

1 Minutes of the Work Session of the Planning Commission of the County of Henrico, Virginia, held in  
2 the County Manager's Conference Room of the County Administration Building, Parham and  
3 Hungary Spring Roads at 6:00 p.m. September 11, 2003.

4  
5 Members Present: Mr. E. Ray Jernigan, C.P.C., Chairperson, Varina  
6 Mrs. Lisa D. Ware, C.P.C., Vice-Chairperson, Tuckahoe  
7 Mr. Allen Taylor, P.E., C.P.C., Three Chopt  
8 Mr. C. W. Archer, C.P.C., Fairfield  
9 Mr. Ernest B. Vanarsdall, C.P.C., Brookland  
10 Mr. John R. Marlles, AICP, Director of Planning, Secretary  
11 Mr. Richard W. Glover, Board of Supervisors, Brookland  
12

13 Others Present: Mr. Randall R. Silber – Assistant Director of Planning  
14 Mr. Ralph J. Emerson, Principal Planner  
15 Mr. Mark Bittner, County Planner  
16 Mr. Seth Humphreys, County Planner  
17 Ms. Ann Cleary, Recording Secretary  
18

19 **Unless otherwise indicated, Mr. Glover abstained from voting on all zoning cases.**

20  
21 Mr. Jernigan - I would like to call this meeting to order on the Scott Road Study. At this  
22 time I will turn the program over to Joe Emerson. John Marlles, excuse me.  
23

24 Mr. Marlles - Good evening. Mr. Chairman, members of the Commission. Mr. Chairman,  
25 we are scheduled to do a briefing for you tonight on what is known as the Church Road/Pump Road  
26 Study. This particular study was initiated in response to the John Rolfe Parkway project, and it  
27 does have a tremendous impact on the existing Church/Pump Road intersection. The Board of  
28 Supervisors actually requested that the Planning Commission/Planning Staff initiate the study last  
29 June. Staff has been working on it diligently and are at the point where they are ready to brief the  
30 Commission. We will be asking you at the end of the work session to schedule a public hearing at  
31 the October 22nd POD Meeting. Mr. Emerson is going to give you the presentation.  
32

33 Before he actually gives the briefing I did also want to alert the Commission that this evening on  
34 your Agenda there is a Public Hearing on the stage tower/loft tower ordinance amendment. Staff  
35 back on July 23<sup>rd</sup> briefed you on this amendment. You may recall out at Steward School there is a  
36 stage tower/loft tower that was constructed very close to the residential community and there were  
37 concerns expressed about the scale of this tower and the height of the tower being to tall in  
38 respect to residential community. Staff again was asked by the Board to prepare an ordinance  
39 amendment that would regulate the height of stage towers/loft towers. We have done that, and  
40 again we did brief the Commission on July 23<sup>rd</sup>. This evening we have a public hearing and that  
41 proposed ordinance amendment.  
42

43 In very simple terms what the ordinance amendment would do is take loft towers or stage towers  
44 out of the list of structures that are exempted from the height requirements in the A-1 District or  
45 Residential Districts and will permit stage towers or loft towers that are higher than 45'  
46 (unintelligible) and that gives the County the ability to add conditions. First of all if you look at  
47 proposals for stage towers or loft towers on a case by case and to add conditions on height,  
48 setbacks, and any other conditions that are appropriate to that particular site. It is very straight  
49 forward, very simple amendment. Again, at the Public Hearing I'll be giving the presentation  
50 tonight and I think we have some contact questions, but I not sure we are going to have a  
51 (unintelligible) for stage towers and loft towers (unintelligible). It is something that we can take  
52 care of so that we don't need to have this problem.

53

54 With that I will turn the meeting over to Joe Emerson who will present the briefing on the Land Use  
55 Study.

56

57 That concludes my presentation.

58

59 Mr. Joe Emerson - Good evening.

60

61 Mr. Jernigan - Good evening.

62

63 Mr. Vanarsdall - Good evening, Joe.

64

65 Mr. Emerson - As all of you know we have been working on the Church Road/Pump Road  
66 Study for quite some time. Seth is passing out a copy of the slides and once he gets that done we  
67 will lead into the presentation. We do have a history that I would like to review with you of where  
68 we have been with this chronological history of the process.

69

70 This study, as you are aware, is prompted by the construction of the John Rolfe Parkway.

71

72 The Department of Public Works adopted Alternative J, which is the road layout that we are dealing  
73 with as the final road layout in August of 1999. The Henrico County Board of Supervisors directed  
74 the Planning Commission and the Planning Office to conduct a land use study of the area in June  
75 2002.

76

77 Planning Office Staff posted a website and created a study of this area. The website itself was the  
78 first of its kind in relation to a land use documents and it did provide information to the public. It is

79 still out there providing information to them on the schedule and the status of plan, as well as itself  
80 to receive input from the public. That has been quite successful, we have received quite a few  
81 comments via that site.

82

83 A public meeting was held in September 2002 at Godwin High School where comments were  
84 received from the public regarding the proposed land uses and plan.

85 Over the last several decades residential and commercial change has been occurring in the western  
86 end of Henrico County. This has created a need for transportation improvements, such as the John  
87 Rolfe Parkway.

88 As a part of this project, the existing intersection of Pump and Church Roads will be relocated  
89 further to the east. These occurrences created a need for a land use study of the area surrounding  
90 the proposed intersections of Pump Road, Church Road, and John Rolfe Parkway.

91

92 The purpose of this study is to encourage unified, cohesive, and complementary development for  
93 this area. The study area is comprised mostly of large undeveloped or underdeveloped parcels in  
94 the vicinity of the current Church/Pump Road intersection.

95 Recommended Land Uses on parcels outside the Study Area will not change. So the 2010 Plan will  
96 still be in place outside of this study area.

97 A demographic profile of the Church/Pump area was developed for a one-mile radius around the  
98 intersection. Within this one-mile radius there are 7,558 households. The profile indicated the area  
99 was above average in both income and housing value. The average sales price for new and  
100 existing units in the County for 2001 and 2002 was approximately \$163,500, whereas it was  
101 approximately \$193,500 for this area during the same time period.

102 This area is also well above the average in the category of median household income. According to  
103 the 2000 Census the median household income for the County as a whole was \$49,185, while the  
104 Church/Pump area had a median household income of \$78,100. This data seems to indicate this  
105 area has the resources to support localized neighborhood businesses and create demand for  
106 additional housing. There is not a wide variety of zoning classifications within the Study Area. It is  
107 comprised mostly of parcels zoned A-1, Agricultural District

108 Several businesses are located on the corners of the existing intersection. Thompson's Market is on  
109 the southeast corner along with an Ireland Cleaners and a vegetable stand. A mulch business  
110 occupies the northeast corner. In the northwest quadrant there are two convenience stores, a  
111 millwork shop, and a daycare center. A car wash will soon join the businesses in this quadrant as  
112 well.

113

114 The remainder of the study area is primarily undeveloped land zoned A-1, Agricultural District, with  
115 the exception of a few residential subdivisions.

116 The study area is served by water and sewer infrastructure with adequate capacity to handle future  
117 development. The road network in the study area will change significantly with the construction of  
118 John Rolfe Parkway. Currently, the intersection is comprised of a pair of two lane roads with left  
119 turn lanes at the traffic signal.

120 Church Road's alignment will not be changed. It will only be widened to accommodate additional  
121 lanes. Sections of the existing road will be abandoned. I'm sure you have noted it in your study  
122 those roads are highlighted.

123

124 John Rolfe Pkwy will come in from the south and intersect with Pump Rd south of the current  
125 intersection.

126

127 John Rolfe Pkwy continues north past Pocahontas Middle School to W. Broad Street while Pump  
128 turns and follows its original alignment.

129

130 Pump Road will also be widened and realigned. The northern section of Pump Road will be  
131 relocated so it follows the border of the Summerwood subdivision. At the corner of the subdivision  
132 it will intersect with the new section of John Rolfe Parkway. The completion of John Rolfe Parkway  
133 and the widening of Pump Road and Church Road is treated as one project, but it will be  
134 constructed in phases.

135

136 Phase 1 will include the construction of John Rolfe Parkway between W. Broad Street and the point  
137 where Pump Road currently widens to a four lane divided road just north of Crowncrest Drive. Also  
138 included in Phase 1 is the widening of Church Road both east and west of the future John Rolfe  
139 Parkway/Pump Road intersection.

140

141 Phase 2 involves the construction of John Rolfe Parkway between Ridgefield Parkway and Pump  
142 Road south of the future intersection of Church Road and John Rolfe Parkway/Pump Road. Phase  
143 three completes the widening of Pump Road between Three Chopt Road and the new intersection  
144 of Pump Road and John Rolfe Parkway north of the future intersection of Church Road and John  
145 Rolfe Parkway/Pump Road. The vision for development around the future Church/Pump intersection  
146 is a unified, village concept. This includes a common architectural theme, uniform lighting, uniform  
147 signage, and enhanced landscaping.

148

149 The commercial uses desired for the village area would not only complement each other, but also  
150 enhance the surrounding neighborhoods by providing services within walking distance.

151

152 Potential neighborhood-oriented businesses could include banks, convenience stores, restaurants,  
153 retail shops, and professional offices.

154

155 Through the use of sidewalks, enhanced pedestrian crossings, and attractive landscaping, these  
156 businesses would be easily accessible to nearby residents, who would be able to walk to many of  
157 these facilities.

158

159 The goal is to create a neighborhood oriented commercial center. The Proposed Land Use Plan  
160 recommends a wide variety of land uses for the study area. This mix of uses assists in creating the  
161 village concept. The uses are arranged to buffer existing residential areas from the more intense  
162 land use designations.

163 This Plan maintains the Commercial Concentration classification for the existing businesses at the  
164 northwest corner of the Church/Pump intersection. Further west along the north side of Church  
165 Road is an area recommended for Office which transitions to an area of Suburban Residential.

166 The Open Space/Recreation (OS/R) uses to the northwest are remnants of land purchased by the  
167 County for construction of the John Rolfe Parkway.

168 Realignment of the Church/Pump intersection will displace the existing Thompson's Market. In this  
169 proposed plan, an area of Commercial Concentration on the southeast corner of the intersection  
170 would allow this business to be relocated (rezoning would be required for this to occur).  
171 Surrounding this is an area recommended for Urban Residential. This designation will allow the  
172 properties to develop as town homes, condominiums, or possibly age restricted assisted living  
173 facilities.

174 Staff believes the Proposed Plan provides a balance between high intensity uses and residential  
175 uses. This variety of land uses, combined with the design guidelines recommended in this study  
176 encourages a village scheme, which would compliment the surrounding community. To implement  
177 this plan's vision for the area, suggested guidelines have been developed. These guidelines will  
178 help ensure any new residential or commercial development in this area is developed in a manner  
179 consistent with existing development, while providing protection to the surrounding residential  
180 areas.

181

182 The guidelines include general concepts and recommendations oriented toward pedestrian travel,  
183 architecture, site design, open space, and residential design. It is the recommendation of Staff the  
184 Planning Commission schedule a public hearing for consideration to amend the 2010 Land Use Plan

185 to include the recommendations of the Church/Pump area study, and designate the study area as a  
186 Special Strategy Area (SSA). As you are aware, Special Strategy Areas, or SSA as we normally  
187 called them, are utilized in areas where detailed attention is important to its future development.  
188 These actions would provide a mechanism for implementing the land use plan and guidelines for  
189 the Church/Pump study area.

190

191 The date that you see in front of you, on this slide (referring to slide) is suggested to be October  
192 9<sup>th</sup>. Mr. Silber, Mr. Marlles and I discussed this and October 9<sup>th</sup> may be a little aggressive because  
193 we still have to finalize some paperwork for the plan amendment. So, you may want to possibly  
194 consider October 22<sup>nd</sup>, which would be, of course, your day time Plan of Development Meeting. I  
195 would note one concern that occurred to me after Mr. Silber and I discussed this a few moments  
196 ago and that is there has been quite a bit of citizen interest in this project and you may not want to  
197 hold your public hearing on this amendment because of the considerable public interest. You  
198 possibly may want to consider it to another meeting to encourage participation. We have had, as I  
199 said, a lot of interest through the website, we have received phone calls, and comments. The John  
200 Rolfe Parkway in that area generating quite a bit of interest. So far this has gone fairly smoothly  
201 and I don't think we would want to abruptly eliminate citizens from the process. I'll leave that up  
202 to you.

203

204 If you have any questions or comments I'll be happy to try and answer them.

205

206 Mr. Jernigan - Are there any questions for Mr. Emerson?

207 Mr. Glover - I have three questions. What happens to the variables? I know that John Rolfe  
208 Parkway goes by variable. There was some discussion way back on the present Planning  
209 Commission. They participated in some of these discussions. What happens to Judge \_\_\_\_\_  
210 comment at that time? Do you have those comments on hand? Does it impact them? What  
211 happens to Montana, which is on the southwest, what happens to the Convenience Store? I think  
212 that is about it. I remember those discussions; they were pretty heated by the way.

213

214 Mr. Emerson - Yes, sir. I understand. I do have an historical file. It is in my office, I don't have  
215 it here. I am aware of the Judges concerns. The Judge I am familiar is at Lake  
216 \_\_\_\_\_. His property is impacted somewhat by the road passing it, but I  
217 don't believe that he is losing his property.

218

219 Mr. Glover - What was the lady's name that set up the website?

220

221 Mr. Taylor - Ann \_\_\_\_\_.

222

223 Mr. Emerson - Yes, sir.

224

225 Mr. Glover - Have they looked at this?

226

227 Mr. Emerson - Yes, sir, they have. Ms. \_\_\_\_\_ is present at the meeting at Godwin. I spoke to

228 her specifically and went over this with her and we have not heard from her since. I'm not sure...

229

230 Mr. Taylor - Maybe I can help a little bit because I have stayed in constant contact with both of

231 them do to the process and share with both Ann \_\_\_\_\_ and Judge \_\_\_\_\_ as we went

232 along what was going on and they are both very satisfied.

233

234 Mr. Glover - I would like to, I think probably it would be to our advantage to hear what they

235 say. The fact that you shared with them coming to the Public Meeting is where they are going to

236 share what they say. You've shared what you thought. But they are very adamant about this

237 particular Land Use Study and I'm sure you've paid particular attention to it. The two Convenience

238 Stores...

239

240 Mr. Emerson - The two Convenience Stores will remain. There access is altered, but they do

241 remain.

242

243 Mr. Glover - Do they have access off of (unintelligible) Broad Street?

244

245 Mr. Emerson - They have ingress/egress. They have a, I believe, just a right in off of Church

246 Road. You can see on the map (referring to slide), Mr. Silber is standing next to, you might want

247 point it out where their ingress/egress are altered, and they will still be in existence. Thompson

248 Market is dislocated, it essentially ends up underneath the intersection and the existing Mulch

249 Business as well is essentially underneath the intersection.

250

251 Mr. Glover - They were going to make sure that the two convenience stores came off of, across

252 the street, down Dromrock Parkway and come right there, that is where you come into those

253 convenience stores. Is that correct?

254

255 Mr. Silber - Yes, sir. Right now Pump Road comes down like this...

256

257 Mr. Glover - I know it.  
258  
259 Mr. Silber - That would change but will still be an access that comes in like this (referring to  
260 slide) to serve this community.  
261  
262 Mr. Glover - Yes.  
263  
264 Mr. Silber - We know (unintelligible).  
265  
266 Mr. Glover - Is that Barrington?  
267  
268 Mr. Silber - No, Barrington is setting right here.  
269  
270 Mr. Glover - I'm sorry. I'm turned around a little bit.  
271  
272 Mr. Silber - Barrington is over here.  
273  
274 Mr. Emerson - Barrington is over there.  
275  
276 Mr. Silber - So access to these two sites would be either at this point (referring to slide) or  
277 (unintelligible).  
278  
279 Mr. Glover - Yes, but you would have two there, two, I remember very distantly what  
280 happened during the plan of development in that...  
281  
282 Mr. Emerson - What...  
283  
284 Mr. Glover - That service station sets on. Where would that service station have any  
285 ingress/egress?  
286  
287 Mr. Silber - They have, Mr. Glover, two locations. This would be access to the driveway  
288 system right here (referring to slide), serve the car wash that is under construction, the Amoco  
289 Station here, (unintelligible).  
290  
291 Mr. Glover - Is that what that is right there?  
292



293 Mr. Silber - Yes, sir. In addition they would have access, Luckys would have access here  
294 (referring to slide) and Amoco here (referring to slide).

295

296 Mr. Glover - In other words they already have access off of Church and off of John Rolfe.

297

298 Mr. Silber - Yes, sir.

299

300 Mr. Glover - In other words they are going to have access off of Church Road and off of John  
301 Rolfe.

302

303 Mr. Silber - Yes, sir.

304

305 Mr. Glover - That is what they were talking about, bringing the (unintelligible) into John Rolfe,  
306 running for a certain length of time and then veering off....

307

308 Montana, they are not going to have a restaurant there.

309

310 Mr. Emerson - The Plan of Development approved this. Nothing has happened with this.

311

312 Mr. Glover - Montana should be done being built.

313

314 Mr. Emerson - I have seen the information in the file on it.

315

316 Mr. Glover - That is one of the most intricate form of the intersection that I think I have ever  
317 dealt with. To keep from (unintelligible), you pretty much just taken here each of those businesses  
318 except for Thompson.

319

320 Mr. Silber - Thompson is right here (referring to slide).

321

322 Mr. Glover - Thompson is going to end up reaping the benefit of an (unintelligible).

323

324 Mr. Silber - Well...

325

326 Mr. Glover - If there is such a thing.

327

328 Mr. Emerson - This property will be applied in due process. I have been in contact with Mr.  
329 Thompson, he has indicated that he was going to come tonight. He is very familiar with the plan.  
330 He is very comfortable with it? He is the primary property owner there.

331

332 Mr. Glover - I call it Montana.

333

334 Mr. Emerson - Yes, sir.

335

336 Mr. Glover - Does he lose that?

337

338 Mr. Emerson - It probably in cringes on that site. But his plan right now fits in with what we  
339 have. He hasn't totally shared with me his development plans. I do know he has told me that, the  
340 other residential portions he is probably going to turn over to his sons to development. He is  
341 working with, at this point I know, (unintelligible), spoken with Andy Condlin about...as well as Mr.  
342 Thompson and they want to do an overall plan of the commercial concentration. He actually likes  
343 the concept and his question to me was when are we going to get this done so I can move forward  
344 with my plans.

345

346 Mr. Glover - What happens to Barrington, anything?

347

348 Mr. Emerson - Barrington is outside of the study area. They will probably, they are going to have  
349 essentially the same traffic, maybe a little bit more coming by, but they are relatively very...

350

351 Mr. Glover - Traffic is closer to them now.

352

353 Mr. Emerson - Yes, sir.

354

355 Mr. Glover - What are they going to do with the sound barrier?

356

357 Mr. Emerson - That would be a question for Public Works. The plans are reviewed and I haven't  
358 seen any sound barrier for...

359

360 Mr. Taylor - They have been doing in there, like a little bit. Some of the neighbors as they  
361 were, Public Works was putting in some of the drainage, they worked with Public Works to provide  
362 buffers, setbacks and (unintelligible). The people are on that side are highly (unintelligible).

363

364 Mr. Glover - Don't count on it. That is if you have (unintelligible), but...  
365  
366 Mr. Taylor - I hadn't come up with that.  
367  
368 Mr. Glover - Another thing, I'm wondering what Judge \_\_\_\_\_ is going to do...  
369  
370 Mr. Emerson - We haven't heard directly from the Judge. I asked Ms. \_\_\_\_\_ at the Godwin, but  
371 other than that we haven't had any direct comment. Ms. \_\_\_\_\_ listened to everything we had to  
372 say, but didn't necessarily concur or disagree.  
373  
374 Mr. Glover - Did you ever ask either one of them is this okay? Have you asked point blank, is  
375 this okay?  
376  
377 Mr. Emerson - I asked Ms. \_\_\_\_\_ what her feelings were on the plan and her comment was  
378 this totally committable, as I recall. But she didn't voice a large amount of displeasure, she did  
379 have some concern about the residential that backs up to \_\_\_\_\_, and how that would be  
380 going through. I explained to her that our recommendation included a substantial buffer for the  
381 residential and how that would work and she seems to understand that and seem reasonably  
382 comfortable with it.  
383  
384 Mr. Glover - Very interesting in a (unintelligible), I can tell you that.  
385  
386 Mr. Emerson - I know that is a district.  
387  
388 Mr. Glover - It has been there ever since Moby Dick. I think they gave birth to Moby Dick right  
389 there I'm not sure. Alright, that is all I wanted to know.  
390  
391 Mr. Jernigan - Are there any more questions for Mr. Emerson? Thank you. I think I'd probably  
392 (unintelligible) with Mr. Emerson. Someone needs to make a motion to have a public hearing on  
393 November 13, 2003.  
394  
395 Mr. Taylor - Do we want to address the time of day too?  
396  
397 Mr. Vanarsdall - November 13<sup>th</sup>?  
398  
399 Mr. Marlles - The Public Hearing would be held in the Board Room.

400

401 Mr. Glover - ...consensus.

402

403 Mr. Jernigan - That way it keeps you out of trouble, Ray.

404

405 Mr. Silber - That would first on the agenda.

406

407 Mr. Jernigan - Yes. Well we will say 6:30. I would think that would be better not knowing what  
408 our caseload will be. Has the at 6:30 and carry on with the regular meeting at 7:00. What do you  
409 think?

410

411 Mr. Glover - How many cases? I know you have 7 new cases for October. How many deferrals  
412 are you going to have for the night already?

413

414 Mr. Jernigan - Nine.

415

416 Mr. Glover - Nine and seven are 16. I would recommend that you have a special night to have  
417 this because it really only pertains to a certain few area out there and you can have it, advertise it  
418 for say, do it the third Thursday and have a public meeting that night to cover only this...

419

420 Mr. Jernigan - I think the deferred cases...

421

422 Mr. Glover - We did it several times back when...

423

424 Mr. Taylor - Is it possible that we could have a meeting at some place like....on a separate  
425 night, separate meeting.

426

427 Mr. Silber - Well, I think the Commission is going to hold a Public Hearing on this I think it  
428 should be here.

429

430 Mr. Glover - Informational meeting is good.

431

432 Mr. Taylor - Would it be reasonable to have it in the Board Room on a different night? I'm for  
433 that.

434

435 Mr. Silber - I guess that is the question. Do you want it on a separate night or do you want it  
436 on an established night? If you do it on a separate night that is no problem. We can advertise it  
437 separately. It is probably a good idea simply because we have such a large number of deferrals  
438 which are going to be carried on from month to month.

439

440 Mr. Taylor - I agree with Mr. Glover. Have it on a separate night.

441

442 Mr. Jernigan - Advertise it for the third Thursday?

443

444 Mr. Marlles - I think what we will have to do, we have our calendar with us.

445

446 Mr. Silber - Let me, this is a good time to discuss this. With October being the next zoning  
447 meeting you have 7 new cases, only 5 of those going forward, 2 have problems and are being  
448 pulled off. So 5 new cases and with the old deferral and with the additional 6 deferrals we have 12  
449 cases for October zoning cases. That is not to bad. November we don't know about because we  
450 haven't had the cut off yet, so that is still up in the air. We know there is about 3 or 4 cases that  
451 have been deferred to November already, but we don't know how many November is going to be.  
452 We want to establish this meeting for the Church/Pump Public Hearing and I can give you some  
453 comparable dates. We want to keep it, Joe you are thinking about an ordinance to get staff, in  
454 order to get this prepared we need to probably do it in November.

455

456 Mr. Emerson - Yes.

457

458 Mr. Silber - We could do maybe the first week in November, November 4<sup>th</sup>, Election Day.

459

460 Mr. Glover - Yes.

461

462 Mr. Silber - I don't think we want to do it on Election Day.

463

464 Ms. Ware - Tuesday, the 4<sup>th</sup>.

465

466 Mr. Archer - Thursday would be the 6<sup>th</sup>.

467

468 Mr. Jernigan - You don't have to do it on a Thursday, you can do it on a Wednesday.

469

470 Mr. Silber - That is true. The first week of November, you can do it...

471

472 Mr. Glover - Do it on the first Wednesday for this reason, then it gives you the opportunity to  
473 advertise if for a Public Hearing to the Board on the very next Board Meeting.

474

475 Mr. Silber - We will probably need a work session first.

476

477 Mr. Glover - That is right.

478

479 Mr. Vanarsdall - The Board Meeting this time is not on the 11<sup>th</sup>.

480

481 Ms. Ware - That is Veteran's Day.

482

483 Mr. Vanarsdall - You are right.

484

485 Mr. Jernigan - November the 5<sup>th</sup> is a Wednesday. Does that complicate anybody?

486

487 Mr. Silber - Sounds like a good time.

488

489 Mr. Taylor - Same time, 7:00?

490

491 Mr. Silber - Yes, 7:00.

492

493 Mr. Silber - Wednesday, November 5<sup>th</sup>.

494

495 Mr. Glover - Do you have anyone in particular that you need to notify?

496

497 Mr. Emerson - We have a notification area and I need to go over that and we included, we have  
498 the study area and then normally as you know you just notify the people in that area, adjacent  
499 area. Based on the interest of this case we designed a notification area and we are notifying an  
500 excess of 400 people.

501

502 Mr. Glover - Good.

503

504 Mr. Emerson - We are trying to get the word out.

505

506 Mr. Glover - Well, I can tell you if you this on the first regular meeting this thing would last  
507 forever.

508

509 Mr. Jernigan - I'm not that familiar with...

510

511 Mr. Glover - I am.

512

513 Mr. Jernigan - Well, that could run for an hour or 2 hours.

514

515 Mr. Glover - An hour or two.

516

517 Mr. Silber - Now with this meeting we do have an option tonight if deferrals come up we can  
518 defer some to this meeting.

519

520 Mr. Glover - If you hear a case and want to defer it to this meeting, you can do it. This could  
521 help you get through your backlog of cases. We did this back in the 80s several times and it got us  
522 out of a jam.

523

524 Mr. Taylor - Mr. Glover, would you have the Pump/Church meeting first and then the regular  
525 meeting after that?

526

527 Mr. Glover - Yes.

528

529 Mr. Silber - I don't have a problem with that.

530

531 Mr. Jernigan - But you know that meeting could go 2 to 3 hours, are you sure we want to several  
532 any zoning cases because...

533

534 Mr. Taylor - I really don't think that. From looking at some of the last couple of meetings that  
535 we had at school, the number of people who came. I judged that a lot of people are satisfied.  
536 There may be a couple of people who are really...and I haven't heard from them.

537

538 Mr. Marlles - This is probably a good time to transition...since you are already talking about it. I  
539 did want to ask the Chairman if I could follow up on a letter we sent to the Commission early  
540 September. Basically what we are trying to do is suggest the Commission some options for  
541 shortening the length of the Planning Commission Meetings and I think because this is such an

542 unusual situation and with the large number of deferrals that we have, we need to kind of  
543 collectively think on what can we do so we won't have these long extended meetings. I think you  
544 have heard the option that we now have another meeting scheduled that some of these deferrals  
545 could possibly be scheduled, some of the other options are you as the Planning Commission  
546 Members when we defer a case you don't only have to defer for 30 days, in fact some of these  
547 cases. One of the problems we have quite honestly is some of these cases are just not ready and  
548 30 days may not be enough time to get them ready. I think what you are going to hear from staff  
549 is maybe a little bit more direction in terms of whether a case should be deferred for 30 days or 60  
550 days or maybe even further. That is an option.

551

552 Mr. Glover - I think the Commission needs to know that when you defer a case who ultimately  
553 makes that deferral. Who? Each of these deferrals cost the developer or the builder or who ever it  
554 is, it could cost, especially if you go 60 days, it could cost the entire building season. I don't mean  
555 to interrupt you there, but I do want to interrupt you. I know that we deferred over 50% of the  
556 cases that has come before the Planning Commission over the last 12 months and what that said  
557 was that the staff is not having the time to prepare that case, not you as a Planning Commission,  
558 not having the time to review the cases, but staff is being put in a, in my opinion and I think other  
559 peoples opinion, staff is doing a very good job. But how do you do 25 cases, how do you cover  
560 25? How does senior staff mentor a junior staff member when he as got 25 cases to review?

561

562 Ms. Ware - From another viewpoint that is sometimes due to the developer, the applicant isn't  
563 getting us the information on a timely basis so that we can process the case.

564

565 Mr. Glover - Absolutely. I don't disagree with you, but overall the majority of time is because  
566 that staff member is overloaded. I want to tell you our Planning Department, they do a much  
567 better job then we realize because you have junior staff members that are presenting cases that  
568 haven't been in the past and I understand there is going to be some changes because they need to  
569 be mentored, they need to be taught. You don't just walk into Henrico and learn our system  
570 overnight. That is not a criticism; it's an observation on several people's part. Any time the  
571 developer, if that is the reason, then we need to say to the developer you better get yourself on  
572 the stick and get the information in here or we are going to defer you 60 days. We are not going  
573 to put staff in that position. I tell you what Mr. \_\_\_\_\_ use to be pretty good at that.  
574 I learned a lot from Steve \_\_\_\_\_ in his approach to keep the zoning cases on, and Mary  
575 Wade didn't do a bad job either. It was back in the mid 80s that I remember, that is when I was  
576 on the Planning Commission so I set there and just watched. We need to give staff a little time to



577 get prepared, we need to not defer as many cases because we do cost the subdivision, and we are  
578 costing the homebuyer a lot.

579

580 Mr. Jernigan - Another thing we had discussed was these proffers flying in here at last minute.  
581 That is another thing we are going to change, filing deadline, from 6 weeks to 8 weeks.

582

583 Mr. Marlles - These are suggestions for the Commission to consider. We certainly want to hear  
584 your input too. The other things I would suggest the Commission is I know that we have a very  
585 short period of time tonight to talk about these things. If you like we can certainly set up a work  
586 session to talk about these suggestions or your ideas for some of these issues. In fact, Randy and  
587 I when we were coming and our suggestion was we would like to spend some more time looking at  
588 these issues and we can have a work session and just focus on these issues.

589

590 Mr. Vanarsdall - I suggested that before.

591

592 Mr. Marlles - You sure have.

593

594 Ms. Ware - I think this (unintelligible)

595

596 Mr. Glover - I think you do too Lisa and I think the reason they send me down, the Board  
597 Member down, you all can tell me if you think its different, but I draw a \$1,000 a month to come in  
598 and set the session with you all. You need you opinion of what a Board Member is suppose to do  
599 (unintelligible).

600

601 Mr. Jernigan - I would think that you set on the Commission Meeting that you are going sort the  
602 information and pass it along to the others.

603

604 Mr. Glover - I would not dare tell you how to do it. I can make observations based on 20 years  
605 of experience. If you don't want to take it that is up to you. I'm not going to tell you how to do it,  
606 but I've made some observations that approximately 50 to 60% of the cases are deferred. That I  
607 think would be something to work and improve in helping your staff. Well, I think deferrals might  
608 be made lightly, taken to lightly, you know if you don't give me the information to heck with it I will  
609 defer it. Maybe you want to start taking a charge at your developer, say look you didn't get the  
610 information in so I'm going to defer it 60 days and I will tell you if you tell them that they learn very  
611 quickly. But again I just make an observation, I think that is what that \$1,000 a month is for and if  
612 I didn't make an observation and say something I don't think I would be doing my job, would you?

613 I'm not just here to be a pretty face and I certainly would miss out if I was. Anyway, you all do a  
614 great job.

615

616 Mr. Vanarsdall - Randy Silber could tell you that at one time it was almost unheard of for somebody  
617 to have to waive the time limit on the proffers. They started coming back in little by little...

618

619 Mr. Glover - That is because people shop for (unintelligible). When they find out they can shop  
620 they will shop. If you start saying I'm not going to accept any proffers (unintelligible) that is called  
621 shopping.

622

623 Mr. Archer - Do you recall about 3 maybe 4 years ago we started to crack down on proffers  
624 coming in late and then it sort of looked like the developer community (unintelligible)...I guess that  
625 is why you have rules, but once they start breaking rules then there are a lot of things that catch  
626 on. But the other thing that I will do, most of you that have been here for awhile know that up  
627 until, well at least up until the time we started to do the expedited agenda we had many nights that  
628 it was unusual leaving before 11 or 12 o'clock. Up until last night I hadn't noticed that we've had to  
629 many nights that we've been that long, recently we haven't. But I remember the first night I set on  
630 the Board, January 11, 1996, it snowed, the street were terrible, my wife called me on the car  
631 phone at 20 minutes past 1, I was on the way home. She thought something had happened to  
632 me. But we can't find out during that period of time, that was the norm. You got use to it and the  
633 expedited agenda, for one thing, made the development community come a little more cleaner in  
634 the way that they presented the cases to us because they liked to be on that. The only way you  
635 can get there is everything has got to be ready to go. So I suggested, most of the time they  
636 (unintelligible). I remember we had (unintelligible) those proffers coming in at last minute and it  
637 worked for a good while and then they sort of drifted away from it and I believe that is where we  
638 find ourselves now, you know if reference to the time. But if we are going to have a session to  
639 discuss all of this I just...

640

641 Mr. Marles - If sounds like (unintelligible) you could have that work session after the POD  
642 meeting. We'll check. But I will also tell you that we have come up with some additional ideas  
643 since we sent that letter out. We definitely (unintelligible), the Commission Members have as well.  
644 That will give us a little bit more time to spend on issues and talk about, but that is our suggestion.

645

646 Mr. Jernigan - Well, Mr. Glover let me ask you this, Church Road you think that is going to be a  
647 pretty hot issue.

648

649 Mr. Glover - Well, I don't know. He is saying differently and they may be working this out, Joe  
650 will probably be able to tell you better, but I just know that Ann \_\_\_\_\_, Judge \_\_\_\_\_ and Al  
651 Taylor were very adamant at the last Public Hearing. Al Taylor was one of the ones that came  
652 forward; as a matter of fact he is setting on the Planning Commission because of his efforts in that  
653 area. He did a great job and so did the others. But I don't know what it's going to be. Joe can  
654 you give us a reading on what you think?

655

656 Mr. Emerson - Well, I know based on the historical information in our file that you saved was  
657 somewhat contentious. At the Public Meeting we had at Godwin I actually, based on my research,  
658 I was expecting much more of a crowd and we didn't get, we had roughly 50 or 60 people. I was  
659 expecting quite a bit more than that.

660

661 Mr. Glover - We were threatened a lawsuit the last time.

662

663 Mr. Jernigan - Well, I think...

664

665 Mr. Glover - Judge \_\_\_\_\_ threatened a lawsuit last time and I don't want to be sued.

666

667 Mr. Jernigan - If are going to defer this case to November 5<sup>th</sup> why don't we have this Public  
668 Hearing for the Church Road at 6:00 and have our regular meeting at 7:00 the following week.

669

670 Mr. Glover - Al, is that okay with your people?

671

672 Mr. Taylor - 6:00 on Wednesday.

673

674 Mr. Jernigan - On November 5<sup>th</sup>. Because if the meeting does draw long I don't want to start at  
675 7 and have an hour and a half or two hours on the Church Road and then go to the zoning. I  
676 would rather start at 6 and if it runs a hour and a half we are only 30 minutes past the regular  
677 zoning.

678

679 Mr. Taylor - How about 5:30?

680

681 Mr. Jernigan - No.

682

683 Ms. Ware - No.

684

685 Mr. Jernigan - A lot of people can't get here then. I think 6...if we start at 6 and it goes a hour  
686 and 15 minutes, we're only...

687

688 Mr. Taylor - Okay, I think 6 is fine.

689

690 Mr. Glover – All right. Yes. I'll tell you all something else I would like for you to think about  
691 between now and the discussion here. There are 4 areas to be concerned about: (1) the amount  
692 of time that you the Planning Commission has to review 25 or 15 or 10 cases; (2) the amount of  
693 time that the staff has to review it and prepare your case and that is with this in mind, you've got  
694 to (unintelligible) planners that need mentoring, how much does your senior planners have to do  
695 that; (3) the next thing and its very important is my constituents don't, I don't know about yours,  
696 but I don't think mine like to stay here past 10:00/10:30 and I think we are doing an injustice by  
697 having so many cases that we have to stay here, keep that in mind when you are discussing these  
698 things and what you come up with I'm going to be gone after December, so...

699

700 Mr. Silber - You said you had 4 observations, Mr. Glover...

701

702 Mr. Vanarsdall - You don't plan on losing do you?

703

704 Mr. Silber - What is number 4?

705

706 Mr. Glover - Number 4 is the Planning Commission (unintelligible).

707

708 Mr. Jernigan - Is there any more discussion?

709

710 Mr. Taylor - No more discussion.

711

712 Mr. Marlles - One last quick thing, because of a prior engagement, Randy is going to be serving  
713 as Secretary tonight. I am going to be giving the presentation of the Loft Tower Amendment and  
714 then I'm going to leave so I will be setting out in the audience. But Randy will be setting in my  
715 spot.

716

717 Mr. Jernigan - Meeting is adjourned.

718 The Commission by consensus, set the date of November 5<sup>th</sup> @ 6:00 p.m. for the hearing regarding  
719 the Church/Pump Land use Study.

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730

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E. Ray Jernigan, C.P.C., Chairman

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John R. Marles, AICP, Secretary