must be included in the overall 10-minute allowance. Commission questions do not
60 count into these time limits. The Commission may waive the time limits at its discretion.
61 Comments must be directly related to the case under consideration. Commenters must
62 provide their name and address prior to speaking for the record. We do keep verbatim
63 minutes. Again, thank you for your participation and your interest in your community this
64 evening. With that said Mr. Chairman, we begin with requests for withdrawals and
65 deferrals and those will be presented by Mr. Ben Sehl.

66
67 Mr. Sehl - Good evening, Mr. Chairman, members of the Commission.
68 Staff is aware of one deferral on your agenda this evening. It's on Page 1 of your agenda
69 in the Varina district. Excuse me in the Fairfield district. It is REZ2023-00002, this is
70 Andrew Condlin for Canterbury Development Group, LLC.

71
72 **REZ2023-00002 Andrew Condlin for Canterbury Development Group, LLC:**
73 Request to conditionally rezone from R-4 One-Family Residence District and M-1 Light
74 Industrial District to RTHC Residential Townhouse District (Conditional) parcel 797-737-
75 0449 containing 5.696 acres located on the east line of Walnut Avenue at its intersection
76 with Ratcliffe Avenue. The applicant proposes a townhome development. The RTH
77 District allows a maximum density of 12 units per acre. The use will be controlled by
78 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
79 recommends Light Industry. Part of the site is in the Airport Safety Overlay District and
80 the Enterprise Zone.

81
82 The applicant is requesting a deferral of this item to your April 13, 2023, meeting.

83
84 Mr. Witte - Is there anyone in the audience or on Webex that objects to
85 this deferral?

86
87 Ms. Drash - There is no one on Webex for this deferral.

88
89 Mr. Witte - Thank you. With that Mr. Archer?

90
91 Mr. Archer - Mr. Chairman, since there are none. I move that REZ2023-
92 00002, Canterbury Development Group, LLC be deferred to the April 13th meeting at the
93 request of the applicant.

94
95 Mr. Baka - Second.
96
97 Mr. Witte - We have a motion by Mr. Archer, a second by Mr. Baka. All in
98 favor say aye.
99
100 Commission - Aye.
101
102 Mr. Witte - Opposed? Motion passes.
103
104 Mr. Emerson - Mr. Chairman, that completes the request for withdrawals and
105 deferrals this evening. The next item on your agenda are requests for expedited items.
106 We do have one of those and it will be presented by Mr. Ben Sehl.
107
108 Mr. Sehl - Now in the Varina district on Page 1 of your agenda is
109 REZ2023-00005, this is Andrew Condlin for 4731 East, LLC.
110
111 **REZ2023-00005 Andrew M. Condlin for 4731 East, LLC:** Request to conditionally
112 rezone from M-1 Light Industrial District to M-2C General Industrial District (Conditional)
113 Parcel 815-711-9946 containing 6.438 acres located on the south line of Eubank Road,
114 approximately 345' west of S. Laburnum Avenue. The applicant proposes outdoor
115 storage. The use will be controlled by zoning ordinance regulations and proffered
116 conditions. The 2026 Comprehensive Plan recommends Planned Industry. The site is
117 located in the Airport Safety Overlay District.
118
119 Staff is unaware of any opposition to this request and is recommending approval and I'd
120 be happy to try and answer any questions you have at this time.
121
122 Mr. Witte - Any questions by the Commission?
123
124 Mr. Mackey - No, sir.
125
126 Mr. Witte - Is there anyone in the audience or on Webex that would like
127 to speak to REZ2023-00005?
128
129 Ms. Drash - Mr. Chairman, there is no one on Webex at this time.
130
131 Mr. Witte - Okay, with that, Mr. Mackey.
132
133 Mr. Mackey - Alright, Mr. Chairman, there being no one wishing to speak to
134 the case, I move that we recommend approval of REZ2023-00005, 4731 East, LLC with
135 the proffers dated February 21, 2023.
136
137 Mr. Baka - Second.
138

139 Mr. Witte - We have a motion by Mr. Mackey, a second by Mr. Baka. All
140 in favor say aye.

141
142 Commission - Aye.

143
144 Mr. Witte - Opposed? Motion passes.

145
146 **REASON:** Acting on a motion by Mr. Mackey, seconded by Mr. Baka, the
147 Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors
148 grant the request because it reflects the Comprehensive Plan and future use and zoning
149 of the area and it is appropriate industrial zoning in this area.

150
151 Mr. Emerson - Mr. Chairman, we now move into the regular agenda on Page
152 2 or the back of your agenda. There are two companion cases you will be hearing this
153 evening. They will require separate motions at the end of your public hearing process.
154 The first case is REZ2023-00003, Susan S. Smith for Ashley Terrace, LLC.

155
156 **REZ2023-00003 Susan S. Smith for Ashley Terrace, LLC:** Request to conditionally
157 rezone from B-2 Business District and R-5 General Residence District to R-6C General
158 Residence District (Conditional) parcels 788-747-4162 and 788-747-5728 containing
159 8.196 acres located on the east line of Chamberlayne Road approximately 800 feet north
160 of its intersection with Brook Hill Circle. The applicant proposes a master-planned
161 development with multifamily residential and accessory solar uses. The R-6 District
162 allows for multifamily dwellings at a density of 19.8 units per acre unless modified by
163 Provisional Use Permit. The uses will be controlled by zoning ordinance regulations and
164 proffered conditions. The 2026 Comprehensive Plan recommends Commercial
165 Concentration.

166
167 The companion PUP2023-00002, again Susan S. Smith for Ashley Terrace, LLC.

168
169 **PUP2023-00002 Susan S. Smith for Ashley Terrace, LLC:** Request for a Provisional
170 Use Permit under Sections 24-2306 and 24-4205 of Chapter 24 of the County Code to
171 allow for zoning modifications as part of a master-planned development on parcels 788-
172 747-4162 and 788-747-5728 located on the east line of Chamberlayne Road
173 approximately 800 feet north of its intersection with Brook Hill Circle. The existing zoning
174 is B-2 Business District and R-5 General Residence District. R-6C General Residence
175 District (Conditional) is proposed with REZ2023-00003. The 2026 Comprehensive Plan
176 recommends Commercial Concentration.

177
178 I would like to note before I turn this over to Mr. Morris for the presentation, there has
179 been some miscommunicated press on this site. There was a local television station that
180 did and in its banner it said, "Henrico rolls out or unveils plan for affordable housing".
181 While there were comments made by our Director of Community Revitalization regarding
182 affordable housing, Henrico County has no role in this development. It is a private
183 development. It is not part of any affordable housing program being promoted by Henrico
184 County and it doesn't have any preapproval, support or anything of that nature from the

231 along the property's Crenshaw frontage. You were also provided with revised provisional
232 use permit conditions this evening that address fencing and buffering of the site.

233
234 A virtual community meeting was held February 28th this year with three residents in
235 attendance. Topics of conversation included construction timeline, use of solar panels,
236 and planned improvements along Chamberlayne Road. The 2026 Comprehensive Plan
237 recommends Commercial Concentration for the subject site. While the proposed use is
238 not entirely consistent with this designation, it does support the Comprehensive Plan's
239 goals of promoting redevelopment of property near existing infrastructure and providing
240 additional housing types throughout the county. Should a deviation from the
241 Comprehensive Plan be deemed appropriate by the Planning Commission, staff could
242 support this request.

243
244 This concludes my presentation and I'm happy to answer any questions you may have at
245 this time.

246
247 Mr. Witte - Any questions from the Commission?

248
249 Mrs. Thornton - I might have one for the applicant. What is a black, vinyl
250 coated security chain link fence? Never heard of that. What is that and I'd like to know
251 what it looks like. So, I'll wait and see if they have a...

252
253 Mr. Morris - I believe the applicant has a presentation that may be part of
254 it.

255
256 Mr. Witte - Anyone else? Is there anyone in the audience or on Webex
257 that would like to speak either for in favor of or against? I have one, two, three. How would
258 you like to...

259
260 Ms. Drash - Mr. Chairman, there is no one on Webex for this case.

261
262 Mr. Witte - Mr. Archer, how would you like to proceed? With the
263 opposition or the...

264
265 Mr. Archer - Mr. Chairman, I believe it would probably be in our best
266 interest and also that of the applicant to have the opposition speak first.

267
268 Mr. Witte - You want the opposition?

269
270 Mr. Archer - Yes.

271
272 Mr. Witte - Alright, anyone who would like to speak. Speak from the back.
273 As Mr. Emerson said it's a total of 10 minutes. Share your time.

274
275 Ms. Walker - Is this on? Hi, my name is Lisa W. Walker. I'm Vice President
276 of the Northern Henrico Civic Association which represents 3,000 households in this area

277 we're talking about. We would like to propose that you not approve the change from
278 commercial to residential. We would rather see a sit-down chain restaurant there because
279 we have none of those in our corridor. We would also prefer an office building. And even
280 we could consider single resident owner residential households. We are not interested in
281 taking any kind of subsidized housing which is what the article said because that is not a
282 good corridor as it is. There are a lot of issues there especially with the panhandlers there
283 on the corner. We would not want to see more residents moving in there who don't have
284 public transportation or walking Chamberlayne Avenue up to the Food Lion hanging out
285 at the bus stops which look like trash all the time. And we just don't need that. We're
286 working as hard as we can to improve our neighborhood and we want to make sure
287 whatever comes there does that. Thank you.

288
289 Mr. Witte - Thank you, Ms. Walker. Any questions for Ms. Walker?
290 Comments? Thank you. Yes ma'am.

291
292 Ms. Meyer - Hi. Thank you all for your leadership. I appreciate your time.
293 My name is Shari Meyer. I'm a resident of Chamberlayne Heights. Actually, my house is
294 right down the road from where this proposed site and change would be. There's just a
295 lot of concerns and questions. I just learned about this on Monday. The little sign that was
296 up in front of the site, proposed site was insufficient in my view as far as alerting the
297 residents. So, this all comes, it's very new and we just have a lot of questions. I wouldn't
298 go so far as to say I'm completely opposed but there again this is all so new we'd like
299 more information, and we'd like to know and assess. We would love to see that property
300 developed but the right development. Not just any development. The right development.
301 There certainly are problems in that corridor already that are not addressed, panhandlers
302 are one. I was groped by one in a retail environment back in the summer. A neighbor saw
303 someone in the median with himself exposed urinating. So, you know, these are some of
304 the concerns we have. So, I hope you all will hear these concerns. Maybe take a ride by
305 and look at it so you can see for yourself what the property, what that area looks like. We
306 would welcome you to see that. And it does need improvement, but we want the right
307 improvement. Thank you.

308
309 Mr. Witte - Thank you.

310
311 Mr. Richardson - Good evening, Chair. Good evening, Vice Chair. Good
312 evening members of the Chair. My name is Bruce Richardson. I am a local real estate
313 broker in the area and my question is, I also stand somewhat neutral on this because I
314 don't know how do we define affordable? I think that term is loosely applied, affordable.
315 But I think affordable needs to be clearly defined. What is affordable? You know, is there
316 a certain median price that we seek to get affordable? And to arbitrarily use the verbiage
317 affordable and without no clear, distinct definition of what is affordable. Is it 80% of the
318 area median income, is it 110% of the area median income? So, these are all terms that
319 sort of closely associate themselves with affordability. But when you use this term and
320 there's no clear distinction or definition associated with it you sometimes have some of
321 the verbiage that's reported in the newspaper regarding subsidized and things of that
322 nature. Affordability needs to be clearly articulated to any applicant who's applying. We

323 would hope many of the employees here at Henrico County would be given opportunities,
324 first-choice opportunities to look at this from an affordability standpoint. But I think the first
325 prerequisite needs to be the definition of what is affordability. I don't know if I've heard
326 that even in what I've read or what I see on the website so hopefully we can define that
327 this evening or at least give us some measure of what is affordability. I thank each of you
328 for your time this evening.

329

330 Mr. Archer - Mr. Richardson, excuse me. Where did you first hear the term
331 affordable housing?

332

333 Mr. Richardson - So, as a realtor, I have worked in affordability, affordable
334 housing for years.

335

336 Mr. Archer - No, I mean in terms of this case.

337

338 Mr. Richardson - With the news article on Monday.

339

340 Mr. Archer - Okay, thank you. That's what I need to know. Thank you.

341

342 Mr. Richardson - Thank you.

343

344 Mr. Witte - Anyone else? Mr. Archer?

345

346 Mr. Archer - Yes.

347

348 Mr. Witte - Would you like to hear from the applicant? He's on his way.

349

350 Mr. Geiger - Good evening, Mr. Chairman, members of the Commission.
351 My name's Jeff Geiger. Fred, could I ask for my Powerpoint? Thank you. I've also, before
352 I get started, I'd like to let the Commission know that as staff indicated we've had some
353 good discussions about the use of solar here. And I have a representative from our solar
354 consultant Kyle Levesque here with us if you'd like to hear from him. The first thing I'd like
355 to do is start off with a little history. The applicant here are two companies from Richmond.
356 Spy Rock Real Estate Group and Crescent Development. You may remember them.
357 About two years ago they came before you with a new vision for Henrico Plaza. The
358 picture on your screen was Henrico Plaza at that time and we wanted to make an
359 investment into the county to transform a, to put it mildly, underutilized property into a
360 new community. Hope you had the opportunity to drive by Henrico Plaza today and you'll
361 see it under construction and the transformation taking place. About the same time we
362 started work on this property. A property that we saw as an opportunity to have a
363 transformational effect in the same fashion. Unfortunately, it took us about two years to
364 get the property under contract. During that two-year period of time we had a change in
365 vision. A change in the way we think about how we can provide renewable energies into
366 our projects. During that time we saw GreenCity become a vision and it's moving towards
367 reality. We've seen Henrico schools add solar panels onto their schools, so we reached
368 out and thought about how to start integrating solar panels into this development. We

369 partnered with Commonwealth Power as I mentioned to come up with a design and it's a
370 new design and new vision that we would like to bring to this site as much as we are
371 working on Henrico Plaza today. This vision includes a high-quality community with 186
372 residents as staff mentioned with the same type of building architecture that you would
373 find elsewhere in our region. This is a product that Spy Rock has built in the city of
374 Richmond at Broad and 195. And we'd like to bring that same quality that you see here
375 to this site. We will integrate it with solar both on the ground and on the roof. We will have
376 amenities and as staff mentioned we worked with staff on the screening that will be around
377 the property. Mrs. Thornton, you asked about the black, vinyl fence. One of the things
378 that we worked with Billy Moffett on during the Henrico Plaza development. Billy Moffett
379 a member of your police department who works on plans reviews. He asked us to use a
380 chain link fence that has a very small hole, narrow. It prevents wire cutters from getting in
381 and you can't climb it so it's a fence that he recommends for these types of installations,
382 and we've followed his advice here as well. We've had a variety of proffers with this
383 request. They include high-quality materials, a minimum of 30% masonry, hours of
384 construction, specific hours for dumpster service, and mechanical parking lot cleaning,
385 standard requirement that we work with the police department on with respect to security
386 cameras and video systems whenever we're working on these multi-family projects
387 anywhere in the county, perimeter fencing and if we have any above ground basins they
388 will have to be an amenity. We also have proffers that commit to the solar panels being
389 on the roof and using a net-metered connection. We will also be providing a landscape
390 buffer along Chamberlayne Road. There will be a pedestrian path through that landscape
391 buffer; internal sidewalks; if the county requests we will provide a space for a bus stop
392 along the property's frontage; we will be widening Chamberlayne Service Road to a total
393 width of 24'. And curb and gutter will also be provided along Crenshaw along with a
394 pedestrian connection along Crenshaw. Traffic has asked us to put no parking signs along
395 the Chamberlayne Service Road we will do that as well. Now, if it's okay I would like to
396 address some of the comments that were made starting with Mr. Richardson. I had the
397 opportunity to go around our region and communicate with the community about a variety
398 of projects and one of the questions that we always get asked whenever somebody uses
399 the term affordable. What do you mean? What is affordable? What? Affordability to every
400 person means something different. In this instance, we are creating a community that's
401 targeted at the workforce. Now in our view, affordability is more about attainability. How
402 can we create a community, a high-quality building, where we can provide rents in the
403 \$1,100 - \$1,500 a month range. Our target market, as Mr. Richardson asked, we'd love
404 to have county employees, love to have nurses, teachers. We also think that this is the
405 right spot for our retail workers. Any part of our workforce that wants to live here. We
406 welcome them. I'm happy to meet with the representative from the Community Heights
407 area and go through this in more detail and answer any further questions that she may
408 have. And then to Ms. Walker, we have looked at a variety of different or considered a
409 variety of different uses here. One of the hard parts is commercial hasn't survived and
410 from our perspective, the better use as you're looking at this area, as you're looking to
411 revitalize and encourage others to reinvest into their properties, this was the best
412 approach. We do have businesses that are reinvesting in the Chamberlayne Road
413 corridor to our south and we would like to support them by adding additional consumers
414 to their businesses and to continue the growth and revitalization that's occurring along

415 Chamberlayne Road. You'll recall last year the Commission, and the Board approved a
416 new townhouse project just to our south so we're seeing some transformational effects in
417 this area. With that I'd be happy to answer any questions the Commission may have.

418
419 Mr. Witte - Any questions by the Commission?

420
421 Mrs. Thornton - So, how many one-bedrooms? I saw up to 42 max. for three
422 bedrooms. So, you're saying \$1,100 a month for a one-bedroom?

423
424 Mr. Geiger - Yes.

425
426 Mrs. Thornton - And how many are you?

427
428 Mr. Geiger - It's roughly an equal amount of one bedroom, two bedrooms,
429 three bedrooms. I don't have the exact numbers of one bedroom and two bedrooms but
430 it's essentially an equal amount.

431
432 Mrs. Thornton - Of one, two and then max 42 for the three?

433
434 Mr. Geiger - Yes.

435
436 Mrs. Thornton - Okay.

437
438 Mr. Witte - Any other questions?

439
440 Mr. Branin - Yes, I've got one if I may Mr. Chair. If you'll give me the
441 pleasure. So, I'm real interested because I heard a lot of words, but I didn't actually hear
442 a true definition of affordable housing. If it's a standalone house, the Richmond Realtor's
443 Association has a mark. What is that mark?

444
445 Mr. Geiger - 80% AMI.

446
447 Mr. Branin - For?

448
449 Mr. Geiger - Residents.

450
451 Mr. Branin - Mainly with rent but the purchaser or the cost of the house
452 being what? Because they put a dollar figure to it.

453
454 Mr. Geiger - Are you talking about a for sale as opposed to this?

455
456 Mr. Branin - For sale, yes. I'm testing your knowledge.

457
458 Mr. Geiger - Yeah, you're good. Let me think here for a second. Thirty
459 percent of your income is generally what you consider the affordable number. I would tell
460 you affordability would be, if I switched my hat and represented when I'm representing

461 my for-sale clients, we would love to be able to build houses at \$250,000 to \$300,000
462 range.

463
464 Mr. Branin - \$250,000. Good job sir. That's considered affordable housing
465 which I think in itself is too high honestly. Because there are a lot of people in this country
466 that would love to own their own house and \$250,000 is not reachable. So, you got an A
467 today.

468
469 Mr. Geiger - Thank you.

470
471 Mr. Branin - Well done.

472
473 Mr. Geiger - I'm pleased that I passed the test.

474
475 Mr. Mackey - Mr. Chairman, I have a question. I'm not sure Mr. Geiger, if
476 you can answer or maybe the solar people. How much energy do they think they can
477 produce with the panels and the grid and the solar panels on top of the buildings
478 combined?

479
480 Mr. Geiger - Am I right to say 1.2 megawatts? You want to come up here
481 real quick Kyle?

482
483 Mr. Levesque - Good evening, 1.5 megawatts.

484
485 Mr. Witte - State your name please.

486
487 Mr. Levesque - Kyle Levesque, Commonwealth Power. So, that's
488 going to be 1.5 megawatts with what you're seeing here for the top and the ground mount
489 solar array. That's roughly equivalent to 77% of the total amount of usage of the building.

490
491 Mr. Mackey - Alright. Okay. Thank you.

492
493 Mr. Witte - Anyone else?

494
495 Mr. Archer - Does anybody beside me not know what 1.5 megawatts
496 means?

497
498 Mr. Witte - I have no clue.

499
500 Mrs. Thornton - I have no clue.

501
502 Mr. Branin - You've got two Dominion Energy guys on your board so I
503 would look this way and ask.

504
505 Mr. Archer - I'm not sure they could explain it to me.

506

507 Mrs. Thornton - So, what does that mean for the residents for this building?
508 How about that?
509
510 Mr. Geiger - They will not pay an electrical bill.
511
512 Mrs. Thornton- So, no water?
513
514 Mr. Geiger - Electrical bill.
515
516 Mrs. Thornton - Well, no, I'm asking water. So, they have to pay water?
517
518 Mr. Geiger - Yes, we have to pay the county for their water service so yes
519 that gets...
520
521 Mrs. Thornton - So sometimes it's included in your...
522
523 Mr. Geiger - That's why I wanted to be clear. There's no electrical charge
524 to them.
525
526 Mrs. Thornton - Okay, so it's enough to...
527
528 Mr. Witte - Okay, alright, Mr. Archer.
529
530 Mr. Archer - I guess I'm ready to make some comments at least Mr. Chair.
531 Mr. Geiger would you sit back there because I might need you again. There are several
532 places I could start. I'll just pick one. I saw the presentation by the news media last night
533 and it was interesting, but it is why I asked Mr. Richardson where he had first heard the
534 word, affordable housing. And as Mr. Geiger said when you use the word affordable
535 housing it means a lot to a lot of people, a lot of different things and most of the time you
536 know I try to rationalize in my mind well what do we want? Do we want affordable housing
537 or unaffordable housing? Unaffordable housing wouldn't make much sense and
538 affordable housing can range from I guess a low to a medium to a high. But many people
539 take it to mean that affordable housing is for people that are of a different class of some
540 kind, and I take issue with that. But the word affordable housing I think is what got all this
541 commotion started about this because people took it to mean something than other what
542 it really does mean. The main thing I have to say about this case is that there were issues
543 at the beginning if you read the original staff report that staff had with the developer who
544 wanted to do this and it took some time but thanks to the hard work of the staff person
545 and his ability to be able to move some things from the applicant we were able to get
546 most of them resolved and of course our job here is to try and see if we can make the
547 staff report and the matters that are in it worthy enough to be able to present it to the
548 Board of Supervisors so they can make a decision based on whatever that information
549 tells them to make. There was a question about the fence. The county has a department
550 that we work with through the police department called CPTED and it means Community
551 Policing through Environmental Development. We've had it for years and it has worked
552 quite well in some cases I've seen cases where it maybe didn't work as well as it should

553 have. A lot of it has to do with fencing. We generally run into trouble we don't do this very
554 much but when we put up fencing that cannot be seen through and the reason is because
555 you know you might not see stuff on your side but stuff is going on on the other side and
556 if you have a fence that you can see through then we can determine what's going on on
557 each side of the fence. It also might discourage people from doing things that they
558 normally would do. I never knew how to answer, and I know it's a concern, the question
559 about people who are indigent who don't have means of support, some don't have means
560 to eat and not a place to stay. They're homeless and I find it hard from a moral standpoint
561 to I don't know cast aspersions on these people. I'm sure they don't want to be in the
562 condition that they're in. I don't know anybody who volunteers to be homeless or not have
563 a next meal to eat or know where it's coming from. I don't support the crime that some
564 homeless people make but I don't support the crime that people with homes make either.
565 You know those two things kind of equal each other out. In this particular case I think
566 between the things our staff member has been able to work out with the developer I think
567 they've done enough or a little bit more than enough actually the way it was the condition
568 this case was in a week ago. That it is worthy to at least submit it to the Board of
569 Supervisors so that they can make a decision as to whether or not this will go forward. I
570 think they've done that, and I think in terms of answering the things that we have to answer
571 to the support departments that want things to be a certain way I feel like Mr. Morris has
572 worked hard on this and has gotten it to the point where we can move it. I can't see where
573 any of the things that have been suggested that might go on this site would come forward.
574 I think people think sometimes that we decide what's to be built on a site and we don't.
575 We can only approve or not approve whatever measures the development community
576 brings forward. Well, we can't tell them what to bring. That's not within our purview.
577 Anyway, I've said a lot just to say I think this case is worthy of being moved to the Board.
578 I have to do some things first. And the first thing I have to do. We have some proffers that
579 came in sort of late. Mr. Chairman, I move that we grant a waiver of the time limits and
580 accept the proffers dated March 9, 2023 for REZ2023-00003, Ashley Terrace, LLC.

581
582 Mr. Mackey - Second.
583
584 Mr. Witte - We have a motion by Mr. Archer, a second by Mr. Baka. All in
585 favor say aye.
586
587 Commission - Aye.
588
589 Mr. Witte - Opposed?
590
591 Mr. Mackey - I said it. I seconded it.
592
593 Mr. Witte - Oh, I'm sorry. Let me correct that. Seconded by Mr. Mackey.
594
595 Mr. Archer - Thank you, Mr. Chairman.
596
597 Mr. Witte - Motion passes.
598

599 Mr. Archer - And secondly, I move that based on the things that we have
600 been able to affirm and establish today and before that we recommend approval of
601 REZ2023-00003, Ashley Terrace, LLC with those revised proffers dated March 9, 2023.

602
603 Mr. Mackey - Second.

604
605 Mr. Witte - We have a motion by Mr. Archer, a second by Mr. Mackey. All
606 in favor say aye.

607
608 Commission - Aye.

609
610 Mr. Witte - Opposed? Motion passes. We need a motion on the
611 companion case.

612
613 **REASON:** Acting on a motion by Mr. Archer, seconded by Mr. Mackey,
614 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
615 Supervisors grant the request because the proffered conditions will provide appropriate
616 quality assurances not otherwise available, and it reflects the type of residential growth in
617 the area.

618
619 Mrs. Thornton - You have to do the PUP.

620
621 Mr. Archer - Oh, I'm sorry. I'm sorry. Mr. Chairman, I recommend approval
622 of PUP2023-00002, Ashley Terrace, LLC subject to the revised conditions dated March
623 9, 2023.

624
625 Mrs. Thornton - Second.

626
627 Mr. Witte - We have a motion by Mr. Archer, a second by Mrs. Thornton.
628 All in favor say aye.

629
630 Commission - Aye.

631
632 Mr. Witte - Opposed? Motion passes.

633
634 **REASON:** Acting on a motion by Mr. Archer, seconded by Mrs. Thornton,
635 the Planning Commission voted 5-0 (one abstention) to recommend the Board of
636 Supervisors grant the request because the proffered conditions should minimize the
637 potential impacts on surrounding land uses and when properly developed and regulated
638 by the recommended special conditions, it would not be detrimental to the public health,
639 safety, welfare and values in the area.

640
641 Mr. Emerson - Mr. Chairman, that case we'll move on to the Board of
642 Supervisors and be heard at their April 11, 2023, meeting. With that said Mr. Chairman I
643 have nothing further for the Commission this evening.

644

645 Mr. Witte -
646
647 Mr. Mackey -
648
649 Mr. Witte -

Anybody have anything before we adjourn?

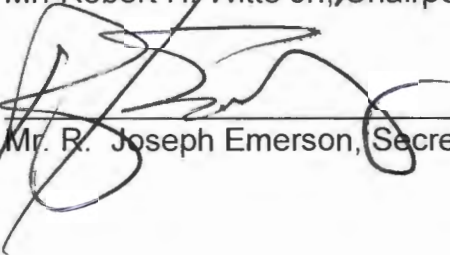
No, sir.

Adjourned.

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Mr. Robert H. Witte Jr., Chairperson



Mr. R. Joseph Emerson, Secretary