

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico,  
2 Virginia, held in the Board Room of the County Administration Building, Parham and  
3 Hungary Spring Roads at 7:00 p.m. on July 12, 2001, Display Notice having been  
4 published in the Richmond Times-Dispatch on June 21, 2001 and June 28, 2001.

5  
6 Members Present: C. W. Archer, C.P.C., Chairperson, Fairfield  
7 Elizabeth G. Dwyer, C.P.C., Vice-Chairperson, Tuckahoe  
8 Ernest B. Vanarsdall, C.P.C., Brookland  
9 Allen J. Taylor, C.P.C., Three Chopt  
10 Eugene Jernigan, Varina  
11 David A. Kaechele, Board of Supervisors, Three Chopt  
12 Randall R. Silber, Acting Secretary, Assistant Director of  
13 Planning

14  
15 Others Present: Jo Ann Hunter, AICP, Acting Principal Planner  
16 Mark Bittner, County Planner  
17 Thomas M. W. Coleman, County Planner  
18 Lee Householder, County Planner  
19 Ann Cleary, Recording Secretary  
20 Tim Foster, Traffic Engineer, Public Works

21  
22 Mr. Archer - The Planning Commission will come to order. Is anyone  
23 present from the press? If you are and chose not to be recognized, we welcome you  
24 anyway. OK. With that, I will turn things over to Mr. Randy Silber, who is pinch-hitting  
25 tonight for Mr. Marlls, who is away on business. Mr. Secretary.

26  
27 Mr. Silber - Yes, sir, Mr. Chairman, thank you. Good evening. We do  
28 have a quorum tonight. The members of the Planning Commission are here and we can  
29 conduct business. The first item of business tonight would be consideration of  
30 withdrawals and deferrals, and I understand that we don't have any withdrawals and  
31 deferrals, unless something has come in at the last minute.

32  
33 Ms. Hunter - Not that I am aware of.

34  
35 Mr. Silber - OK. We can move to the next item, which would be  
36 Expedited Items. These are items on the agenda that have basically had all of the issues  
37 resolved and we are not aware of any opposition on these cases. The Planning  
38 Commission members have been briefed on these cases, and they can be acted on quickly  
39 by being on the Expedited Agenda. Should I call each of these independently?

40  
41 Ms. Hunter - Yes. The first case is Case C-16-01.

42  
43 **Deferred from April 12, 2001 Meeting**

44 **C-16-01 John G. "Chip" Dicks for HC One, L.P.:** Request to rezone from R-5C  
45 General Residence District (Conditional) to C-1 Conservation District, on part of Parcels  
46 162-A-31 and 38, containing 3.7202 acres, located on the south line of Gay Avenue

47 (3701 Gay Avenue) approximately 900 feet southwest of S. Laburnum Avenue and  
48 approximately 150 feet east of the northern terminus of Mulford Road. A conservation  
49 area is proposed. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units net  
50 density per acre. The site is also in the Airport Safety Overlay District.

51

52 Mr. Archer - Thank you, Mr. Secretary. Is anyone here in opposition to  
53 C-16-01? No opposition.

54

55 Mr. Silber - If there is no opposition, I don't think there is a need to  
56 hear from the applicant or the staff. So, if the Commission feels comfortable, they can  
57 take action on this case.

58

59 Mr. Archer - All right. I'm ready for a motion, sir.

60

61 Mr. Jernigan - Mr. Chairman, I would like to make a motion to approve  
62 Case C-16C-01. This case is to fulfill a proffer from the R-5C zoning case that was on  
63 December 12, 2000.

64

65 Mr. Vanarsdall - Second.

66

67 Mr. Archer - All right. We have a motion and a second. All in favor of  
68 the motion say aye. All opposed say no. The ayes have it. The motion carries. The vote  
69 was 5-0. Mr. Kaechele abstained from voting.

70

71 REASON: Acting on a motion by Mr. Jernigan, seconded by Mr. Vanarsdall, the  
72 Planning Commission voted 5-0 (one abstention) to recommend that the Board of  
73 Supervisors **grant** the request because it conforms to the recommendations of the Land  
74 Use Plan.

75

76 Mr. Silber - The next item that has been requested for expedited  
77 consideration is on your second page, C-41C-01.

78

79 **C-41C-01 Glenn Moore for Page Broad Street, L.C.:** Request to amend proffered  
80 conditions accepted with rezoning case C-26C-82, on Parcel 59-A-28, containing 12.71  
81 acres, located on the south line of W. Broad Street (U. S. Route 250) at West End Drive.  
82 The proposal would amend Proffer 6 related to providing a buffer on the eastern property  
83 line. The Land Use Plan recommends Commercial Concentration.

84

85 Mr. Archer - Is anyone here in opposition to C-41C-01? No opposition.

86

87 Mr. Silber - I guess if there is no opposition we are ready for a motion.

88

89 Mr. Taylor - Mr. Chairman, I move approval of Case C-41C-01, Glenn  
90 Moore for Page Broad Street, L.C.

91

92 Mr. Vanarsdall - Second.

93  
94 Mr. Archer - We have a motion by Mr. Taylor and a second by Mr.  
95 Vanarsdall. All in favor of the motion say aye. All opposed say no. The ayes have it.  
96 The case is approved. The vote was 5-0. Mr. Kaechele abstained from voting.

97  
98 REASON: Acting on a motion by Mr. Taylor, seconded by Mr. Vanarsdall, the Planning  
99 Commission voted 5-0 to recommend that the Board of Supervisors **grant** the request  
100 because the proffers continue to assure a quality form of development with maximum  
101 protection afforded the adjacent properties.

102  
103 Mr. Silber - OK. The next case that has been requested for expedited  
104 consideration is on Page 3, C-44C-01.

105  
106 **C-44C-01 James W. Theobald for Blanche N. Alvis and HHHunt Corporation:**  
107 Request to rezone from R-2AC and R-3C One Family Residence Districts (Conditional)  
108 and R-5AC General Residence District (Conditional) to R-2AC and R-3C One Family  
109 Residence Districts (Conditional) and R-5AC General Residence District (Conditional),  
110 part of Parcels 27-A-8, 9A, and 10, and part of Parcels 37-A-1, 2, 11, 12, and 13,  
111 containing 12.514 acres (R-2AC – 4.535; R-3C – 5.199; and R-5AC – 2.78 acres),  
112 located at the northwest intersection of Interstates 295 and 64. Continuation of the Twin  
113 Hickory Subdivision is proposed. The R-2A District allows a minimum lot size of 13,500  
114 square feet; the R-3 District allows a minimum lot size of 11,000 square feet; and the R-  
115 5A District allows a minimum lot size of 5,625 square feet. The Land Use Plan  
116 recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre, Light Industry,  
117 and Environmental Protection Area.

118  
119 Mr. Archer - Is there opposition to Case C-44C-01, HHHunt  
120 Corporation? No opposition. All right. Are you ready for a motion?

121  
122 Mr. Taylor - Mr. Chairman, I move approval of Case C-44C-01, James  
123 W. Theobald for Blanche N. Alvis and HHHunt Corporation.

124  
125 Mr. Vanarsdall - Second.

126  
127 Mr. Archer - We have a motion by Mr. Taylor seconded by Mr.  
128 Vanarsdall. All in favor of the motion let it be known by saying aye. Those opposed say  
129 no. The ayes have it. The motion carries. The vote was 5-0. Mr. Kaechele abstained  
130 from voting.

131  
132 REASON: Acting on a motion by Mr. Taylor, seconded by Mr. Vanarsdall, the  
133 Planning Commission voted 5-0 (one abstention) to recommend that the Board of  
134 Supervisors **grant** the request because it continues a similar level of single family  
135 residential zoning as currently exist in the area.

136

137 Mr. Silber - That concludes the items that we are aware of on the  
138 expedited agenda, but I can refer you back to the first page. We will hear the first case,  
139 that being C-37C-01.

140

141 **C-37C-01 Walter Monahan for the Dakota Group, Ltd.:** Request to conditionally  
142 rezone from A-1 Agricultural District to R-3C One Family Residence District  
143 (Conditional), Parcel 192-A-20, containing 8.254 acres, located on the west line of  
144 Midview Road approximately 70 feet south of Habersham Drive and on the north  
145 property line of Varina Station Subdivision. Single family residential development is  
146 proposed. The applicant proposes no more than twenty-two (22) lots. The Land Use  
147 Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre.

148

149 Mr. Archer - Is there opposition to C-37C-01? We do have opposition.  
150 All right. Mr. Householder.

151

152 Mr. Householder - Good evening. Mr. Chairman, the applicant has just  
153 informed me that they would like to defer this case, so I can either go ahead with my  
154 presentation or you can act on the deferral request.

155

156 Mr. Silber - I would think that if there has been a request for a deferral,  
157 unless there is opposition to this deferral, the Commission may want to act on that. Has  
158 the applicant indicated how long he is requesting the deferral for?

159

160 Mr. Householder - Thirty days.

161

162 Mr. Archer - All right. Is there anyone here in opposition to the  
163 deferment of this case for 30 days?

164

165 Mr. Vanarsdall - I would like to hear what the Commissioner says in the  
166 District.

167

168 Mr. Jernigan - Ms. Roberts, would you like to speak tonight or would you  
169 like to come back in 30-days?

170

171 Ms. Roberts - We will come back in 30 days.

172

173 Mr. Jernigan - Then, with that, I will recommend that we defer C-37C-01  
174 to August 9 by request of the applicant.

175

176 Mr. Taylor - Second.

177

178 Mr. Archer - All right. We have a motion by Mr. Jernigan and a second  
179 by Mr. Taylor to defer this case until the August 9<sup>th</sup> meeting at the applicant's request.  
180 All in favor of the motion say aye. Those opposed say no. The ayes have it. The deferral  
181 is granted. The vote was 5-0. Mr. Kaechele abstained.

182

183 Mr. Silber - The next case is C-38C-01.

184

185 **C-38C-01 Glenn Moore for J & L Associates:** Request to conditionally rezone  
186 from R-4 One Family Residence District to B-3C Business District (Conditional), Parcels  
187 81-11-E-6, 10 and 11 (West Broad Street Village Subdivision), containing 0.41 acre,  
188 located on the west line of Harrison Avenue approximately 200 feet south of Deep Run  
189 Avenue (Lot 6) and at the southeast intersection of Deep Run and Fountain Avenues  
190 (Lots 10 and 11). Automobile inventory storage and employee parking are proposed.  
191 The use will be controlled by zoning ordinance regulations and proffered conditions. The  
192 Land Use Plan recommends Urban Residential, 3.4 to 6.8.

193

194 Mr. Taylor - Is anyone here in opposition to C-38C-01, Glenn Moore for  
195 J & L Associates? No opposition. Mr. Bittner.

196

197 Mr. Bittner - Thank you, Mr. Chairman. This proposal is for an  
198 expansion of the West Broad Mitsubishi Honda Hyundai Automobile dealership, located  
199 at the intersection of West Broad Street and Emerywood Parkway. The proposed  
200 expansion is not consistent with the urban residential designation of the property, but it is  
201 consistent with an established pattern of expansion at this dealership. No new buildings  
202 are proposed at this time with this request, only expansion of the automobile storage area  
203 and construction of an employee parking lot. The employee parking lot would actually  
204 be physically separate from the main automobile dealership site, although the applicant is  
205 pursuing acquisition of the property between the two areas. The proffers submitted with  
206 this request are consistent with the proffers on previous expansion cases. These proffers  
207 are mostly acceptable, although staff has recommended safety measures for the employee  
208 parking lot be provided and a buffer be preserved adjacent to the nearest residents on  
209 Harrison. The Division of Police is specifically concerned with the safety of employees  
210 and vehicles in the employee parking lot, and with the safety of employees moving  
211 between the employee lot and the dealership. To address these issues, the applicant has  
212 submitted an additional proffer prohibiting overnight parking in the employee parking lot.  
213 You should have that in front of you. We have handed those out to you tonight. The  
214 applicant has also proffered that a gate will be built somewhere in the dealerships'  
215 fencing along Fountain Avenue. This would allow employees to get to the dealership  
216 without walking along West Broad Street. The proffer incorrectly states Harrison  
217 Avenue would be the gate location, but the applicant has corrected this mistake here  
218 tonight. I find these new proffers to be acceptable.

219

220 Staff has also expressed concern with the dealership expanding onto Lot 6, which on the  
221 aerial (referring to slide) would be this lot right here. We were concerned with the  
222 expansion of this property within close proximity to the nearest residents, which is just to  
223 the north of that lot. We had recommended that the applicant consider preserving 20 feet  
224 of Lot 6 as a buffer. The zoning ordinance would require a 35-foot transitional buffer  
225 along this border, and that could be reduced to as low as 19-feet, with proper buffering  
226 alternatives. The applicant has indicated that he will seek approval from the Planning  
227 Commission at the POD stage to reduce this buffer to 10 feet. Staff does not support  
228 reducing the buffer below the 19-foot minimum required by the ordinance. However,

229 because the Planning Commission must approve any buffer less than 19 feet in width, a  
230 proffer is not necessary in this situation.

231

232 In summary, the proposed zoning is not consistent with the urban residential designation  
233 of this property, but it is consistent with the established pattern of expansion. The revised  
234 proffers are also acceptable. Staff recommends approval of this application. I'd be  
235 happy to answer any questions you may have.

236

237 Mr. Archer - Thank you, Mr. Bittner. Are there any questions for Mr.  
238 Bittner from the Commission?

239

240 Ms. Dwyer - Mr. Bittner, I think I may have asked this when we had  
241 another expansion case, which wasn't too long ago, not related to this particular  
242 dealership, and because there are a lot of vacant lots in this area, so it may seem like a  
243 logical expansion area for this business on Broad, I just wonder if the Planning staff, or  
244 maybe Mr. Vanarsdall, can talk about what limits you see to commercial expansion in  
245 this area of Broad Street. Would it be Deep Run and Harrison possibly, or do we think  
246 that we may be considering additional commercial expansion, I guess it would be sort of  
247 north, northeast from West Broad Street to Fountain, as we go further west on Broad  
248 Street. It is just a general question about what does Planning staff and Mr. Vanarsdall  
249 think about that?

250

251 Mr. Bittner - Well, from staff's perspective, we expect that someday that  
252 entire block of Fountain Avenue south of Deep Run to become part of the dealership. I  
253 might be able to show you a little bit better on the site plan (referring to slide). This is  
254 Fountain Avenue here. This was the most recent expansion (referring to slide). It is a  
255 part of Fountain Avenue. This is a house (referring to slide), which a gentleman lives in,  
256 but he has a life estate given over to the automobile dealership, so someday the dealership  
257 will get it. When that happens, and if this rezoning were to be approved tonight, there  
258 would be one lot remaining, which is right here on Fountain (referring to slide), which  
259 the dealership is pursuing acquisition of. That is my understanding, and they can speak  
260 to that. They are having trouble locating all of the owners. It is in some sort of estate, I  
261 believe.

262

263 Mr. Taylor - What is on that lot now?

264

265 Mr. Bittner - Nothing. It is vacant.

266

267 Ms. Dwyer - At that point, they would, I think you said in the staff  
268 report, they would vacate Fountain Avenue.

269

270 Mr. Bittner - That is their intent and we would not object to that. Now,  
271 as far as Harrison, I asked the applicant if they had plans to expand further north on  
272 Harrison. At this point they do not, so they told me. That is why we suggested having a  
273 significant buffer next to a house, because we were anticipating that would become the  
274 limit of the dealership site, and that Harrison, which has three homes on it, I believe,

275 which are in pretty good shape and are lived in, as far as I know. We do not see Harrison  
276 as being in the same situation as Fountain.

277

278 Mr. Vanarsdall - I agree with that. I would like for Mr. Moore to address  
279 that, too.

280

281 Mr. Glenn Moore - Mr. Chairman, and members of the Commission, my name  
282 is Glenn Moore. I am an attorney and I am here on behalf of J & L Associates, the  
283 contract purchaser of this property, and the applicant in this case. We, of course, agree  
284 with the staff's recommendation and would ask that you recommend approval of the case  
285 subject to the proffered conditions to the Board. I will try to address, I don't want to go  
286 into a lot more detail about the case, as Mr. Bittner has already done a very good job with  
287 that. With respect to the questions that have been asked, regarding the buffer, Mr. Bittner  
288 explained it very well. If we want to go beneath 19 feet, with an 8-foot fence, that is up  
289 to the discretion of the Planning Commission, and you don't have to grant that approval.  
290 I would say that in other instances with respect to this dealership, we've been able to  
291 obtain reduced buffers. Maybe the situation would be different here. Maybe we would  
292 not. That is an issue that I think would probably be decided at the time of POD. I don't  
293 believe it needs to be decided as far as the zoning case.

294

295 Mr. Vanarsdall - I wanted you to address the part that Ms. Dwyer asked  
296 about.

297

298 Mr. Moore - About the expansion?

299

300 Mr. Vanarsdall - About Mr. Page's intentions to expand back in there,  
301 because you are the only one that really sees it.

302

303 Mr. Moore - Yes, sir, well, I think that what has occurred, basically, is  
304 property has become available that is either rental property, in the case of the 10C-01.  
305 That most recent expansion – two of those lots actually – he owned two of them, but the  
306 other two, there was a house there with rental property. It is deteriorating and wasn't  
307 going to remain as a viable residence in its current state. The two lots that we have are at  
308 the corner of Deep Run and Fountain, that we're trying to rezone for the employee's  
309 parking deck, and that is vacant land. That became available, and it seems it would make  
310 sense to try to integrate that into the dealership. With respect to the property on Harrison,  
311 there, I wouldn't say all of those houses are well maintained, but there is certainly one  
312 house, and it is the one immediately adjacent to this, I would say, that is an owner-  
313 occupied home, and it is in nice condition, and I would see no reason why that could not  
314 continue to, in its present status. So, my client really hasn't been actively, aggressively  
315 trying to acquire property there, but as it becomes available, and it would seem like it  
316 would be appropriate to integrate into the dealership, over the years, we've tried to take  
317 that opportunity.

318

319 Mr. Vanarsdall - Then he worked that out with the man right behind him, his  
320 name was Rockefeller, he worked out a lifetime...

321  
322 Mr. Moore - That was a challenge but we were able to do that.  
323  
324 Mr. Silber - Ms. Dwyer, if I can maybe elaborate on your question.  
325 You may have to kind of flip back and forth between the Land Use Plan map and the  
326 zoning map, but if you flip over to the Land Use Plan map, you will see that our Land  
327 Use Plan has become somewhat outdated. Some of the area shown is commercial arterial  
328 and commercial concentration. The zoning has expanded beyond that, even along the  
329 frontage of Fountain, even on the side of Deep Run. The concern the staff has had, and  
330 the approach we have taken is, we realize that the plan is somewhat outdated here, but  
331 with each request for rezoning, we do it on a case-by-case basis, there has been some  
332 logical progression back into the area on the other side of Fountain Avenue that we felt  
333 had been reasonable, as long as it is not impacting existing homes. And I think that this  
334 Lot 6 is the first time we've come against a situation where we think the buffer needs to  
335 be enhanced and protected, but incrementally, as these cases have come forward we have  
336 attempted to address the expansion of a viable business without trying to have a  
337 detrimental impact in the neighborhood. So, I really do believe, at this point in time, with  
338 the existing land that is out there that we do need to hold the line, as Mr. Bittner said, at  
339 Deep Run and Harrison.  
340  
341 Mr. Vanarsdall - Thank you, Mr. Silber.  
342  
343 Ms. Dwyer - So, what is the status then of the buffer between Lot 6 and  
344 the existing viable home?  
345  
346 Mr. Moore - It will be determined at the time of POD.  
347  
348 Ms. Dwyer - And what is required is 19 feet?  
349  
350 Mr. Moore - It is required to be 35; it can be reduced as low as 19, with  
351 an 8-foot fence. By right, the applicant can request an alternative type of buffer and you  
352 all have the right to accept that or not.  
353  
354 Mr. Vanarsdall - That is a 40-foot lot. That is all it is.  
355  
356 Mr. Moore - That's right. It is only a 40-foot lot and I really feel...  
357  
358 Mr. Vanarsdall - It looks like to me you would have plantings on this side  
359 next to the residence.  
360  
361 Mr. Moore - And I think you will see where we had other buffer  
362 reductions with respect to this dealership, and we have had some, particularly with  
363 respect to Mr. Dickerson's house, we have agreed to the 10-foot buffer with landscaping  
364 on the outside of the fence, and when I say landscaping, it has generally been pine trees  
365 or evergreens, but more than just some azalea bushes. They have been significant trees,

366 and we certainly would commit to do something like that, or I would expect that if we  
367 didn't do that, you wouldn't approve it.  
368  
369 Mr. Vanarsdall - OK.  
370  
371 Mr. Silber - Mr. Moore, I do have a question.  
372  
373 Mr. Vanarsdall - Oh, I wanted to ask you. You had a question about the  
374 gate.  
375  
376 Mr. Silber - That is just what I was going to bring up. The proffer that  
377 is now offered under Proffer #9 indicates a gate, as I understand what Mr. Bittner said,  
378 this gate would be on the opposite side of the road from the subject zoning case.  
379  
380 Mr. Moore - It would have to be. Yes, sir.  
381  
382 Mr. Silber - I am not sure if we have the legal ability to accept a  
383 proffered condition off-site.  
384  
385 Mr. Moore - Well, let me, the intent of this proffer is this. The police  
386 have expressed concern about employees, the safety of employees leaving the employee  
387 parking area that we would like to establish on two of these lots, the two lots on the  
388 corner of Deep Run and Fountain, and getting to and from the dealership. So as to avoid  
389 the need for them to go out to Broad Street and go around McDonalds and walk along  
390 Broad Street, all we are saying is that we will provide entrance through our other property  
391 that we already own. That just happens to be the place where we could do it.  
392  
393 Mr. Silber - Don't get me wrong. I support that concept and I would  
394 hope that you would provide a gate there. I just don't think that we have a legal  
395 mechanism to accept a proffer that is off-site even though you do own it. I would think if  
396 you could give the County a letter of intent...  
397  
398 Mr. Moore - I'd be happy to do that. I would say for the record right  
399 now that we will provide a means for the employees to get to and from the dealership  
400 property without having to go out and walk along Broad Street. I will state that for the  
401 record here, and I will confirm it with a letter to the Director of Planning between now  
402 and the Board meeting.  
403  
404 Mr. Silber - OK.  
405  
406 Mr. Vanarsdall - The logical place is that wooden fence, isn't it?  
407  
408 Mr. Moore - That probably is, although technically I guess it could be at  
409 the end of the street, but that is still a ...  
410  
411 Mr. Vanarsdall - Yes, it is.

412  
413 Mr. Archer - Are there further questions for Mr. Moore?  
414  
415 Mr. Vanarsdall - Are you ready for a motion?  
416  
417 Mr. Archer - Yes, sir, Mr. Vanarsdall.  
418  
419 Mr. Vanarsdall - I think No. 9, then we don't need to address that, do we,  
420 Mr. Bittner?  
421  
422 Mr. Bittner - We will probably have to address that before the Board and  
423 have it removed from the proffers, and then get the letter of intent. But, I think the case  
424 could still go forward.  
425  
426 Mr. Vanarsdall - You want to leave the proffer in?  
427  
428 Mr. Bittner - If the applicant is prepared to strike it tonight, I don't think  
429 it matters either way. We can take care of that between now and the Board.  
430  
431 Mr. Vanarsdall - All right. I move that Case C-38C-01 be recommended to  
432 the Board of Supervisors for approval.  
433  
434 Mr. Taylor - Second.  
435  
436 Mr. Archer - We have a motion by Mr. Vanarsdall and a second by Mr.  
437 Taylor. All in favor of the motion say aye. Those opposed to the motion say no. The  
438 ayes have it. The motion carries. The vote was 5-0. Mr. Kaechele abstained.  
439  
440 REASON: Acting on a motion by Mr. Vanarsdall, seconded by Mr. Taylor, the Planning  
441 Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors  
442 **grant** the request because it continues a form of zoning consistent with the area.  
443  
444 **C-40C-01 John J. Hanky III for the JJH Corporation:** Request to conditionally  
445 rezone from A-1 Agricultural District to RTHC Residential Townhouse District  
446 (Conditional), Parcels 32-A-15 and 16, containing 4.009 acres, located on the north line  
447 of Mountain Road approximately 780 feet east of the intersection of Woodman and  
448 Mountain Roads (on the east property line of the Mountain Laurel Subdivision), and the  
449 south line of Interstate 295 approximately 150 feet east of the Woodman Road  
450 Interchange. Residential townhouses are proposed. The applicant proposes no more than  
451 thirty-one (31) units. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units  
452 net density per acre.  
453  
454 Mr. Archer - Is there anyone here who is in opposition to C-40C-01? Is  
455 there anybody here not in opposition? Thank you. We will get to you. OK, Mr.  
456 Householder.  
457

458 Mr. Householder - The subject property consists of two long thin continuous  
459 parcels that front Mountain Road. The Mountain Laurel Townhouse Development  
460 borders this property to the west, and it is currently zoned a combination of R-5C and  
461 RTH. This project, the Mountain Laurel project right here, was completed in the late  
462 1990s and has a total of 141 units at a density of 8.4 units per acre. To the east of the site  
463 you have the Virginia Randolph School and to the north, as you can see, (referring to  
464 slide), 295 borders the tip of the property. Mountain Road is currently single-family  
465 residential and vacant property. The applicant has submitted this site plan, but it is not  
466 proffered and it shows townhouse units on a single street that was running up, with units  
467 facing the Virginia Randolph School. No stub streets were provided in the Mountain  
468 Laurel Townhouse Development, so there is no opportunity to connect to that  
469 development at this time. Therefore, access would be limited to Mountain Road. As you  
470 can see, the size and shape of the property does limit the potential for developmental  
471 options for different types of development on this property. Since the staff report, the  
472 applicant has addressed several concerns that were raised in the report and those were  
473 handed out to you today, and they were received on time for the proffer deadline.  
474 Proffers 4 through 12 are the ones that have been added. These proffers provide for a 20-  
475 foot landscape buffer along Mountain Road, a 20-foot buffer along the eastern property  
476 line adjacent to the Virginia Randolph School to provide for a 1,200 square foot  
477 minimum unit size. They say that the impervious cover will not exceed 40%, and they  
478 have also said that this northernmost portion of the property here (referring to slide) will  
479 be set aside as common area for the community. They have agreed to provide sidewalks,  
480 sound suppression between the units, and provide a residential scale of lighting.

481  
482 The 2010 Land Use Plan recommends urban residential for this property, and the  
483 applicant has also advised that proffers to reduce the density by one unit from 31 to 30,  
484 that would be built on this property, resulting in a density of 7.5 units per acre, which is  
485 slightly above the 6.8 called for by the Land Use Plan. But it is also lower than the  
486 Mountain Laurel Townhouses, which are 8.4. The staff feels that the applicant has  
487 proffered elements that would insure quality development on the site, and that the density  
488 is lower than the surrounding properties. Therefore, staff feels that the increase above the  
489 recommendations of the 2010 Plan is justified and staff recommends approval of the  
490 request. I would be glad to answer any questions that you might have.

491  
492 Mr. Archer - Thank you, Mr. Householder. Mr. Householder, there is  
493 quite a bit of opposition here tonight. Have you heard from the opposition and do we  
494 know what the opposition is?

495  
496 Mr. Householder - Personally I have not received a phone call with specific  
497 opposition. I heard today that there have been some rumors about unit size, and that it  
498 was going to be a very small unit, and that the quality of the project was going to be of  
499 not a very good quality in the neighborhood's opinion. That I have heard and the  
500 possibility of some drainage concerns, but those are the only two things that I know  
501 personally.

502

503 Mr. Archer - Mr. Secretary, I think what I would like to do, to expedite  
504 this as much as we can, I would like for Mr. Hanky to come forward for just a minute.

505  
506 Mr. Hanky - Good evening, Mr. Chairman, and members of the  
507 Commission. I am Jay Hanky. I am President of J. J. H. Corporation and I am the  
508 contract purchaser and the applicant. I had not really prepared to present the case. I just  
509 wanted to go along with Lee and, after talking with him prior to the meeting, we realized  
510 that staff was recommending approval. I just wanted to be available to answer any  
511 questions or concerns anyone had.

512  
513 Mr. Archer - Well, actually why I wanted you to come forward, I know  
514 you have not had an opportunity to meet, there is an association, I believe, in Mountain  
515 Laurel, is it not? Is Ms. Bell here? Hi, Mrs. Bell. Mr. Hanky and I discussed this  
516 yesterday, and, of course, I talked it over with Mr. Householder, also. There were several  
517 concerns that staff had with this plan and most of them have been addressed, but I think  
518 what the real problem here is the fact that neither side has had the opportunity to  
519 communicate with the other, and I really think that you all don't know too much about  
520 what this project is all about. My suggestion would be, Mr. Hanky, since we have so  
521 much opposition here, I want to ask Mrs. Bell if she would come forward and briefly tell  
522 us what it is that they are opposed to, but I really think you need to get together with  
523 them. We can defer this case and hear it when we know a little bit more about what the  
524 opposition is, and they will also get to know a little bit about what you plan to do. Mr.  
525 Householder indicated that there was some concern about the quality of the product, and  
526 we really don't know what that is at this point.

527  
528 Mr. Hanky - I guess, you know, when we asked Mr. Youngblood to  
529 prepare a preliminary plan for us, the criteria we gave him was to look at the adjacent  
530 units and some are set back from the road, and some are set back from the property lines,  
531 the size of the lots, the size of the units, the parking ratio. We asked him to model it after  
532 what was next door. That was our first reaction, that the project next door was a good  
533 one, with good maintenance and apparently good pride of ownership, and all we wanted  
534 to do was continue with what looked like a good thing. That is what we attempted to do  
535 with the proffer. I will apologize for not maybe doing a better job of communicating  
536 with the Association, even though I did have a chance to talk to Ms. Bell on the phone,  
537 and our intent is to try to model this project after what has been done next door and in  
538 every case meet or exceed what has been done there.

539  
540 Mr. Archer - Well, I think at this point, none of us, including the folks at  
541 Mountain Laurel, know enough tonight that we could make a decision that would be  
542 meaningful, and I would prefer that we let you defer this case until our August meeting.  
543 So, if Ms. Bell could give us just a couple of minutes telling us their major objections are,  
544 and then we would know how to approach it from a Commission standpoint. So, Mr.  
545 Hanky, would you allow her to come up for just a couple of minutes.

546  
547 Mr. Hanky - Sure. Absolutely.

548

549 Mr. Archer - And you can ask for a deferral and we will be willing to  
550 grant it. We will grant it if you are willing to ask for it.

551  
552 Ms. Bell - My name is Jan Bell and I am President of the Mountain  
553 Laurel Townhomes Association, and I have had an opportunity, I spoke to Mr. Hanky at  
554 length, and I did express to him some of the concerns. It would be nice if he could  
555 address our Board meeting and let other people ask. Again, I talked about the quality of  
556 the units for one thing; the drainage issue is a huge concern, because right now our  
557 property, mine is beside that property, and mine floods and all of the units that back up to  
558 it have flooding problems, which have never been fixed since they were built. The other  
559 thing is that right now the road noise from 295 is almost unbearable, and to take the last  
560 of those wooded areas, I think is going to make that worse. It is a natural habitat right  
561 now and I realize that Mrs. Leah can do anything with her property. There is no  
562 guarantee that that wonderful wooded area was going to stay there, but to take it all.  
563 What I am sure what everybody was hoping was that there were going to be some trees  
564 left, and I think that there is not. They are all going to go. It seems like an awfully small  
565 space for 30 townhomes. It just seems like, I can't see that it is going to enhance the  
566 property values, those of us that are there now, and those I think are the basic concerns.

567  
568 Mr. Archer - Well, that was all I wanted to hear, so we could get some  
569 idea what your concerns were and, Mr. Hanky, I think we need to defer it, and you will  
570 get an opportunity to meet with that Association, so they can hear some of the good  
571 things that you told me.

572  
573 Mr. Hanky - Yes, that is fine. I guess that would probably be the most  
574 appropriate thing, and hopefully we will have that opportunity. I think all of those issues  
575 that you brought up, you know, we will be able to address. I think we already have  
576 addressed them, and like I say, once again I apologize for not conveying that to the  
577 Association at large in a more timely way.

578  
579 Mr. Archer - Ms. Bell, I did want to say while you are there, we are not  
580 able to hold any prospective developer accountable for flooding problems that may have  
581 occurred in the past, and nobody can guarantee this, but there are instances where a  
582 neighboring development can sometimes alleviate flooding that already exist. Anyway,  
583 we will talk about that, or you all can talk about that when you get a chance.

584  
585 Mr. Hanky - It is a difficult site with respect to drainage and it is  
586 something that I will deal with, the whole area is flat and will require effort, but we are  
587 prepared to take care of whatever needs to be done on our site.

588  
589 Mr. Archer - Thank you sir, and I thank you all for coming out. With  
590 that, I will move for deferral to August? Is August OK?

591  
592 Mr. Hanky - As soon as possible.

593

594 Mr. Archer - We meet August 9. I will move for deferral at the request  
595 of the applicant to the August 9 meeting.

596  
597 Mr. Vanarsdall - Second.

598  
599 Mr. Archer - We have a motion by Archer and a second by  
600 Mr. Vanarsdall. All in favor of the motion say aye. Those opposed say no. The ayes have  
601 it. The deferral is granted. The vote was 5-0. Mr. Kaechele abstained.

602  
603 Mr. Silber - The next case was deferred from the June 14, 2001  
604 meeting.

605  
606 **Deferred from the June 14, 2001 Meeting:**

607 **C-33C-01 James W. Theobald for H. H. Hunt Corporation:** request to amend  
608 proffered conditions on a portion of the property rezoned under case C-18C-99, on  
609 Parcels 11-A-3 and 4, located on the east side of the northern terminus of Twin Hickory  
610 Lane. The site is part of the new Chappell Ridge at Wyndham Forest subdivision. The  
611 amendment seeks to delete the proffer addressing phasing of the development. The Land  
612 Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre,  
613 Urban Residential, 3.4 to 6.8 units net density per acre, and Environmental Protection  
614 Area.

615  
616 Mr. Archer - Is there opposition to Case C-33C-01? All right. Mr.  
617 Bittner.

618  
619 Mr. Bittner - Thank you, Mr. Archer. This proposal would amend a  
620 proffer limiting the new Chappell Ridge subdivision to a certain number of certificates of  
621 occupancy per year. The applicant originally proposed removing this proffer. He is now  
622 proposing that the yearly limit of COs be increased. The proffer is now limiting the COs  
623 to 50 or to a possible maximum of 65 if less than 50 were issued in the previous year.  
624 The applicant is proposing that the possible maximum be increased to 75 COs per year.  
625 The base limit of 50 would remain the same. Staff did not support the original request to  
626 remove this proffer. This condition was originally established so that traffic, schools and  
627 other public service impacts could be spread out over time and sufficient infrastructure  
628 could be provided. Increasing the possible maximum COs to 75 per year, however,  
629 would seem to have little impact on the phasing of development in Chappell Ridge.  
630 When the proffer was first established, the phasing time line was set to begin on  
631 September 1, 2000. The applicant was allowed to obtain 50 COs between that date and  
632 September 1, 2001; however, no COs have yet been issued in Chappell Ridge, and it  
633 appears unlikely that any will be issued before the September 1<sup>st</sup> cutoff. This means that  
634 come September 2, the applicant will be allowed to obtain the maximum 65 COs, or 75 as  
635 requested, and then the following year, which would end on September 1, 2002 another  
636 50 COs could then be obtained during the year after that, ending on September 1, 2003.  
637 At this point, the Chappell Ridge subdivision would be basically built out or fully  
638 developed. Also, in September 2003 a new elementary school is scheduled to open next  
639 to Chappell Ridge, and that school will be right here on this site (referring to slide). The

640 public school staff has said that this school is planned to accommodate all elementary  
641 school-aged children from Chappell Ridge. Increasing the maximum number of COs to  
642 75 would not appear to greatly accelerate the development prior to the 2003 opening of  
643 the new school. Also, the adjacent Wyndham Forest subdivision has never issued more  
644 than 47 COs in a year, so it is highly possible that the base limit of 50 COs per year  
645 would not be exceeded in Chappell Ridge. Because the potential impact of this request  
646 appears small, staff recommends that this application be approved. I'd be happy to  
647 answer any questions you may have.

648  
649 Mr. Archer - All right, thank you, sir. Are there questions for Mr.  
650 Bittner?

651  
652 Mr. Vanarsdall - So, with this 75 that was worked out, you now recommend  
653 approval?

654  
655 Mr. Bittner - Yes. I recommend approval.

656  
657 Mr. Vanarsdall - Thank you.

658  
659 Mr. Archer - All right. Anything further?

660  
661 Mr. Kaechele - That school was included in the Bond Issue, I believe,  
662 wasn't it?

663  
664 Mr. Bittner - I believe so. I am not certain.

665  
666 Mr. Kaechele - The time frame is 2003?

667  
668 Mr. Bittner - Yes, Fall of 2003 is the scheduled opening date for that  
669 school.

670  
671 Mr. Archer - All right. Mr. Taylor. Do you want to hear from the  
672 applicant?

673  
674 Mr. Taylor - No, I don't think we need to hear from the applicant, Mr.  
675 Chairman, but I do want to commend the staff on looking carefully at the semantics of  
676 this. When it first came up, it was realized in terms of what the limitation of 50 were, was  
677 to achieve, but as Mr. Bittner so eloquently indicated, right now with a new school  
678 coming on with Chappell Ridge, and with the – let's say the new math of reality. This is  
679 just an issue I think that we can go ahead and approve. So, I move approval of Case C-  
680 33C-01, James W. Theobald for H.H. Hunt Corporation.

681  
682 Ms. Dwyer - Second.

683

684 Mr. Archer - Motion by Mr. Taylor and seconded by Ms. Dwyer. All in  
685 favor of the motion say aye. All opposed say no. The ayes have it. The recommendation  
686 is granted. The vote was 5-0. Mr. Kaechele abstained.

687

688 REASON: Acting on a motion by Mr. Taylor, seconded by Mrs. Dwyer, the Planning  
689 Commission voted 5-0, (one abstention) to recommend that the Board of Supervisors  
690 **grant** the request because the changes do not greatly reduce the original intended purpose  
691 of the proffers.

692

693 **C-42C-01 Henry Wilton for River City Lifestyle, LLC:** Request to amend  
694 proffered conditions accepted with rezoning case C-12C-88, on Parcel 47-A-11A,  
695 containing 4.67 acres, located at the southwest intersection of Dominion Boulevard and  
696 Sadler Road. The proposed amendment is related to development of restaurant, retail,  
697 and office uses. The Land Use Plan recommends Commercial Concentration.

698

699 Mr. Archer - Is there anyone present in opposition to C-42C-01, Henry  
700 Wilton for River City Lifestyle, LLC? No opposition. All right. Mr. Coleman.

701

702 Mr. Coleman - The applicant has submitted revised proffers that do not  
703 require waiving the time limit. Mr. Householder is distributing now the changes are in  
704 bold italics. The applicant has requested to amend the proffers for C-12C-88. That case  
705 included very specific proffers guiding the development of Innsbrook Autoport Shopping  
706 Center. The portion of the original tract adjacent to West Broad Street has been  
707 developed. This proposal would permit the remaining 4.67 acres to be developed into a  
708 restaurant building with retail space and separate office building. This application also  
709 has extensive proffers that include the new proffered conceptual plan. The conceptual  
710 plan coordinates the boundary of this site with the autoport under shopping center  
711 guidelines. These guidelines include a 50-foot perimeter building setback, 25%  
712 maximum site coverage by buildings and sign limitations. The plan includes one  
713 building with a 19,950 square foot restaurant and 4,250 square feet of retail space, and a  
714 separate 14,200 square foot office building. The building will be primarily brick or  
715 dryvit and glass and the gross floor area will be limited to 50,000 square feet. Twenty-  
716 five foot wide tree-save areas are proposed around much of the perimeter of the property.  
717 Additional tree-save areas are proposed in the interior of the property along a portion of  
718 the western boundary adjacent to Bennett Funeral Home. The site is heavily wooded and  
719 trees greater than 5 inches in caliper in the tree-save areas will be preserved. The revised  
720 proffers addressed staff concerns and assure development of this site will be compatible  
721 with adjacent development in the area. The tree-save areas have been widened to 40-feet  
722 along the southern 150 feet of the western property line adjacent to the funeral home.  
723 The tree-save area in the interior will be at least .2 of an acre. The trash receptacles  
724 shown on the conceptual plan will be highly visible when entering this property from the  
725 autoport and will be fenced within an enclosure of the same material as the main  
726 building. The applicant has indicated that shared parking provisions will be used to  
727 reduce the number of parking spaces otherwise required for this project. The applicant  
728 has already contacted the Plan Review Division about the possibility of reducing the  
729 number of required spaces. However, no further information has been forwarded by the

730 applicant. The requested proffer amendment will result in development consistent with  
731 the surrounding area. The application is also consistent with the Land Use Plan and  
732 provides assurances of quality development of this site. With the revisions to the  
733 proffered conditions, staff recommends approval of this case. I would be happy to  
734 answer any questions.

735

736 Mr. Archer - Thank you, Mr. Coleman. Are there any questions from  
737 the Commission of Mr. Coleman?

738

739 Mr. Taylor - I have one for Mr. Coleman, and that is, do you have the  
740 elevations of this, or did the applicant provide elevation drawings?

741

742 Mr. Coleman - Elevations were not provided.

743

744 Mr. Taylor - OK. Is the applicant here? Would Mr. Wilton like to  
745 address this?

746

747 Mr. Wilton - Mr. Chairman and members of the Commission, my name  
748 is Henry Wilton and tonight I represent River City Lifestyle, LLC. We haven't finished  
749 the design of the building. We will come back for the POD hearing before this body. We  
750 will, obviously, bring you the elevations. The theme we are building off is basically a  
751 brick building, Colonial in scope, and this is the best rendering I can get you at this point.  
752 We are working with an architect on it at this time, and again I will bring it back at the  
753 time of POD review. Basically, I don't have the specifications on it yet, but basically a  
754 large two-story very Colonial. You will get a portico in the front, and basically very  
755 Colonial in nature. Actually, we pulled that from a magazine. I will get the color for  
756 you, but again, the type of architecture we are planning (referring to slide), with this type  
757 of look, and a large building, obviously, with 19,000 square feet, so we are not planning  
758 multiple buildings yet. We've got two buildings planned for the site and the other  
759 building would also be brick and be in line with exactly what we are planning here. This  
760 is basically the design for the larger, the 19,000 square feet.

761

762 Mr. Taylor - And on the plan view, is that circle a turnaround or  
763 approach?

764

765 Mr. Wilton - Yes, that is.

766

767 Mr. Taylor - To go against the two-story building?

768

769 Mr. Wilton - Yes, sir.

770

771 Mr. Taylor - Am I correct in reading the plan that the access from the  
772 autoport is, there is road access, or the site continues?

773

774 Mr. Wilton - Yes. There is an access into it from the autoport. There are  
775 other accesses. We also have two other accesses, one on Sadler Road, and one on  
776 Dominion Boulevard.  
777

778 Mr. Taylor - Now, the large dark area, well first off, there is a  
779 turnaround, is that a parking turnaround?  
780

781 Mr. Wilton - Well, we've got some parking outlined if people wanted to  
782 come in and are just going in for a minute to pick up some things, but basically for valet  
783 parking and so on. You've got parking around that, but basically a portico where you  
784 pull your car underneath that to get out, if it was raining and so on, and somebody could  
785 park your car. Buckhead's is basically the plan done in this building, so they will be  
786 relocating from their Henrico restaurant now and will continue to be a Henrico restaurant  
787 if we get the plan approved.  
788

789 Mr. Taylor - It looks from the plan view that it is an upscale project.  
790

791 Mr. Wilton - Yes, I think most people consider Buckhead's as being an  
792 up-scale restaurant, chophouse, that type of thing.  
793

794 Mr. Taylor - The dark areas are a continuation of the landscaping?  
795

796 Mr. Wilton - The dark areas are tree preservation. This is a heavily  
797 wooded site and all tree-preservation areas and all of them we have to keep the caliper  
798 tree of 5 inches and greater, where you see the dark areas.  
799

800 Mr. Kaechele - Do you have an estimate of the site coverage there or open  
801 space?  
802

803 Mr. Wilton - Well, it was a lot less than the last plan, but I do not.  
804

805 Mr. Kaechele - Excuse me. Is it consistent with the Innsbrook ratio of  
806 roughly 35 to 35% open space?  
807

808 Mr. Wilton - I really can't tell you, but I think it would conform to that,  
809 because we've got more tree preservation and that probably would be necessary in  
810 looking at the site.  
811

812 Mr. Kaechele - So, maybe we could calculate what the...  
813

814 Mr. Wilton - I will be happy to do that before it goes forward. I will ask  
815 our engineer to do that.  
816

817 Ms. Dwyer - Will the office be two stories, as well.  
818

819 Mr. Wilton - Yes, it will.

820  
821 Ms. Dwyer - An upper story...  
822  
823 Mr. Wilton - Well, it is going to have convention facilities, for large  
824 dinners and so on. The vast majority of the business that Buckhead's does is for  
825 corporate clients that come to the Innsbrook area, and they have done that for a number  
826 of years, and they have had to turn away a number of parties and so on for the past couple  
827 of years because their site is just not large enough to accommodate this. This actually is  
828 being built to accommodate a lot of the Innsbrook Corporations that do dinners and  
829 planning meetings and things like that. They need a large facility, and that is what they  
830 will try to do with this.  
831  
832 Mr. Kaechele - Is this plan to the point where you know there is more than  
833 one retail space besides the restaurant?  
834  
835 Mr. Wilton - Well, the retail space is in conjunction with the restaurant.  
836 The theme of that is that it is going to bring, people can come in for prepared foods, much  
837 like you do at Ukrop's, maybe a step up from that as far as a little more gourmet meals,  
838 because many people now do not want to go home and cook. They go there and pick it  
839 up, so it would be more like a gourmet type of little grocery area that will operate for  
840 lunch, that type of business. Much of it will be take out, and that is where you see the  
841 market.  
842  
843 Mr. Kaechele - So, you see one other retail beside the restaurant?  
844  
845 Mr. Wilton - Right. The retail is 4,700 square feet, I think is what they  
846 generally take in that space and set it aside in that type of operation.  
847  
848 Mr. Taylor - An expansion of the question that Mr. Kaechele asked  
849 about the office space and Ms. Dwyer asked, that is two-stories. The architectural theme  
850 of that building will be similar.  
851  
852 Mr. Wilton - Yes, it will be very similar and when I come back here with  
853 the POD I will, obviously, have the plan elevations and floor plans.  
854  
855 Mr. Taylor - Get it in color and lightened up.  
856  
857 Mr. Wilton - Color would be good, too. I think I can do that.  
858  
859 Mr. Taylor - OK, that satisfies my questions, Mr. Chairman.  
860  
861 Mr. Archer - All right. Anything else from the Commission? There was  
862 no opposition, was there?  
863  
864 Mr. Taylor - No, there was not. Mr. Chairman, I would move approval  
865 of Case C-42C-01, Henry Wilton for River City Lifestyle, LLC.

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Mr. Vanarsdall - Second.

Mr. Archer - We have a motion by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor of the motion say aye. All opposed say no. The motion carries. The vote was 5-0. Mr. Kaechele abstained.

REASON: Acting on a motion by Mr. Taylor, seconded by Mr. Vanarsdall, the Planning Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors **grant** the request because the proffers continue to assure a quality form of development with maximum protection afforded the adjacent properties.

**C-43C-01 Curtis Gordon for Thomas L. Browning:** Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcel 56-A-32 (11905 Sunrise Road), containing 1.615 acre, located on the south line of Sunrise Road approximately 300 feet west of Pump Road. A single-family residential subdivision is proposed. The R-3 District allows a minimum lot size of 11,000 square feet. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre.

Mr. Archer - Is there anyone here opposed to Case C-43C-01? No opposition. Mr. Coleman.

Mr. Coleman - The applicant has submitted revised proffers for this case. The proffers were received today and requires the Planning Commission waive the time limit for accepting proffers. The changes are in bold italics. This proposal is for rezoning a 1.615-acre parcel from A-1 Agricultural District to R-3C One Family Residence District.

The subject property is one of a group of undeveloped parcels that is sandwiched between the existing subdivisions. Staff is concerned with the potential for piece-meal development for the remaining undeveloped parcels in this area. The applicant also owns the adjacent 1.33-acre parcel to the east. This property was rezoned to R-3AC in 1992 and has an approved conditional subdivision, Laura Woods. To date, no development activity has occurred on this property. The applicant previously submitted proffers requiring brick foundations and requiring the chimneys to have brick veneer. The revised proffers include a conceptual plan showing a stub road terminating at the adjacent parcel to the south. The revised proffers also increase the minimum house size to 1,500 square feet for a two-story dwelling, and 1,200 square feet for a one-story dwelling. The requested zoning change is consistent with the surrounding area and the application is consistent with the 2010 Land Use Plan. The proffers will encourage development in uniform with the surrounding neighborhood, while also coordinating development with their remaining undeveloped parcels. Staff recommends approval of this request with the revised proffers. I'd be happy to answer any questions.

911 Mr. Archer - Thank you, sir. Are there questions from the Commission  
912 for Mr. Coleman?  
913

914 Ms. Dwyer - I am just trying to get oriented. The revision includes  
915 Laura Woods?  
916

917 Mr. Coleman - Correct.  
918

919 Ms. Dwyer - This site plan includes Laura Woods but it was not included  
920 before.  
921

922 Mr. Coleman - Correct. This area here (referring to slide) was previously,  
923 the Laura Woods Conditional Subdivision, which was approved in 1992.  
924

925 Ms. Dwyer - And with the cul-de-sac and the stub road being shown  
926 here, what is intended?  
927

928 Mr. Coleman - The cul-de-sac is a temporary turnaround easement. The  
929 parcel in the back is approximately three acres that is undeveloped, and access to that  
930 would be limited.  
931

932 Ms. Dwyer - OK.  
933

934 Mr. Archer - All right. Any further questions?  
935

936 Mr. Kaechele - What is designated as a reserved area, what is that reserved  
937 for?  
938

939 Mr. Coleman - It is anticipated that if the property to the rear were  
940 developed, these would be incorporated into new lots.  
941

942 Mr. Silber - There are 80-foot lots. There is some property at the end of  
943 that street that doesn't meet the minimum street frontage requirements, and so they are  
944 contemplating that being reserved to be attached to future development in that southern  
945 direction.  
946

947 Mr. Taylor - And if we could scroll back to the original slide, there are  
948 across the street from this is a vacant A-1 parcel, and behind it to the southwest there is a  
949 single-family dwelling, but I think all of that is Agricultural, so I think it is reasonable to  
950 expect over a period of time that that whole area in there would be amenable to R-3 type  
951 zoning as it develops. You have to leave a little room for potential circulation and street  
952 building, so I think this is just a reasonable step in the development cycle along Pump  
953 Road. And we do have to waive the time limits on the proffers.  
954

955 Mr. Vanarsdall - Second.  
956

957 Mr. Archer - All right, a motion to waive the time limit was made by Mr.  
958 Taylor and seconded by Mr. Vanarsdall. All in favor of the motion say aye. All opposed  
959 say no. The ayes have it. The motion carries. The vote was 5-0 to waive the time limit.  
960 Mr. Kaechele abstained.

961  
962 Mr. Archer - And now the case, Mr. Taylor.

963  
964 Mr. Jernigan - That was the time limit. We need a motion.

965  
966 Mr. Taylor - All right. I thought I was doing both at once. I move  
967 approval of Case C-43C-01, Curtis Gordon for Thomas L. Browning.

968  
969 Mr. Vanarsdall - Second.

970  
971 Mr. Archer - We have a motion by Mr. Taylor, seconded by Mr.  
972 Vanarsdall. All in favor of the motion say aye. Those opposed to the motion say no. No  
973 opposition. The motion carries. The vote was 5-0. Mr. Kaechele abstained.

974  
975 REASON: Acting on a motion by Mr. Taylor, seconded by Mr. Vanarsdall, the Planning  
976 Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors  
977 **grant** the request because it conforms to the recommendations of the Land Use Plan.

978  
979

980 **Deferred from the June 14, 2001 Meeting:**

981 **C-26C-01 James W. Theobald for Tascon, LLC:** Request to conditionally rezone  
982 from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional),  
983 Parcels 67-A-2A and 66-A-11J, containing 11.2 acres, located at the southwest  
984 intersection of Ridgefield Parkway and Pump Road. Condominiums for sale are  
985 proposed. The applicant has proffered that there shall be no more than 60 units  
986 developed on the property. The Land Use Plan recommends Suburban Residential 1, 1.0  
987 to 2.4 net units per acre.

988  
989 Mr. Archer - Is there opposition to C-26C-01? We do have opposition.  
990 All right. We will get to you folks. All right, Mr. Bittner.

991  
992 Mr. Bittner - Thank you, Mr. Chairman. The proposed condominiums  
993 will be one-story, constructed on slab foundations, and contain two or four dwellings in a  
994 building. The conceptual plan submitted with the proposal shows 54 units, which results  
995 in a density of 4.8 units per acre. The applicant has submitted revised proffers and the  
996 time limit would have to be waived to accept them. I would like to point out you have a  
997 rather lengthy package. The last part of that package contains the black line proffers, so  
998 you can quickly see what the changes have been. The major changes to the proffers  
999 include the following: The conceptual layout plan has been revised and shows entrances  
1000 on both Ridgefield Parkway and Pump Road. That revised plan is right here. These two  
1001 entrances are consistent with the recommendations of the Public Works Department. The  
1002 revised layout also has a less linear design than previous layouts. The increased

1003 curvature of the road helps to break up long single-file rows of houses and avoid a visual  
1004 monotony that can be unattractive. The revised layout also shows a 60-foot buffer with a  
1005 35-foot natural area for existing vegetation adjacent to the Prescott and Royal Oaks  
1006 Subdivision. The natural area would be adjacent to the abutting subdivision. The  
1007 remaining 25-feet would be decoratively landscaped. New building elevations have also  
1008 been proffered. I will switch over to the color camera and you can see that they have  
1009 actually have three designs – the third one is on another board – these are two (referring  
1010 to slides). These exhibits show varied building designs and materials and color schemes.  
1011 The components of these designs could also be mixed and matched to provide even  
1012 greater architectural diversity. The applicant has also proffered a wrought iron styled  
1013 fence with brick or stone columns along the perimeter of the property. The proffers also  
1014 state that a three-rail or privacy-style fence would be provided along the Royal Oaks  
1015 border if requested by the adjacent property owners. Thirty-five foot buffers have also  
1016 been proffered along both Pump Road and Ridgefield Parkway. However, these buffers  
1017 would not be in addition to required setbacks. Due to the amount of traffic at this major  
1018 intersection, staff continues to recommend that these buffers be in addition to the required  
1019 setbacks to provide better protection to the future homeowners of this development. In  
1020 summary, the revised proffers provide many positive items and address most of the issues  
1021 outlined in the staff report. Staff would prefer an increased building setback along  
1022 Ridgefield Parkway and Pump Road. However, staff does not object to this proposal. I  
1023 would be happy to answer any questions you may have.

1024  
1025 Mr. Archer - Thank you, Mr. Bittner. Are there questions from the  
1026 Commission for Mr.Bittner?

1027  
1028 Mr. Taylor - Mr. Chairman, I'd like for Mr. Bittner, if he could, to go  
1029 back to the previous map, the plan view.

1030  
1031 Mr. Bittner - The layout view?

1032  
1033 Mr. Taylor - Where the 60-foot buffer is, is that the dashed line along  
1034 the north boundary?

1035  
1036 Mr. Bittner - No. Along the south and along the west which is adjacent  
1037 to the subdivision would be a 60-foot buffer, the first 35 feet would be left in its natural  
1038 state, or would contain existing vegetation. The next 25 feet would be in the area for new  
1039 landscaping, fencing, berms, and things of that nature.

1040  
1041 Mr. Taylor - And the perimeter fence would be along the east-west line  
1042 there?

1043  
1044 Mr. Bittner - No. They are planning to have fencing along all borders.

1045  
1046 Mr. Taylor - All of the borders, but the rail fencing would be on  
1047 Ridgefield?

1048

1049 Mr. Bittner - No. The rail fencing is requested by the residents of Royal  
1050 Oaks and would be along the western border.  
1051  
1052 Mr. Taylor - The western border only?  
1053  
1054 Mr. Bittner - Yes.  
1055  
1056 Mr. Taylor - And the southern border would be...  
1057  
1058 Mr. Bittner - Wrought-iron style with stone or brick homes.  
1059  
1060 Ms. Dwyer - Mr. Taylor, I think part of the reason that there is a  
1061 difference there is that there are only two residential lots on that western border and the  
1062 flexibility stated in the proffer to allow one of three different types of fencing was to  
1063 accommodate whatever the desires of the homeowners would be.  
1064  
1065 Mr. Taylor - The buffers on that west end are the same buffers that are  
1066 on the south side, the 60-foot buffer?  
1067  
1068 Mr. Bittner - Yes.  
1069  
1070 Mr. Taylor - Then, on the west side as I look at the plan view, it looks  
1071 like in addition to the buffer there is a natural area or a recreational area or something to  
1072 the road?  
1073  
1074 Mr. Bittner - To the house.  
1075  
1076 Ms. Dwyer - Clubhouse.  
1077  
1078 Mr. Bittner - There is an easement to the aerial and it is a gas pipeline.  
1079  
1080 Mr. Taylor - So there is considerably more distance than just 60 feet on  
1081 that west side?  
1082  
1083 Mr. Bittner - No. I don't believe so. The easement runs right through  
1084 where the buffer would be.  
1085  
1086 Ms. Dwyer - I am not sure he is talking about the easement. He may be  
1087 talking about the clubhouse. But first, as you come in from Ridgefield, Mr. Taylor, that  
1088 first little parking lot with the house underneath it, we can't see from this perspective, but  
1089 that is a clubhouse.  
1090  
1091 Mr. Taylor - Right. I thought that was a clubhouse and that is the  
1092 parking area for the clubhouse right there. Here is the enlarged version.  
1093  
1094 Ms. Dwyer - Very good.

1095  
1096 Mr. Taylor - So the distance is really from here to the west (referring to  
1097 slide) is 60 feet plus what looks to be 100 feet or so before you get to the first building or  
1098 to the clubhouse? Are my distances about right?  
1099  
1100 Mr. Bittner - I think that is about correct.  
1101  
1102 Mr. Archer - All right. Further questions for Mr. Bittner? Ms. Dwyer, do  
1103 you need to hear from the applicant?  
1104  
1105 Ms. Dwyer - Yes, we do.  
1106  
1107 Mr. Archer - OK. While the applicant is coming forward, there is  
1108 opposition, and I would remind the audience that we allow 10 minutes for each side to  
1109 speak, and that 10 minutes does not include time that we may use to ask questions of  
1110 whoever the presenter is, regardless of the side, and Mr. Theobald will probably want to  
1111 reserve some time for rebuttal.  
1112  
1113 Mr. Theobald - Two minutes, please, Mr. Chairman.  
1114  
1115 Mr. Archer - Thank you, sir.  
1116  
1117 Mr. Theobald - Mr. Chairman, ladies and gentlemen, my name is Jim  
1118 Theobald and I am here this evening on behalf of the Tascon Group. Steve Settlage is  
1119 with me, who is the local principal with Tascon. They are local developers of empty  
1120 nester condominium developments. Their prior projects in the Richmond area include  
1121 the Villas at Virginia Center, Buckingham Woods down on Alverser Drive and Old  
1122 Buckingham Road near Chesterfield Town Center, and one currently under construction  
1123 called Stone Manor Village, the village of Chester.  
1124  
1125 This is a request to rezone 11.2 acres at the corner of Ridgefield Parkway and Pump Road  
1126 from A-1 to RTHC in order to permit upscale for-sale one-story condominiums. These  
1127 condominiums have a unique design. They are developed in clusters and basically what  
1128 you see are clusters of four and three buildings on there are clusters of two, but each side  
1129 looks like a front, and nobody's front door has visibility to another in that same building.  
1130 You might notice that there are seven structures along this common line with Prescott  
1131 Subdivision down here (referring to slide). So there are seven basically structures against  
1132 the nine existing homes in that subdivision. Each unit has two or three bedrooms. They  
1133 have fireplaces. They have vaulted or cathedral ceilings. They all have attached garages.  
1134 You will see a proffer where a minimum of 50 of the 54 units have a two-car garage and  
1135 the others at least a one-car garage, and the starting prices of these condominiums is in  
1136 excess of \$200,000. The clubhouse, as noted earlier, by Mr. Taylor, provides community  
1137 meeting space. There is an exercise room; lots of room for aerobics. Behind it will be a  
1138 deck area that will take advantage of the views of the creek and the woods back down in  
1139 that area. The two-bedroom units are a minimum of 1,500 square feet in size. The three-  
1140 bedroom units are just under 1,700 square feet in size. There are no one-bedroom units.

1141 The Condominium Association does guarantee a carefree lifestyle that includes all  
1142 exterior maintenance, landscaping, snow removal when needed, trash removal and water  
1143 and sewer charges. This response to the needs of the target market at which this product  
1144 is designed, that is the active senior, the active empty nester. We have now three projects  
1145 in Richmond and we are a licensee of a company out of Ohio, and we have lots of  
1146 physical evidence of the makeup of our residences. Here in Richmond, with a project of  
1147 54 units, we anticipate approximately 81 residents. I believe that is perhaps a third less  
1148 than you might expect were you to develop this site in a R-2 density and anticipate 27  
1149 lots with four people in a family. Our statistics would indicate that half of the residents  
1150 will be single, the other half being couples. Eighty percent of our resident profile is 55  
1151 years of age or over, 70% are retired or semi-retired, and there are likely no school-aged  
1152 children. Out of one hundred and seventy-nine units occupied today in the Richmond  
1153 area, we have had two school-aged children and generally have none.

1154  
1155 I would ask you to take a look at the proffered conditions, and I must up front apologize  
1156 for the lateness in having these delivered both to the residents and to you all. We were  
1157 literally, as of 8:00 p.m. last night still working on language after having met with some  
1158 of the adjacent property owners last week and getting additional input in the meeting we  
1159 had with staff this week. It is certainly not our practice to do this at the last minute, but  
1160 we have done the best that we can. I think the proffers reflect the efforts of all. We spent  
1161 a whole lot of time on the buffers and what you see across the back is a 60-foot  
1162 undisturbed buffer. We can take dead diseased trees out of here, and then the next 25  
1163 feet, so you have 60 feet in all to the closest potential structure would be basically grass,  
1164 landscaping, etc. We have talked with the residents about and proffered a fence  
1165 approximately five feet off of the line. It is a wrought iron styled fence. It does not have  
1166 columns like around the perimeter up here. The columns are 2-1/2 feet square of brick or  
1167 stone, and these are just the wrought-iron style posts. The idea here is to provide 35 feet  
1168 of undisturbed and then come back with additional evergreen supplemental screening  
1169 under canopy trees an/or shrubs to mitigate the visual impact of these homes against our  
1170 homes. Now, keep in mind that they will be looking at what, in essence, is a front of the  
1171 way these facades are designed over here (referring to slide), but we have, nonetheless,  
1172 tried to mitigate that. They are also only one story, so they will practically looking down  
1173 a little bit (referring to slide), this rolls down and when you get beyond this first 35 feet it  
1174 will roll down a little bit to these units. Along the western property line, it is a little  
1175 different. You have a highly impacted area where there is a gas line through here  
1176 (referring to slide), but there is also a creek down here (referring to slide). This is the  
1177 natural outfall of the property. Here we have retained the same sort of proffer, 35 feet  
1178 undisturbed with 25 feet additional. We hope to leave the majority or all of this  
1179 undisturbed, but we know we may have to come around this building with some utilities,  
1180 and so we reserved the ability to get in there and you may need to grade it a little bit to  
1181 get these roads to work, because, believe me, our interests are consistent with the  
1182 neighbors and the more trees the better in this 60-foot area over here. It is a little  
1183 different than over here, where essentially these people, the 25 feet is for their front yard,  
1184 if you will, in this area.

1185

1186 Along the roadways we have a 35-foot landscape buffer along both Ridgefield and Pump.  
1187 We simply do not have room to have buffers exclusive of setback areas. We have lost six  
1188 units in the planning already, and we have proffered the standard that is in your design  
1189 guidelines with regard to the plantings in this area. Actually, I think we bumped that up  
1190 to the equivalent of, at least number-wise, to the transitional 35 with the amendment and  
1191 the proffers rather than the transitional 25, which is sort of the standard, set forth in the  
1192 guidelines.

1193  
1194 All of our utilities have to be underground. These units are being submitted to the  
1195 Virginia Condominium and under the Virginia Condominium Act for for-sale units are  
1196 lighting standards not to exceed 12 feet in height, non-glare, decorative in style again  
1197 consistent with your multifamily development guidelines. We have proffered the site  
1198 plan and the elevations that you have before you. The site plan has been revised fairly  
1199 significantly to provide this additional access. It was a big concern of the residents when  
1200 we only had one planned over here. We pulled this, after consultation with transportation  
1201 engineers at the county, back as far as we can here (referring to slide) and there is a  
1202 median here, so this is a right-in, right-out (referring to slide) as is this over here  
1203 (referring to slide).

1204  
1205 With regard to the elevations, which you saw earlier, and could we put, those back up for  
1206 a moment, Mark, please? Thank you. We have redesigned these elevations (referring to  
1207 slide) and there are basically three different styles and we have another one on board here  
1208 with different window treatments. We have added stone on some, brick on others. We  
1209 have proffered a minimum of 45% brick or stone, and Williamsburg colors, and different  
1210 roof treatments and shadings, so that we will have some architectural diversity in these  
1211 units. Again, we have proffered that there will be no more than 54 units developed on the  
1212 property. We have limited the height of our signage, detached signage to but six feet.  
1213 We have proffered the clubhouse and pedestrian walkways as amenities again consistent  
1214 with the multifamily guidelines. I mentioned garages earlier. We have said that no more  
1215 than 60% of the property shall be covered by buildings, driveways and parking areas.  
1216 We have agreed to irrigate our lawn areas and our landscaping. We have no additional  
1217 curb cuts onto the roadways. All the driveways are to the internal roads. All of our  
1218 driveways are paved, by the way.

1219  
1220 With regard to fencing, can I get the site plan back, Mark? Thank you. With regard to  
1221 fencing, I just want to make sure that everybody understands our discussions with the  
1222 neighbors. This is a four-foot high wrought-iron styled aluminum product along here  
1223 (referring to slide). Along here (referring to slide), five feet in, we are going to attempt to  
1224 take down as few existing trees as possible. In this area (referring to slide), we provided  
1225 for a three-rail fence, a wrought-iron fence or privacy fence if that is what the neighbors  
1226 want. In some discussions with Ms. Begano? today, we discussed the possibility of no  
1227 fence, which is OK with us, whatever suits them over here will be fine, and then, along  
1228 the exterior of the roadway we have something really special. It is the wrought-iron style  
1229 brick or stone columns. It can't be any closer to the road than three feet for the fence  
1230 phase, a foot and a half for the actual columns, and we have a feature. This is actually

1231 our old plan, Ms. Dwyer, not the one we sent out today where we removed these four  
1232 spaces (referring to slide), but what we officially refilled took those away.

1233  
1234 A signage feature here with a river stone base with wrought iron surrounding the sign. It  
1235 ties into the wrought iron fencing on both sides, which I think will be very attractive with  
1236 additional landscaping in this area (referring to slide). Sidewalks along Pump Road  
1237 which don't currently exist. Our BMP will be underground. We have committed to that.  
1238 We hope that it will be right here (referring to slide). That is our preference. There is a  
1239 slim chance that it might have to be down in the corner. This is where the outfall is, but,  
1240 again, we are hoping it will be up here (referring to slide). We have a proffer against play  
1241 facilities. We agreed to dedicate turn lanes, etc.

1242  
1243 I submit to you that this is well-planned master plan community that will have less  
1244 impact on the county than nearly any alternative. It will increase the county's tax base.  
1245 It will not put any more children in our schools. The lawn will be sodded, irrigated; there  
1246 will be a homeowner's association with professional management. There will be  
1247 streetlights, sidewalks, and, more importantly, what you see is what you get. It has all  
1248 been proffered and you don't have to guess. The alternatives to the site have been many.  
1249 I think you have been faced with some previously. None has gotten as far as a public  
1250 hearing. We could do 27 homes on here were we to obtain R-2A zoning, consistent with  
1251 Prescott, but in that event, there would be no requirement for buffers in here. Presumably  
1252 lot would be up against lot.

1253  
1254 Mr. Archer - Mr. Theobald, I hate to interrupt you, but you have gone a  
1255 little bit over.

1256  
1257 Mr. Theobald - OK, I will summarize. I think this is a better deal than  
1258 those alternatives that you have been presented. This represents quality development and  
1259 I think it is what the parents of these people who live in this area will want to live and  
1260 retire. It has been well conditioned with the help of staff and Ms. Dwyer, and it  
1261 represents, I think, the best opportunity for quality development and it does meet or  
1262 exceed all of your development standards, save one. Thank you very much.

1263  
1264 Mr. Kaechele - Mr. Chairman, I still have a question. Mr. Theobald, would  
1265 you put those elevations back up again?

1266  
1267 Mr. Theobald - Yes. Let's see if we can do this.

1268  
1269 Mr. Kaechele - Actually the front and the back are both the same, I guess,  
1270 right? And the sides, I can't figure out where the garages are.

1271  
1272 Mr. Theobald - The garages are on the side. I don't know if we have an  
1273 elevation showing the garage. No.

1274  
1275 Ms. Dwyer - I think it might help if you look at the site plan. He can tell  
1276 you where the garages are.

1277  
1278 Mr. Kaechele - Yes, well, I just wondered what that looked like, and most  
1279 of these units, the front that we are seeing here are facing the roadway.  
1280  
1281 Mr. Theobald - Right. So the garages are not facing the roadway by  
1282 implication.  
1283  
1284 Mr. Kaechele - And you have several two units?  
1285  
1286 Mr. Theobald - We have three two-unit buildings, one here, (referring to  
1287 slide), one here, and one back in the corner (referring to slide).  
1288  
1289 Mr. Kaechele - So it is a total of 54?  
1290  
1291 Mr. Theobald - Fifty-four units.  
1292  
1293 Mr. Silber - So, Mr. Theobald, the garages are on the areas that show  
1294 the indentations?  
1295  
1296 Mr. Theobald - Yes, they are recessed.  
1297  
1298 Mr. Silber - And it looks as though you are showing four parking  
1299 spaces. Are those four parking spaces outside of the garage?  
1300  
1301 Mr. Theobald - Yes, sir. As you know, the garage space does not count  
1302 toward their parking requirements, I think unlike, perhaps some of your communities.  
1303 Garages are actually used by our elderly population as garages as opposed to being turned  
1304 into rec rooms. We are well parked.  
1305  
1306 Mr. Archer - All right, any further questions for Mr. Theobald? Sir, you  
1307 will have to come up so we can identify you.  
1308  
1309 Ms. Dwyer - I think there will be an opportunity for the opposition to  
1310 have questions in a minute.  
1311  
1312 Unidentified Person - (Unintelligible)  
1313  
1314 Mr. Theobald - It was the site coverage ratio, 60%.  
1315  
1316 Ms. Dwyer - It is 60?  
1317  
1318 Mr. Theobald - Ours is 60. The guidelines are 40%.  
1319  
1320 Mr. Archer - OK. Any further questions by the Commission?  
1321

1322 Ms. Dwyer - One of the comments made by staff had to do with the  
1323 statement about variations in roof colors and Williamsburg colors. Is it your intention to  
1324 use only those roof styles and colors on those three elevations or to expand those colors  
1325 into – the paint colors would be Williamsburg?  
1326

1327 Mr. Theobald - Expand. It would be expand from the three and provide  
1328 additional diversity.  
1329

1330 Ms. Dwyer - OK.  
1331

1332 Mr. Silber - Mr. Theobald, I think proffered condition #23 says that the  
1333 BMPs will be located under ground.  
1334

1335 Mr. Theobald - Yes, sir.  
1336

1337 Mr. Silber - So the locations you indicated a while ago, they may be the  
1338 likely locations of the BMP, is that where it would be underground BMPs?  
1339

1340 Mr. Theobald - Anywhere the BMP goes will be underground. We are  
1341 about 95% sure it works here (referring to slide). We thought it was going to have to go  
1342 down here (referring to slide), but I think we put it in here (referring to slide) and we are  
1343 able to plant on top of those, as you know, like we did as CVS at Bremner and Staples  
1344 Mill. It has got about a 3 or 4-foot cover on them.  
1345

1346 Ms. Dwyer - Were you finished with that?  
1347

1348 Mr. Silber - Yes.  
1349

1350 Ms. Dwyer - You made a statement that it will be inside of the curve off  
1351 of the entranceway off Ridgefield unless for some unforeseen reason it needs to be placed  
1352 behind the clubhouse area, and it is possible that it would encroach into the buffer.  
1353

1354 Mr. Theobald - It is possible it could encroach underground into the 25-  
1355 feet.  
1356

1357 Ms. Dwyer - I would like to see that in the proffer, that it might encroach  
1358 within the 25 foot, but in no event in the 35-foot area.  
1359

1360 Mr. Theobald - We can do that, I believe. The language was drafted so as  
1361 not to permit that, but I am happy to clarify it for you, if you have any questions about  
1362 that. Sure.  
1363

1364 Ms. Dwyer - You also made a statement, you and Mr. Settlege, that the  
1365 slab portion of the building would be covered by the brick or stone?  
1366

1367 Mr. Theobald - Correct.

1368  
1369 Ms. Dwyer - That is used as an exterior material. That is not in the  
1370 proffer, but if you would commit to that?  
1371  
1372 Mr. Theobald - Sure, and the revised elevations basically take away that  
1373 issue that existed with the old elevation.  
1374  
1375 Ms. Dwyer - Right. I wanted to clarify that on the record. What is the  
1376 distance between columns on the decorative fencing? Do you have any idea, along  
1377 Ridgefield and Pump? Ten feet, six feet? Is it a range? This is an informational question  
1378 and doesn't need to be in the proffers.  
1379  
1380 Mr. Theobald - I remember the one down in Chester, I believe it is 5.20  
1381 feet, because they are fairly massive. The columns are 2-1/2 foot square, and Steve  
1382 hasn't measured, but thinks there may be as much as 20 feet in between because of the  
1383 mass of the column.  
1384  
1385 Ms. Dwyer - And we cited the height of the fencing along the southern  
1386 boundary. Did we mention the height of the fencing along Ridgefield and Pump? I don't  
1387 see that.  
1388  
1389 Mr. Theobald - I don't believe we did. The height in the southern line was  
1390 a function of our commitment to adjacent property owners. Approximately six feet along  
1391 Pump and Ridgefield Parkway. This site also, for your information, rolls down  
1392 significantly from the road grade, so what you will have here is a fence on top of the hill,  
1393 with landscaping to 35 feet, and then it is going to roll down to the one-story units, so the  
1394 whole site is fairly low profile from the road.  
1395  
1396 Mr. Kaechele - I guess on your entranceways, they are both right-in and  
1397 right-out. There are no crossovers in the median?  
1398  
1399 Mr. Theobald - There are no crossovers. That is correct. Of course, this  
1400 population doesn't go out at peak times like a single-family subdivision would. They are  
1401 not out there going to work, you know, when their neighbors are, and so it is a little easier  
1402 for them to get out. I think some of the residents who have visited our other projects can  
1403 tell you what the activity or lack thereof is during the day on this project.  
1404  
1405 Mr. Taylor - On the demographic data, you stated that 80% or over are  
1406 over 55. Is that in all three of your current projects in the Richmond area?  
1407  
1408 Mr. Theobald - It is pretty consistent percentage.  
1409  
1410 Mr. Taylor - Do you have an average age?  
1411  
1412 Mr. Theobald - We are not allowed to ask that.  
1413

1414 Mr. Taylor - You are not allowed to ask that. They are above 55 period.  
1415 Have there been any instances of difficulty in that group, or are they law-abiding?  
1416  
1417 Mr. Theobald - You mean drunk penuche or something?  
1418  
1419 Mr. Taylor - It is pretty quiet at midnight, I would think.  
1420  
1421 Mr. Theobald - It is a pretty, they are, it is an older group, but they are not  
1422 ready to go into a Cedarfield. They are not looking for that.  
1423  
1424 Mr. Taylor - Older people or older groups want to have fun, too. I  
1425 wanted to read that into the record. We have to all watch out for that. But there haven't  
1426 been any instances that have been of notice to the press or untoward instances. It is a  
1427 well-behaved group.  
1428  
1429 Mr. Theobald - They seem to be and they look out for each other. I mean  
1430 these are professionally managed in terms of landscaping and what not, but if you, if I go  
1431 out to visit a project, even with a suit case, maybe because I have a suit on, it is almost all  
1432 the time someone will walk out of the unit or someone who is walking will come up and  
1433 say hello and wonder what I am doing there. So, they really look out for each other and it  
1434 is very much a community.  
1435  
1436 Mr. Archer - All right, anything further from Mr. Theobald.  
1437  
1438 Mr. Silber- I have one more question, Mr. Theobald. The 35-foot  
1439 buffer that runs along Ridgefield Parkway shows an easement, I believe it might be a  
1440 Virginia Power easement, that runs through there. It seems to turn the corner at Pump  
1441 and then sort of just fades out. Does that continue?  
1442  
1443 Mr. Theobald - That seems to be avoiding some County drainage  
1444 structures. The drainage comes over from this side of the street (referring to slide),  
1445 through here and down to the creek and into an outlet underground pipe system back in  
1446 this corner (referring to slide).  
1447  
1448 Ms. Dwyer - I think he is talking about Pump Road.  
1449  
1450 Mr. Theobald - I'm sorry. These are overhead lines on Pump Road, Mr.  
1451 Silber. They are overhead lines.  
1452  
1453 Mr. Silber - I guess what I am getting at is there is a 35-foot landscape  
1454 strip that would be along that roads, I presume would be planted as you indicated, but  
1455 often there are limitations as to how and where you can plant when there are easements in  
1456 that landscape strip. It looks as though there is a significant easement that runs along  
1457 Ridgefield. Does that exist along Pump Road as well?  
1458

1459 Mr. Theobald - No. I am not aware of that. I believe the overhead, here  
1460 you have underground electric and County drainage structures here. These are just  
1461 overhead lines. I am not aware of any other impediments over here (referring to slide).  
1462 Obviously we have some areas outside of here up against some of the units, although you  
1463 are going down a slope, so I am not sure how they would all be assessed, but we do have  
1464 some other opportunities to landscape, and if you have looked at any of their projects,  
1465 you will see significant landscaping, not just on the perimeters but throughout the other  
1466 project.  
1467

1468 Mr. Kaechele - Do you have an estimated selling price that these units  
1469 might bring?  
1470

1471 Mr. Theobald - Two hundred and ten thousand dollars will be the lowest  
1472 price, and that is before any upgrade. You do have some choices as to finishes and what  
1473 not, and you can easily have units up to \$250,000 and possibly higher.  
1474

1475 Mr. Taylor - Given that those are 1,750 square foot that comes out to  
1476 what?  
1477

1478 Mr. Theobald - It is \$135.00 a square foot.  
1479

1480 Mr. Taylor - What does this relate to in normal developmental type  
1481 construction?  
1482

1483 Mr. Theobald - Well, the new home at the corner of Prescott and Pump,  
1484 based on it sales prices, the sales price is \$110.00 a square foot.  
1485

1486 Mr. Taylor - So these are quite upscale?  
1487

1488 Mr. Theobald - As are the homes next to it, but these are expensive  
1489 construction and clearly quality.  
1490

1491 Mr. Taylor - But they are on a par with the neighborhood, adjacent  
1492 neighborhood?  
1493

1494 Mr. Theobald - That would be my opinion.  
1495

1496 Mr. Taylor - In the present frame, and again I go back to Buckminister,  
1497 where I had to experience that, was pretty well accepted, I think, by the neighbors over  
1498 there. Have there been any incidents of difficulty at all?  
1499

1500 Mr. Theobald - With the neighbors of our project?  
1501

1502 Mr. Taylor - With the neighbors in the adjacent community?  
1503

1504 Mr. Theobald - Oh, I am not aware of any.

1505  
1506 Mr. Taylor - No complaints? No problems.  
1507  
1508 Mr. Theobald - I won't swear to you that somebody hasn't called  
1509 somebody, but I am just not aware of it.  
1510  
1511 Mr. Taylor - When we were over there that morning, it was about 9:00,  
1512 and the only people I saw were two people playing tennis.  
1513  
1514 Mr. Theobald - Right. Mr. Taylor and I visited when this product was  
1515 being considered in the Three Chopt Road site owned by the Tascons.  
1516  
1517 Mr. Taylor - And we were in favor of that spot. Let the record show  
1518 that we were in favor of, at least this Planning Commissioner, of that particular product  
1519 and impressed with the product, at that particular site, were it not for the unique  
1520 geological conditions of that site, I think that we would have preferred this type of  
1521 development.  
1522  
1523 Mr. Archer - All right. Anything further? Thank you, Mr. Theobald.  
1524  
1525 Mr. Theobald - Thank you.  
1526  
1527 Mr. Silber - Mr. Chairman, Mr. Theobald was graciously provided 13  
1528 minutes. I think he asked for two minutes rebuttal. I think it may be appropriate to give  
1529 the opposition their due 15 minutes.  
1530  
1531 Mr. Archer - I certainly think we can do that. While the opposition is  
1532 coming forward, if there is any one person who can be considered a spokesman for the  
1533 group, so to speak, so that we can utilize our time as well as possible, that would be fine,  
1534 although we will hear from anybody that may want to speak within the 15 minutes  
1535 allotted. Please state your name and address for the record, if you would.  
1536  
1537 Mr. Howard - My name is Chuck Howard and I live at 10833 Millington  
1538 Lane in the Royal Oaks Subdivision. Good evening and thank you for having us. I don't  
1539 think I speak for the group, and I will not take up the full time, as I would expect that  
1540 other people would want to speak, especially as I might have missed points that are  
1541 important to others.  
1542  
1543 But I do speak in opposition to this proposal, and was instructed to be here earlier for the  
1544 request just previous where staff commented on how consistent that proposal was with  
1545 the neighborhood and the Land Use Plan, and fundamentally what is wrong with this  
1546 project is that it is so inconsistent with our neighborhood, and with the neighborhood  
1547 surrounding it. You would be hard pressed to find where a similar development is in this  
1548 vicinity. In fact, they are well hidden, and what you have here is single-family homes  
1549 and I think what is represented in the long-term plan is single-family homes. This  
1550 proposal does not address that at all. And, you were talking about something that is

1551 consistent with this proposal that might be with the neighborhood. No, this proposal is in  
1552 stark contrast for what is represented in the immediately abutting subdivision. You will  
1553 find no attached units. You would be hard pressed to discern which families, which  
1554 homes in those subdivisions, are single-story properties. Many of them are two-stories.  
1555 Many of them have very significant architectural features. The distinction in architectural  
1556 features that you see here are in colors and shades. You go on a cloudy day where it is  
1557 difficult to discern the colors; the difference in materials and you will see the same  
1558 architectural features. But, let me get to my prepared comments. The proposed plan is  
1559 inappropriate for the intended site and inconsistent with uses on adjacent sites and with  
1560 the Long Range Plan. The site is surrounded by single-family property with the  
1561 exception of a small-scale office building across Ridgefield Parkway. Single-family  
1562 properties abut the project site. The proposed density, 54 units on 11.2 acres is wholly  
1563 inconsistent with the dominant zoning of the R-2 on abutting parcels. Extending outlets  
1564 from the site as the zoning progresses to R-3, R-4 and R-5 with the emphasis on  
1565 progression from the site. The County Long-Range Plan acknowledges the nature of the  
1566 area by suggesting single-family homes for the site. The developer has requested RTHC  
1567 zoning and applied the highest density among the available options from the County  
1568 Land Use Plan. Urban residential at 3.4 to 6.8 units per acre. The Suburban residential 1  
1569 or 2 is much more appropriate at 1 to 2.4 and 2.4 to 3.4 units respectively, and in fact,  
1570 what Tascon has done is exploit the surrounding neighborhood by leveraging the value,  
1571 environment and cachet in answer to their own profitability. In so doing, Tascon can  
1572 only harm the surrounding neighborhoods.

1573  
1574 The Tascon proposal does not contribute to nor enhance the neighborhoods, which you  
1575 have cited. The Tascon proposal would have a detrimental effect on the values of homes  
1576 in the adjacent neighborhoods. These result in an implicit subsidy to Tascon and are  
1577 against the overall public interest. Zoning is required to protect the investment of others  
1578 and adjacent properties. The Long Range Plan contributed to this protection by  
1579 envisioning single-family residential property for the proposed Tascon site. The Tascon  
1580 proposal for high-density housing contradicts the intent of and is incompatible with the  
1581 Long Range Plan and will contribute to a decay in our primary investment of single-  
1582 family homes. Neither the developers nor the current landowners carry a hardship for the  
1583 two parcels that form the site for the Tascon proposal.

1584  
1585 Earl Thompson, Inc., we were informed by the developers, now owns both parcels. One  
1586 parcel adjacent to Ridgefield Parkway was apparently owned by Earl Thompson at the  
1587 time Ridgefield Parkway was constructed by the County. The right-of-way acquisition  
1588 by the County for Ridgefield Parkway included compensation for whatever losses that  
1589 may have occurred by construction of the parkway and taking of a portion of his land.  
1590 The other parcel was held for a relatively long time by the Lutheran Church, apparently,  
1591 we were told by the developer. The parcel was a gift to the church. But, the current  
1592 owners cannot claim financial hardship to further their request for proposed density. Nor  
1593 can they oppose any limitations on the development of the parcels on hardship, as there  
1594 cannot be any. The County Long-Range Plan calls for residential single-family homes on  
1595 the parcels in question. This is in an appropriate planning category given the sites on the  
1596 adjacent units, as I have mentioned. The developers have shown a conceptual



1642 that the County has invested in the Long Range Plan, and a reason the County has  
1643 suggested that single-family property on these parcels are appropriate.  
1644

1645 Ms. Dwyer - So this type of development would be all right in your mind  
1646 if it were less dense?  
1647

1648 Mr. Howard - Absolutely. Density is clearly the question here.  
1649

1650 Ms. Dwyer - Thank you.  
1651

1652 Mr. Archer - All right. Are there any other questions for Mr. Howard?  
1653

1654 Mr. Taylor - It seems as though some of your comments are relative to  
1655 what it might do, what the effect on adjacent property values might be. Do you have any  
1656 reason to feel that is true? I am not sure that is, in fact, what is happening in the  
1657 neighborhoods that they have built in. Can you say that with knowledge, or is that just a  
1658 thought that their house prices would go down?  
1659

1660 Mr. Howard - Well, I think there is a contrast in styles. I think Steve has  
1661 pointed out very aptly that if it was high-density retail or office operation that that might  
1662 also effect us adversely. On the other hand, it is easy to see that 27 single-family homes,  
1663 should you end up with 27, would not have a negative effect. It is easy to see, perhaps,  
1664 that 27 attached townhomes, in a cluster fashion, would not have an affect. I don't have  
1665 any particular information or facts, but there is a gut feel that 54 units, where you're  
1666 wiping out the property serving a strip adjacent to our community, is not going to have an  
1667 adverse effect.  
1668

1669 Mr. Taylor - Is there any statistics that you know of, Steve?  
1670

1671 Mr. Steve Settlage - We have not done a study...  
1672

1673 Mr. Silber - If we can get you on the record, please.  
1674

1675 Mr. Settlage - Steve Settlage, President of Tascon. Mr. Taylor, I am not  
1676 aware of a particular study, but neither am I aware of any complaints about decline in  
1677 property values in proximity to our projects.  
1678

1679 Mr. Archer - Thank you, sir. Any other questions of Mr. Howard?  
1680

1681 Mr. Jernigan - What is the range in price of the homes that are adjacent to  
1682 this property?  
1683

1684 Mr. Howard - Oh, we have two resales in the \$450,000 range.  
1685

1686 Mr. Jernigan - But what is the average?  
1687

1688 Mr. Howard - I don't know the average.  
1689  
1690 Mr. Jernigan - Ball Park?  
1691  
1692 Mr. Howard - The \$300,000 house that Mr. Theobald mentioned is a new  
1693 property that is just on the corner there. It is kind of a tough site. I mean, you are right  
1694 there on Pump Road.  
1695  
1696 Ms. Dwyer - Mr. Howard, do you live adjacent to this property?  
1697  
1698 Mr. Howard - No. I live further down into the Royal Oaks development.  
1699  
1700 Ms. Dwyer - Millington?  
1701  
1702 Mr. Howard - Millington Lane, yes.  
1703  
1704 Mr. Archer - All right, anything else for Mr. Howard? Thank you, sir. I  
1705 would remind you that Mr. Howard used about half of your time, so there is about 7-1/2  
1706 minutes left for anyone else who would like to speak. You sir? That would be fine.  
1707 Please state your name and address for the record.  
1708  
1709 Mr. Thomas Everett Bailey - My name is Thomas Everett Bailey, 2109 Old Prescott  
1710 Place. I am in opposition and I will just that I concur with everything Mr. Howard just  
1711 said, so I will try not to repeat any of that.  
1712  
1713 The first plan that I saw reflected the clubhouse in the front of the left corner of this  
1714 property and it was my understanding from the developer that it was moved on the  
1715 suggestion of the Planning Commission to the back corner. I live in the house directly  
1716 adjacent to where the clubhouse would be on the back of that (referring to slide) and I am  
1717 very concerned about the setbacks, buffers and, even as said here tonight, there are  
1718 restrictions where you can plant, where you cannot plant due to easements, and that 60-  
1719 foot buffer really bothers me in terms when you look at it. It is very confusing when you  
1720 look at it because it runs across the back of my property. It looks like it may be 60-feet  
1721 of trees, natural trees and so forth. I can tell you, come and look. I will invite anybody to  
1722 come and look at the very back section of our lot where those easements exist right now.  
1723 It is mowed on a regular basis by the petroleum company, and, believe me, there is not a  
1724 tree or twig that stands within 30-feet of that back part of my lot. So, I am very  
1725 concerned that when we start saying the clubhouse gets to the back and it will be natural  
1726 areas, how much land, how much trees, how much vegetation will be left there?  
1727  
1728 Ms. Dwyer - Do we have an aerial photo?  
1729  
1730 Mr. Archer - Do you have it, Mark?  
1731  
1732 Ms. Dwyer - Mark, can you point out where the gas easement is  
1733 (referring to slide). That is what Mr. Bailey is talking about. That cleared area.

1734  
1735 Mr. Bittner - It is on the western border. It is probably in this sort of  
1736 light green area here (referring to slide).  
1737  
1738 Mr. Silber - Can you blow that up, Mark?  
1739  
1740 Ms. Dwyer - Can you show us your lot, Mr. Bailey? I think I know  
1741 where it is. I think it is the one in the corner there (referring to slide).  
1742  
1743 Mr. Bailey - It is the one that runs right on Ridgefield.  
1744  
1745 Mr. Silber - I think you are on Lot 9. The address is 09?  
1746  
1747 Mr. Bailey - If you look at this drawing, it is the very last one (referring  
1748 to slide).  
1749  
1750 Mr. Silber - It is Lot 9, Mr. Kaechele.  
1751  
1752 Mr. Bailey - If you find the clubhouse, I am directly behind the parking  
1753 area and the clubhouse.  
1754  
1755 Mr. Silber - Mark, do you mind taking that out just a little bit, not quite  
1756 as far as we had it before (referring to slide).  
1757  
1758 Mr. Bittner - Bear with me a second, here.  
1759  
1760 Mr. Silber - That is good. Thank you.  
1761  
1762 Mr. Bailey - Yes, right back here, right on the very corner (referring to  
1763 slide). I left that whole area back treed, but right behind are all of the easements and so  
1764 forth, and it is cleared out totally back there (referring to slide). That is my concern.  
1765 Obviously, the clubhouse concerns me. Will there be a pool in the future? Tennis courts  
1766 in the future? All I hear is penuche and, you know, bridge games and so forth, and I look  
1767 forward to that in my coming years as well, but I question that. I also question whether  
1768 or not bordering directly behind my property if that they may become, what are the time  
1769 limits on the clubhouse? What kind of parties and, I don't know, 50% of these people  
1770 aren't above 55, so those are my concerns, along with every concern that Mr. Howard  
1771 said earlier. Thank you.  
1772  
1773 Ms. Dwyer - Thank you, Mr. Bailey.  
1774  
1775 Mr. Archer - Thank you, sir. Any questions before you take your seat?  
1776 All right. There are about four minutes left.  
1777  
1778 Ms. Dwyer - Would anyone else like to speak?  
1779

1780 Mr. Maizel - My name is Max Maizel and I live at 2017 Old Prescott  
1781 Court and I own the lot adjacent to me, which is across the street from the development.  
1782 The first point of order, I've been kept abreast until today of this proposed development  
1783 and I called Mr. Bittner yesterday to ask him if the meeting was still on, at 4:30 in the  
1784 afternoon, and he told me he was still working on new proffers that had just arrived  
1785 yesterday. I have not seen them, and have no information at all, so I don't know what the  
1786 most recent proffers or the most recent changes in the development are, and nothing to  
1787 base my most recent support or opposition to the project, and I would ask that this be  
1788 deferred until all of the people that are involved, as I understand that there were a lot of  
1789 last minute stuff going on. So that is the first thing I would ask you. If you are going to  
1790 vote on this tonight, if you are going to do it, then I would ask that you defer it to a future  
1791 meeting, because I, as a very close neighbor, have no information on what went on  
1792 yesterday and what went on today in terms of the most recent changes in it. Secondly,  
1793 what I would like to ask is that during Mr. Theobald's presentation, I think I heard him  
1794 say that from the clubhouse you could see something that was going to overlook the  
1795 creek and the vegetation, trees, etc., and at one of the meetings, he said everything was  
1796 going to be clear-cut for the buffer zones. I would like for him to explain what vista he  
1797 was talking about something would be viewed, since it would be clear-cut. But if you are  
1798 going to approve it, I would ask for a deferral, because I don't have any information to  
1799 base my, whether to support or defer it on.

1800  
1801 Ms. Dwyer - Thank you. I will ask.

1802  
1803 Mr. Maizel - Is that correct, that there were changes that came about as  
1804 late as today?

1805  
1806 Ms. Dwyer - Well, I believe the changes were being worked on  
1807 yesterday and were submitted today.

1808  
1809 Mr. Maizel - Yes, and one of the neighbors tonight standing outside said  
1810 that something was left in my mailbox today, and I haven't been home today. I came in  
1811 straight from work, so I haven't seen anything.

1812  
1813 Mr. Archer - Thank you, Mr. Maizel.

1814  
1815 Ms. Dwyer - I will ask the applicant to respond to your question in his  
1816 rebuttal.

1817  
1818 Mr. Archer - There are still a few seconds left.

1819  
1820 Mr. Dunnivant - Lloyd Dunnivant, 2104 Old Prescott Place. I just want to  
1821 take a minute to answer a question the Board raised. You asked about property values  
1822 and complaints from neighbors. I visited the two neighborhoods in Chesterfield County  
1823 that they put together. There would be no complaints about property values. That was the  
1824 highest scale neighborhood in those areas. It is a totally different situation. Here you  
1825 have an upscale neighborhood, high school across the street. I'd say whatever they have

1826 had before, you can't count on it at all. I think the homes off Old Buckingham Place  
1827 were selling for about \$100,000 to \$125,000 next to this development. Why would they  
1828 have any complaints about that? The one in Chester, which is still under construction, is  
1829 by a YMCA. I didn't see what was behind it, but it is a totally different situation. Also, I  
1830 don't know about the front. I went by the one on Buckingham for over two years. I  
1831 thought it was a storage unit. The garages are all around. They are extremely ugly. I  
1832 don't know if you all went out to those, but it is not like I have seen on these pictures. I  
1833 know they have made some changes, but that is one of my biggest complaints. It is  
1834 extremely ugly. It will bring down our property values. I am sure of it.

1835  
1836 Ms. Dwyer - Mr. Dunnivant, have you had a chance to look at the  
1837 revised elevations?  
1838

1839 Mr. Dunnivant - Yes, I have. It is better than what they first suggested. It is  
1840 still the same building. It is just a little lipstick on the pig. Any other questions?  
1841

1842 Mr. Archer - Is there any time left, Mr. Secretary? We've got 45  
1843 seconds to take the lipstick off of the pig.  
1844

1845 Mr. Yuell - My name is Blaine Yuell and I live at 10842 Old Prescott  
1846 Road. My major concern would be - I want to show the entrance in and out of there, the  
1847 site plan. My major concern would be the entrance in and out and the problem through  
1848 this existing subdivision (referring to slide). In order for people to use the shopping  
1849 center, which is between this area here, they would have to come through our subdivision  
1850 all the way up Old Prescott and then over here to the Foodlion (referring to slide). Now  
1851 that would create a large amount of traffic up and down Old Prescott in order for them to  
1852 use the shopping center across the street. We know for a fact that people are not going to  
1853 come out of this existing area, drive up to Ridgefield and Pump, do a you-do-it right here,  
1854 and go down this way (referring to slide). We know that is not going to happen. We  
1855 know first that people are going to come out of this entrance way here (referring to slide),  
1856 come up and down Ridgefield Parkway, I mean Old Prescott, which is, in turn, going to  
1857 cause a lot of traffic problems and also security for the children in the area who do play  
1858 out there. So, my concern would be, I would strongly disagree with the plan, because of  
1859 this existing problem which would occur. And I am looking out for the safety of the  
1860 children that live in the neighborhoods. We do have a lot of young kids who live on Old  
1861 Prescott Road that use that as a playground.

1862  
1863 Mr. Silber - Mr. Yuell, I probably don't disagree with that. We do have  
1864 the traffic engineer here this evening that could address that. My comment would be that  
1865 this property, if it is to be developed in any residential fashion, will have some type of an  
1866 access onto Ridgefield or Pump, or both, and regardless of what type of residential  
1867 development it is, the potential use of your subdivision to get to the shopping center  
1868 would exist.

1869  
1870 Mr. Yuell - I understand.  
1871

1872 Mr. Archer - Any questions for the gentleman? I think we are about out  
1873 of time, Mr. Secretary. We failed to warn Mr.Theobald when his two minutes were up,  
1874 so sir, we will give you a minute to rebut, if you like. We will remind you this time.

1875  
1876 Mr. Theobald- Just a few comments. I have a subdivision plat that our  
1877 engineer prepared, basically to R-2 standards, because what you have heard a lot of  
1878 tonight is "Don't do this, do single family.  
1879 What I would like you to really think about is, is single-family really the better deal for  
1880 the adjacent neighbors and the County? Now, this is to R-2A standards, just like Old  
1881 Prescott, or Prescott, that you see, and what this doesn't give the adjacent property  
1882 owners is any buffer. I mean, people potentially clear right up to their yard. It doesn't  
1883 give them any fence, but everybody will suddenly start to erect in stockade fashion to  
1884 block out the rear of each other's homes. These homes will undoubtedly be two stories in  
1885 height, for the most part. There is no guarantee on appearances. You are looking at the  
1886 rear of homes and there is certainly more traffic at peak hours. There is certainly school-  
1887 age children in this neighborhood, and intermittent construction, as you build 27 homes.  
1888 I don't think single-family development to the same standards is a better deal for those  
1889 folks in the back. We have worked very hard, I think, to mitigate those impacts. Behind  
1890 the clubhouse, in terms of Mr. Bailey, Mr. Bailey bought a home, and there is a big gas  
1891 line running back through it. It is hard to hide. It is just hard to hide from his site and  
1892 ours. But, behind our clubhouse, is a lot of the wetlands area, and so we are not able to  
1893 go in there and clear out a lot of that stuff, and hope we can put some decking...

1894  
1895 Ms. Dwyer - This will count as a question. Mr. Bailey, I think it was,  
1896 who, well, anyway, at some point asked about why the view would be from the  
1897 clubhouse, because I know that initially your client came in and said that they would  
1898 clear cut the entire site, and then would landscape it, and that was not met with much  
1899 happiness by the neighborhood. Now, we are talking about having a tree preserve area,  
1900 and, of course, what is going t be preserved in this area around the clubhouse. So, maybe  
1901 you could respond to that.

1902  
1903 Mr. Theobald - Steve, correct me if I am wrong, but I anticipate there is no  
1904 pool or tennis courts with this facility. Is that something that is desirable to proffer out,  
1905 then fine. This is basically a large meeting space for aerobics, bridge and there is an  
1906 exercise room, a wooden deck out the back that allows people to sit out at the tables  
1907 under umbrellas, and that is the extent of the active recreation. This area (referring to  
1908 slide), there are a number of finger-like wetlands in here that we are not going to be able  
1909 to disturb. There is an existing creek. We are as concerned about buffering our residents  
1910 from the views of this gas line, as is Mr. Bailey. If we don't have to disturb one tree in  
1911 here, we won't, because that is what adds value to us from these homes and also the view  
1912 of this clubhouse, so we are really on the same...

1913  
1914 Mr. Kaechele - Has the square footage of the clubhouse been determined?

1915  
1916 Mr. Theobald - It is about 2,000 feet.

1917

1918 Mr. Archer - I believe all the time is up.  
1919

1920 Mr. Taylor - Mr. Chairman, I had one question and that related to the  
1921 predominant thing from all of the neighbors was really fear of the reduction in property  
1922 values or property values. The lack of statistics there, I guess, is indiscernible as to  
1923 whether or not that is true.  
1924

1925 Mr. Theobald - Well, certainly there are other good examples in western  
1926 Henrico where condominiums exist very famously in their surroundings, Mooreland  
1927 Commons, Westham Green, the one that is on Ridge, St. Albans, you know, all are in the  
1928 heart of expensive single-family detached homes, and are certainly very desirable  
1929 locations. It certainly has not hurt this property value.  
1930

1931 Mr. Taylor - Do we have statistical evidence, in fact, of construction in a  
1932 residential area, zoned as B-2, really that has had the same stabilizing impact that you  
1933 have stated?  
1934

1935 Mr. Theobald - You lost me when I heard B-2.  
1936

1937 Mr. Taylor - I meant R-2. I am sorry.  
1938

1939 Mr. Theobald - I am sorry...  
1940

1941 Mr. Taylor - Well, let me state it a little simpler. Is there historical  
1942 information relative to what construction of this type would have on adjacent R-2?  
1943

1944 Mr. Theobald - We contacted Mr. Cecil Sears at Roundtree and Associates,  
1945 whose opinion, although we did not commission a full blown study, whose opinion was,  
1946 based on other examples of owner-occupied condominiums in this price range, that there  
1947 was absolutely no detrimental value to surrounding neighborhoods, and I submit that this  
1948 is a lot less impact on a surrounding neighborhood with this guaranteed project, than  
1949 would exist with even more R-2A zoning, assuming that you all also did not get an R-3  
1950 case where we would be consistent with what is right across the street. No impact on  
1951 property value.  
1952

1953 Mr. Taylor - OK, this project is across the street from a shopping center  
1954 now.  
1955

1956 Mr. Theobald - The shopping center at Glen Eagles; the shopping center  
1957 with the Foodlion, I believe, over there, and there is R-3 over here (referring to slide), all  
1958 of which I think was, on the other side of the street was zoned at the same time as I recall.  
1959

1960 Mr. Taylor - Did not that shopping center pre-exist the development?  
1961

1962 Mr. Theobald - The shopping center, wasn't that all zoned in one big case  
1963 on Glen Eagles?

1964  
1965 Mr. Taylor - Was there any indication of what the impact of that  
1966 shopping center was on the existing property values at the time of construction?  
1967  
1968 Mr. Silber - Mr. Taylor, I don't think we have that information. I think  
1969 the property across the street was all zoned as one big package. I don't recall the exact  
1970 timing, whether the shopping center came first or the homes. I believe that there were  
1971 actually some homes that came first, but I don't think we have any information on  
1972 whether there has been any impact on assessed values of those homes.  
1973  
1974 Ms. Dwyer - Did you finish Mr. Taylor?  
1975  
1976 Mr. Taylor - Yes, I have. I don't know what else to say in terms of  
1977 trying to keep some assurance that the property values would not be impacted.  
1978  
1979 Mr. Theobald - Hopefully our price points take care of that, Mr. Taylor,  
1980 with \$135 a square foot, a unit is in excess of \$200,000.  
1981  
1982 Mr. Taylor - That would be my thought, that actually the per square foot  
1983 cost of those houses exceeds the per square foot cost in the existing development. But I  
1984 don't know what the sizes of those houses are or what..  
1985  
1986 Mr. Theobald - Well, obviously, the single-family home are going to have  
1987 more square footage than a condominium, but these condominiums are 1500 to 1700  
1988 square feet in size, pretty good size.  
1989  
1990 Ms. Dwyer - Mr. Theobald, it was my understanding from you that you  
1991 and Mr. Settlage had met with some of the adjacent property owners and that they were  
1992 generally in accord with this plan. Is that right?  
1993  
1994 Mr. Theobald - Mr. Settlage met with the adjacent property owners earlier  
1995 this week, and I wouldn't put words in their mouths. Some of them are here and if they  
1996 choose to speak. It was my understanding not. If anybody wants to express their  
1997 opinion.  
1998  
1999 Ms. Dwyer - I did receive an e-mail from at least one resident who  
2000 indicated she was an adjacent property owner and was not in opposition.  
2001  
2002 Mr. Theobald - Right, that is correct.  
2003  
2004 Ms. Dwyer - I don't have any more questions, but I am ready to make a  
2005 statement at this point. In deference to the neighborhood who have not received proffers  
2006 or revised elevations until today in which he submitted the late notice. Mr. Theobald and  
2007 I discussed this this afternoon and he recognized that, and I think he has apologized for  
2008 the lateness of the delivery of that information, but decided it would be better to go ahead  
2009 and deliver it this afternoon than not to deliver it at all. I was concerned about the late

2010 delivery of it and the fact that people would not have had time to digest the changes that  
2011 had been made, and to fully appreciate, I think, the changes in the architectural features  
2012 for these structures included in the most recent set of proffers. I am sensitive to that, and  
2013 for that reason I am going to suggest that we defer the case 30 days, both to allow the  
2014 neighborhood an opportunity to fully review the changes the proffers made, which were  
2015 done as a suggestion of the adjacent neighbors, after meeting with them this past week,  
2016 which is the reason for the late submittal of the proffers, and many of the comments,  
2017 some of the changes made in the proffers resulted from comments that I had made, but I  
2018 still think we may have a few loose ends in light of the lateness of the hour and the final  
2019 version of the proffers. I do want the neighbors to be satisfied that they have had the time  
2020 to review the changes to the proffers as well as the changes in the architectural. I think  
2021 you have had an opportunity to fully review the site plan that was submitted to you earlier  
2022 this month. I will also say that I do find merit to this particular use on this particular  
2023 parcel. I think there may be some room for discussion about some of the specifics, but  
2024 while it is not single-family, because of circumstances related to this parcel and  
2025 particularly the busy roadways that surround it on two sides, the irregular configuration  
2026 of the parcel itself, its proximity to office and to school and to the shopping center, do  
2027 make this a more appropriate use for a transitional type of residential use, as opposed to  
2028 single-family. So, with that statement made, I will go ahead and ask Mr. Theobald if he  
2029 would be willing to defer the case for 30 days?

2030

2031 Mr.Theobald - Yes, ma'am.

2032

2033 Ms. Dwyer - Is that August 9<sup>th</sup>? OK.

2034

2035 Mr. Vanarsdall - Before you make your motion, that means we won't have  
2036 to hear the case again at the end of 30 days?

2037

2038 Ms. Dwyer - He said hopefully. Well, I know what you are saying, Mr.  
2039 Vanarsdall, that we hate to hear cases twice.

2040

2041 Mr. Vanarsdall - We usually don't hear it all over again unless it is  
2042 something new.

2043

2044 Ms. Dwyer - Mr. Vanarsdall is asking if we would just defer the case for  
2045 decision only or whether we would open the August 9<sup>th</sup> meeting to further comments, and  
2046 I am going to suggest that we allow further comments in August because a number of  
2047 folks have said tonight that they have not had a chance to...

2048

2049 Mr. Vanarsdall - So you are going to hear it all over, and not just have extra  
2050 comments?

2051

2052 Ms. Dwyer - I am thinking that, I am hoping that many of the comments  
2053 will be reduced and will not be repeated from tonight. I am hoping we will be able to  
2054 spend less time on the case.

2055

2056 Mr. Vanarsdall - A good suggestion is the way we handle it in my district, is  
2057 that we have the understanding before the meeting is over with the community, and then  
2058 we don't have to go through all of this. That is way we do it.  
2059

2060 Ms. Dwyer - Well, we will hope to do that, and I am sure Mr. Theobald  
2061 will be available to have another meeting with the neighborhood as a whole between now  
2062 and the next Planning Commission meeting, so that any other details can be resolved with  
2063 the neighborhood as a whole. I know that they have met with the adjacent neighborhood  
2064 recently and resolved most of their concerns. So, we will hear comment but we will ask  
2065 that comment be somewhat limited and not repetitive from what we have heard this  
2066 evening. So, with that, I will make the motion that the Commission defer this case, C-  
2067 26C-01, Tascon, LLC, to our August 9, 2001 meeting at the applicant's request.  
2068

2069 Mr. Taylor - Second.  
2070

2071 Mr. Archer - We have a motion by Ms. Dwyer and a second by Mr.  
2072 Taylor to defer this meeting to August 9, 2001 meeting. All in favor of the motion say  
2073 aye. All opposed say no. The motion is carried. The vote was 5-0. Mr. Kaechele  
2074 abstained from voting.  
2075

2076 The Commission took a 10-minute recess.  
2077

2078 The Commission reconvened.  
2079

2080 Mr. Archer - The Commission will come to order.  
2081

2082 Mr. Silber - The next case is a Resolution.  
2083

2084 **RESOLUTION** – Northwest Middle School #1 and Expansion of Duncroft/Castle Point  
2085 Park – Substantially in Accord with the County of Henrico Comprehensive Plan  
2086 (Brookland District).  
2087

2088 This is for a Substantially in Accord for a site that will have two public facility  
2089 opportunities, one being the Northwest Middle School #1 and the second being the  
2090 Expansion of Duncroft/Castle Point Park. As you are aware, Substantially in Accord  
2091 studies are prepared by our office with input from the various departments and agencies,  
2092 and heard in the form of a public hearing by the Planning Commission, with  
2093 recommendation going to the Board, and the Board needs to act on this before public  
2094 facilities are approved. So this is a Substantially in Accord that Audrey Anderson is here  
2095 to present.  
2096

2097 Mr. Archer - Good evening, Ms. Anderson.  
2098

2099 Ms. Anderson - Good evening, Mr. Chairman and members of the  
2100 Commission. I will try to make this very brief. This particular Substantially in Accord is

2101 for the Northwest Middle School #1 and the expansion of the existing Castle Point Park.  
2102 It is called the Duncroft/Castle Point Park Expansion.

2103  
2104 The proposed middle school and park site is located in the Brookland District,  
2105 approximately 1300 feet east of the intersection of Nuckols Road and Francistown Road.  
2106 I will show you a plan that shows its orientation in reference to the existing park site on  
2107 the west side of the proposed parcel and the proposed Crossridge development on the east  
2108 side of the site (referring to slide). This approximately 60-acre site is a part of parcel 40-  
2109 A-1-A (referring to slide). The parcels characteristics are suitable for the proposed uses.  
2110 The zoning is R-2C, One-Family Residence District Conditional. The proposed facilities  
2111 are permitted uses in this zoning district. The topography of this site is slight to  
2112 moderate. The Land Use Plan recommends the majority of the site for Suburban  
2113 Residential 1, and although the plan does not designate this parcel for a public, the  
2114 proposed use supports a number of the plan's goals that address the provision of public  
2115 facilities and the community needs. Based upon the staff's review of the site for the  
2116 proposed use, we have concluded that the proposed improvements will not be in conflict  
2117 with or a significant departure from the goals, objectives and policies of the plan. The  
2118 staff, therefore, recommends that the Planning Commission approve the resolution,  
2119 finding the proposed middle school and park site substantially in accord with the  
2120 County's Comprehensive Plan. That concludes my report. If you have any questions, I  
2121 will be happy to answer those. Also, Mr. Azzarone from Recreation and Parks, and Mr.  
2122 Carper, from Schools, are here as well to answer questions, if you have any.

2123  
2124 Mr. Archer - Thank you so much, Ms. Anderson. Are there questions  
2125 from the Commission?

2126  
2127 Ms. Dwyer - I have a question for Ms. Anderson. As you can see from  
2128 this map (referring to slide), Nuckols Road, on the other side of Francistown, was  
2129 scheduled to go from its present location all the way to Staples Mill, and provide a lot of  
2130 road frontage for this particular school site as well as good access to Francistown,  
2131 Hungary and Staples Mill. But once Nuckols Road was taken off the Major Thoroughfare  
2132 Plan, the school site no longer has that road frontage and it doesn't really seem to have  
2133 any road frontage, so the obvious question to me is, how are we going to safely get over  
2134 1,000 people in and out of the school site, and what will do in case of an emergency.  
2135 You know, I think that is a critical question. It appears to be landlocked. How are we  
2136 going to get in and out of the school site?

2137  
2138 Ms. Anderson - That is a very good question and reminds me that Mr.  
2139 Foster is here from Public Works, and I am sure he can answer that for you.

2140  
2141 Mr. Foster - Ms. Dwyer is right. You can see that Nuckols Road was to  
2142 be set up in here (referring to slide). This part is the existing park and also County  
2143 property in here, so this site will be continuous with County property. Therefore, it is  
2144 very possible, and these details have not been worked out yet, but if this is County  
2145 property (referring to slide) and the school will be County property as well, it does have  
2146 access to Francistown Road through County property. Therefore, an access point,

2147 depending on the layout of the park, and what happens there, can be placed at that point.  
2148 An access point could be placed here (referring to slide). The County would have to  
2149 obtain this piece of property here (referring to slide). That is SR-1. That is not County  
2150 property, but an access point can be placed here (referring to slide). We'd be looking at  
2151 some kind of road design that would get folks in safely and those types of details have  
2152 not been worked out. It would be very similar to Wilder Middle School where we have  
2153 one access point off of Diane Lane, and going into that school, too, would be very  
2154 similar, and that has worked fine for several years now, so we think we can do that. The  
2155 road is also wide enough. We have checked that we can get left-turn lanes off of  
2156 Francistown Road. It is just a matter of restriping for left-turn lanes to go back into that,  
2157 too. Those types of details we will see at the POD stage and we will be looking at that  
2158 very carefully as far as that access point. We just want to make sure, from a traffic  
2159 standpoint, that there is a park there now. There is a road in there now. We need to look  
2160 at that very carefully because the road may be designed for the park and may not be  
2161 designed for the school, but we can use that same corridor to do that, if possible.  
2162

2163 Ms. Dwyer - So, Nuckols Road has been eliminated from the  
2164 Thoroughfare Plan and you now have to route the school traffic through a park. Is that  
2165 what you are saying?  
2166

2167 Mr. Foster - You don't have to, however, if that is the choice that is  
2168 going to have to be made, it can work, from a traffic standpoint.  
2169

2170 Ms. Dwyer - What other options are there?  
2171

2172 Mr. Foster - Well, the other options are, one of Park's options is to try to  
2173 obtain land to do that, and if the County chooses to do so, they could, but we can make a  
2174 site work in this area here (referring to slide) and we can make that work from a traffic  
2175 standpoint.  
2176

2177 Ms. Dwyer - Well, do you see a conflict between the purpose of a park,  
2178 especially in this kind of a congested residential area, and the park is designed to draw  
2179 children, bicycles and the playground and all, but to have school buses and, you know, all  
2180 the traffic associated with school coming through a park like that. That doesn't seem to  
2181 be optimal to me.  
2182

2183 Mr. Foster - We would have to make sure that it is designed so that the  
2184 park access, if you will, would be secondary to the school access, especially on any park,  
2185 if you have a major road where the park has driveway access. The driveway should be  
2186 designed, from a traffic recommendation, that the driveways to the school and there is a  
2187 separate driveway off to get to the park. That would make it very similar to whether it is  
2188 Deep Run Park, on a four-lane divided road, or some of our other parks within the  
2189 County, where you have parks off of two-lane roads or four-lane roads so that the  
2190 emphasis would not be a park road to feed the school, it would be a school road that the  
2191 park has access to.  
2192

2193 Ms. Dwyer - So, on the common road, then the park traffic and the  
2194 school traffic would be using the same road?  
2195

2196 Mr. Foster - That is possible during the school time and in the afternoon  
2197 and evenings when the school is not in session, unless they have activities, of course, that  
2198 would happen. It is very similar to the concept you're looking at with the Short Pump  
2199 Middle School and the park there, and the proposed possible park back there where we'd  
2200 have bus access and also park access through the property there (referring to slide).  
2201

2202 Mr. Vanarsdall - What is that?  
2203

2204 Mr. Foster - That, I think we have looked at that as part of the Land Use  
2205 Plan off of Three Chopt Road and Pump Road of having an access.  
2206

2207 Mr. Vanarsdall - I didn't hear what school you said.  
2208

2209 Mr. Foster - Short Pump Elementary School.  
2210

2211 Ms. Dwyer - That is an elementary school which has a lot of road  
2212 frontage already and this has none.  
2213

2214 Mr. Kaechele - Has the Master Plan for, I believe, is it Crossridge Planned  
2215 Community, been pretty much finalized?  
2216

2217 Mr. Silber - Yes, Mr. Kaechele. That has been pretty much finalized.  
2218 Here is one of the exhibits here. I don't know if Tim or Audrey can flip through that.  
2219

2220 Mr. Kaechele - The potential connection to the east or to Staples Mill or up  
2221 to the school site.  
2222

2223 Mr. Silber - Can this be blown up a little bit (referring to slide)? I  
2224 guess, Mr. Kaechele, two stub connections, one as Mr. Foster is showing from the north  
2225 at this location (referring to slide) and one from the south. They would both come  
2226 through the single-family communities on the far eastern side order of the public  
2227 facilities. Those are all multifamily adult communities. There are two stub location  
2228 possibilities coming through those single-family residential communities.  
2229

2230 Mr. Kaechele - Yes, I see.  
2231

2232 Ms. Dwyer - So, is there potential then for access for the school through  
2233 the Crossridge development?  
2234

2235 Mr. Silber - The northernmost access is, has potential. The problem is  
2236 that, and I don't know if this is the best map to be looking at, but there is a drainage area  
2237 through there (referring to slide), wetlands. It would require the crossing of that. There,

2238 that is a better illustration (referring to slide). The topo in there is somewhat severe. You  
2239 need to go across that creek.

2240  
2241 I guess, Tim, if you could show roughly where they are coming from the north, right in  
2242 there somewhere (referring to slide), he has crossed that topo that drops about 20 or 30  
2243 feet. It may be possible to bring some type of emergency access in that way, Ms. Dwyer,  
2244 that would provide, if something happened to the major access, then there could be a  
2245 secondary emergency access that would come from the north.

2246  
2247 Mr. Taylor - Can we scroll back to Crossridge, wasn't it, that Mr.  
2248 Kaechele asked about, again, please? That one right there. There is a section up to the  
2249 north of the screen (referring to slide), that there is no circulation indicated. Is there a  
2250 plan for that?

2251  
2252 Mr. Silber - I am not sure if I understand your question.

2253  
2254 Mr. Taylor - Go back to that previous slide. Right there. There is a large  
2255 area right there (referring to slide) that there is nothing planned for, from Crossridge, or it  
2256 looks like it is not plotted.

2257  
2258 Mr. Silber - Oh, I think that is, there is another, no that is a part of  
2259 Crossridge and another community is planned in there. I don't know if that is zoned, but  
2260 that is also part of the Crossridge development that would not have any stub streets into  
2261 the school property.

2262  
2263 Mr. Taylor - Now, go back one more screen until we get to the traffic  
2264 circle before the apartments, please. Do you see where that traffic circle is (referring to  
2265 slide)? Now, in the next phase of Crossridge, it would seem possible to continue the road  
2266 to the south – the south of our screen or the bottom of our screen – and loop that around  
2267 for additional access. Have we approved those apartments in there which seem to more  
2268 than enable us – if there was way to arrange it, to arrange the continuation of that circle  
2269 right through to the school site? We could talk to Mr. Attack.

2270  
2271 Mr. Silber - Are you talking about through the apartment site?

2272  
2273 Mr. Taylor - There is a road that goes, there is seemingly a road that you  
2274 trace that goes almost to the corner (referring to slide).

2275  
2276 Mr. Silber - Now those would be private roads, Mr. Taylor, that go  
2277 through that apartment complex, as would everything that comes off of that.

2278  
2279 Mr. Taylor - Everything off of Staples Mill?

2280  
2281 Mr. Silber - Everything that comes off of that circle will be private  
2282 roads. The only public road access to this park and school site would be the stub to the  
2283 south and the stub to the north.

2284  
2285 Mr. Taylor - OK.  
2286  
2287 Ms. Dwyer - Would you recommend a second point of access to the  
2288 school?  
2289  
2290 Mr. Foster - I think in our written comments what we did recommend to  
2291 be looked at was some type of access to the school from Crossridge, but not connected.  
2292 The reason we did that was we felt that if there were students within here (referring to  
2293 map), that lived more than a third of a mile from the school, instead of having to get on a  
2294 bus and go all the way around, there would be some kind of drop-off turnaround  
2295 somewhere in this area. You could then get access within Cross ridge, but we would then  
2296 recommend that those two, that that does not connect to anything that would get out to  
2297 Francistown Road, because what we don't want to create is a cut-through for folks that  
2298 live here, a cut-through to school property to get off of Francistown Road.  
2299  
2300 Ms. Dwyer - So you would recommend, maybe, sort of a turnaround  
2301 within the Crossridge community adjacent to the school site, so the parents would come  
2302 and drop the child off to the school who lived in Crossridge?  
2303  
2304 Mr. Foster - I think our written comments state that. If it can work, that  
2305 would be something that we would be in favor of.  
2306  
2307 Ms. Dwyer - Why wouldn't something like that work?  
2308  
2309 Mr. Foster - It just depends on one of the biggest things is the park is  
2310 here (referring to slide), and the school is here (referring to slide), how to access to the  
2311 school, all of this being private property is the biggest thing and then this drainage section  
2312 in here (referring to slide), this 20 to 30-foot drop-off here (referring to slide) and the  
2313 section right here (referring to slide) is awfully difficult to do. So, without the detailed  
2314 plans of how the school is going to be laid out and those types of things, it is hard to tell,  
2315 but we were just stating that in the design of the school, those are some things that should  
2316 be looked at to do.  
2317  
2318 Ms. Dwyer - What about emergency access?  
2319  
2320 Mr. Foster - Well, emergency access, that could be used in the same  
2321 way, also, and I can't speak as far as Fire goes, but they could also look at one of these  
2322 stubs for emergency access for fire trucks and that type of thing. That Fire would have to  
2323 get into and look at and I'm sure it is something they will look at very closely at the time  
2324 that they have the plan. It would be easier to make an emergency school access  
2325 somewhere here (referring to plan), than it would be for any other type of access, for the  
2326 simple reason that it is private property.  
2327

2328 Ms. Dwyer - But looking at what has already been done, the apartments  
2329 being placed there, it seems highly unlikely that that would provide an access. It does not  
2330 look like there is access from Crossridge.  
2331

2332 Mr. Foster - And then if this is a park site, they could look at possibly  
2333 having an emergency access, too, through here (referring to slide). But without, I have  
2334 not seen a plan or design, so without those kinds of details, it is hard to tell, and also from  
2335 an emergency standpoint, it could be something from up here (referring to slide).  
2336

2337 Ms. Dwyer - From Duncroft?  
2338

2339 Mr. Foster - It could be emergency only.  
2340

2341 Ms. Dwyer - Is that Duncroft up there where you are...  
2342

2343 Mr. Foster - Yes, it is Duncroft (referring to slide).  
2344

2345 Ms. Dwyer - So, would there be pedestrian access from Crossridge and  
2346 Duncroft as well?  
2347

2348 Mr. Foster - Once again, we would recommend that that would be the  
2349 case, especially if there is a park and there are thousands of children in here. I think that  
2350 it can be designed that way to have pedestrian access to the school. If the school is here,  
2351 and it is within a third of a mile, some of the students would be expected to walk to  
2352 school.  
2353

2354 Ms. Dwyer - Is there a way to get in?  
2355

2356 Mr. Foster - If there is no way to get in, we would then put them on a  
2357 bus and take them all the way around. But the main thing we don't want is activity  
2358 between these two entities, because it would create a cut-through and the folks over at  
2359 Francistown would have a short cut to the school.  
2360

2361 Ms. Dwyer - So, it would have to be some discussion with Attack  
2362 Properties to see if they would allow a turnaround at any of their sites and that is all  
2363 speculative whether there would even be any pedestrian access or any turnaround access  
2364 to the school site whatever, or any emergency access, for that matter, so the only access  
2365 we can be assured of is access through the park site.  
2366

2367 Mr. Foster - At this point in time, yes, ma'am.  
2368

2369 Mr. Archer - All right. Any further questions for Mr. Foster? Well, Mr.  
2370 Foster, in terms of the school site plan, there is none at this point? We don't know how  
2371 the school will be oriented or anything?  
2372

2373 Mr. Silber - Maybe I can answer that, Mr. Foster, or Schools can  
2374 answer that. Schools, I believe, have retained a consultant to begin to do some  
2375 preliminary layouts for the school site. We met with Schools last Thursday to begin to  
2376 look at some concepts there and in the process of looking at many different options, I  
2377 think it is safe to say that even forward with a plan of development on this site is at least  
2378 six months away.  
2379

2380 Mr. Foster - I did see a picture of a school sitting on this portion here  
2381 (referring to slide) and a pencil drawn line that sort of showed the road. I can't review  
2382 anything like.  
2383

2384 Mr. Kaechele - What is the time frame for this school to open?  
2385

2386 Mr. Silber - Mr. Carper, do you want to answer that?  
2387

2388 Mr. Carper - Fall 2004.  
2389

2390 Mr. Silber - It is 2004. It is Fall 2004  
2391

2392 Mr. Archer - All right. Any further questions from the Commission for  
2393 anybody?  
2394

2395 Ms. Dwyer - I will say that the Goals, Policies and Objectives do require  
2396 us to consider access as we select public sites, so even though we don't expect to have  
2397 plans, I think we do need to be assured that there is adequate access to a public facility. I  
2398 think that is called into question with the elimination of Nuckols Road on this site.  
2399

2400 Mr. Archer - All right. Any further discussion?  
2401

2402 Mr. Vanarsdall - Are you ready for a motion?  
2403

2404 Mr. Archer - I suppose so, Mr. Vanarsdall.  
2405

2406 Mr. Vanarsdall - The good news is that they want this site that was offered to  
2407 them, 40 acres and 60 acres, 20 of it park, and it is going to be needed there very much  
2408 and it will be a nice school, and so far Crossridge has been worked really great, and I  
2409 know we won't have any problem with the school once they get the details worked out,  
2410 so I move that Henrico County Planning Commission find the proposed Northwest  
2411 Middle School #1 and Expansion of Duncroft/Castle Point Park Site is substantially in  
2412 accord with the County's Comprehensive Plan after being researched, reviewed and  
2413 recommended by staff, including input from the County's traffic engineer, Mr. Foster.  
2414

2415 Mr. Archer - Is there a second?  
2416

2417 Mr. Jernigan - Well, staff recommended that and I will second it.  
2418

2419 Mr. Archer - All right. Motion by Mr. Vanarsdall and second by Mr.  
2420 Jernigan.  
2421  
2422 Mr. Kaechele - Does the Board have to approve this site?  
2423  
2424 Mr. Silber - Yes, sir. This is a recommendation.  
2425  
2426 Mr. Archer - Thank you, Mr. Kaechele. All right. Motion by Mr.  
2427 Vanarsdall and seconded by Mr. Jernigan. All in favor of the motion say aye. All  
2428 opposed say no. The ayes have it. The vote is 4-1. Mr. Kaechele abstained from voting.  
2429  
2430 The vote was as follows:  
2431  
2432 Mr. Archer - Aye  
2433 Ms. Dwyer - No  
2434 Mr. Vanarsdall - Aye  
2435 Mr. Taylor - Aye  
2436 Mr. Jernigan - Aye  
2437  
2438 Mr. Vanarsdall - This is the first one I ever remember that we had any  
2439 problem with.  
2440  
2441 REASON: Acting on a motion by Mr. Vanarsdall, seconded by Mr. Jernigan, the  
2442 Planning Commission voted 4-1 (one abstention) to recommend that the Board of  
2443 Supervisors **grant** the request because it conforms to the recommendations of the Land  
2444 Use Plan.  
2445  
2446 Mr. Archer - All right, Mr. Secretary. Do we have a work session to set?  
2447  
2448 Mr. Silber - Yes, this may be new or news to the Planning Commission,  
2449 but you may recall that several months ago the Commission considered a zoning  
2450 ordinance amendment dealing with residential setbacks along major roads. I think at that  
2451 time that it was even called "Setbacks in Buffers Adjacent to Major Roads."  
2452  
2453 Mr. Vanarsdall - Did the Board ever look at that?  
2454  
2455 Mr. Silber - Yes, sir. They looked at this and they held several work  
2456 sessions, discussed it, massaged it, and came up with a suggested change to it, and at the  
2457 last public hearing when this was considered, the development community came forward  
2458 and voiced some concerns. So, the Board remanded this back to the Planning  
2459 Commission for their consideration of the Board's suggestions, their previous  
2460 suggestions as well as the development community's suggestions, so I think what we  
2461 need to do is set a work session, where we can review this with you and share with you  
2462 the Board's suggested changes to the amendment as well as what the development  
2463 community has expressed in the form of concerns, and then, hopefully, prepare a

2464 recommendation that we can send back, or the Commission can send back to the Board of  
2465 Supervisors.  
2466  
2467 We were hoping that the Commission might find time on their calendar to set a special  
2468 work session, not on one of its regularly scheduled public hearing dates, but a special  
2469 work session. We will bribe you by providing dinner. The date we are recommending is  
2470 July 31<sup>st</sup>, which is a Tuesday. We would serve dinner at 5:45 and the work session would  
2471 begin at 6:30 p.m. How does that look with your calendars?  
2472  
2473 Ms. Dwyer - I will be out of town for that week.  
2474  
2475 Mr. Vanarsdall - I will be available, Mr. Chairman.  
2476  
2477 Mr. Silber - Two available? Mr. Archer?  
2478  
2479 Mr. Archer - I think I am here on that date.  
2480  
2481 Mr. Silber - OK, so we have five of the six. If that is reasonable, we  
2482 will go forward. Ms. Dwyer, do you want us to find a date that works with you?  
2483  
2484 Ms. Dwyer - No, that is all right.  
2485  
2486 Mr. Silber - We can serve you steak and shrimp. Will that work?  
2487  
2488 Ms. Dwyer - That is the week in between meetings, so that is why I  
2489 planned on taking that week for vacation.  
2490  
2491 Mr. Silber - We felt that might be the situation. OK, if that is OK with  
2492 the Commission, we will go ahead and set that.  
2493  
2494 Mr. Archer - All right, may we have a motion for the work session?  
2495  
2496 Mr. Taylor - I move we hold the work session at 6:30 p.m. on July 31<sup>st</sup>.  
2497  
2498 Mr. Archer - With dinner at 5:45 p.m.  
2499  
2500 Mr. Vanarsdall - Second.  
2501  
2502 Mr. Jernigan - Where is it Randy?  
2503  
2504 Mr. Silber - It will either be upstairs in the County Manager's  
2505 Conference Room or else in our new conference room, our large conference room. We  
2506 are still trying to tie down the location. We will send you information about a week  
2507 before this, giving you a summary of where we are and some information on this and in  
2508 that memo or letter we will tell you where it will be held.  
2509

2510 Mr. Archer - The motion is approved.  
2511  
2512 Mr. Silber - OK, the last item on the agenda would be the minutes of  
2513 the June 14<sup>th</sup> meeting.  
2514  
2515 Mr. Archer - Do we have those minutes? I don't have them.  
2516  
2517 No one had received the minutes.  
2518  
2519 Mr. Silber - Maybe what we will do is put those off until next time. We  
2520 can't tell you how much we miss Judy in our office on things like this. There are a lot of  
2521 things that are potentially falling between the cracks. Staff is doing an outstanding  
2522 wonderful job of picking up, but until someone is absolutely gone like that, you don't  
2523 realize how much they were contributing. We apologize for not having them. We will  
2524 have them next time.  
2525  
2526 Mr. Archer - And we promise to read them when they are received. All  
2527 right. Is there a motion for adjournment?  
2528  
2529 Mr. Vanarsdall - I move we adjourn.  
2530  
2531 Ms. Dwyer - Second.  
2532  
2533 Mr. Archer - We have a motion by Mr. Vanarsdall, seconded by Ms.  
2534 Dwyer. The meeting is adjourned.  
2535  
2536 There being no further business, acting on a motion by Mr. Vanarsdall, seconded by Ms.  
2537 Dwyer, the Planning Commission adjourned its meeting at 9:58 p.m. on July 12, 2001.  
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Chris W. Archer, C.P.C., Chairman  
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2546  
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Randall R. Silber, AICP, Acting Secretary  
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