

1 Minutes of the regular monthly meeting of the Planning Commission of the  
2 County of Henrico held in the County Administration Building in the Government  
3 Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. Thursday,  
4 September 9, 2010. Display Notice having been published in the Richmond  
5 Times-Dispatch on August 19, 2010 and August 26, 2010.  
6

Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairman (Brookland)  
Mr. C. W. Archer, Vice Chairman C.P.C. (Fairfield)  
Mr. Tommy Branin (Three Chopt)  
Mrs. Bonnie-Leigh Jones (Tuckahoe)  
Mr. R. Joseph Emerson, Jr., Director of Planning, Secretary  
Mr. David Kaechele, Board of Supervisors Representative

Member Absent: Mr. E. Ray Jernigan, C.P.C., (Varina)

Also Present: Ms. Jean Moore, Assistant Director of Planning  
Mr. James P. Strauss, CLA, Principal Planner  
Ms. Rosemary Deemer, County Planner  
Mr. Livingston Lewis, County Planner  
Mr. Roy Props, County Planner  
Mr. Ben Blankinship, County Planner  
Mr. Paul Gidley, County Planner  
Mr. Mike Jennings, Traffic Engineer, Public Works  
Ms. Kim Vann, County Planner  
Ms. Sylvia Ray, Recording Secretary

7  
8 **Mr. David Kaechele, the Board of Supervisors' representative, abstains on**  
9 **all cases unless otherwise noted.**

10  
11 Mr. Vanarsdall - Good evening everyone and welcome to the Henrico  
12 County Planning Commission, fellow Commissioners, and a special welcome to  
13 Mr. Kaechele on the far left who is a member of the Board of Supervisors.  
14

15 Mr. Kaechele - Glad to be here.  
16

17 Mr. Vanarsdall - Now I would like for everyone to stand and Pledge  
18 Allegiance to the Flag.  
19

20 Now we'll turn the meeting over to our secretary, Mr. Emerson.  
21

22 Mr. Emerson - Thank you, Mr. Chairman. The first item on your  
23 agenda tonight will be the Requests for Withdrawals and Deferrals. Those will be  
24 presented by Mr. Jim Strauss.  
25  
26

27 Mr. Strauss - Good evening. There is one request for withdrawal  
28 this evening and it's in the Three Chopt District on page one of the agenda. That  
29 would be case C-4C-10, Reynolds Holding, LLC. This is a request to amend  
30 proffered conditions accepted with the original zoning case, C-13C-07. The  
31 applicant is requesting withdrawal. No action is required.

32  
33 **(Deferred from the March 11, 2010 Meeting)**

34 **C-4C-10 Andrew M. Condlin, Esq. for Reynolds Holdings,**  
35 **LLC and Reynolds Crossing Property Owners Association, Inc.:** Request to  
36 amend proffered conditions accepted with Rezoning Case C-13C-07, on part of  
37 Parcels 765-744-6557 and 767-744-6325, located at the eastern intersection of  
38 Forest Avenue and Glenside Drive. The applicant proposes to amend Proffer 3  
39 to allow one direct vehicular access from Glenside Drive to the site. The existing  
40 zoning is B-2C and B-3C Business Districts (Conditional) and O-3C Office District  
41 (Conditional). The Land Use Plan recommends Commercial Concentration and  
42 Office. The site is in the Enterprise Zone.

43  
44 Mr. Vanarsdall - Thank you.

45  
46 Mr. Emerson - Mr. Chairman, that takes us to the next item, which  
47 are requests for expedited items. Those will also be presented by Mr. Jim  
48 Strauss.

49  
50 Mr. Strauss - We have two requests for expedited approval this  
51 evening. The first one is in the Brookland District, page two of the agenda. That  
52 is case C-15C-10. This is Wistar Commons Condo Association. This is a request  
53 to amend proffered conditions accepted with the original zoning case, C-11C-08.  
54 The deletion of Proffer 3 related to screening of roof-mounted equipment is  
55 proposed. The proffer was intended to provide screening of rooftop mechanical  
56 equipment from Staples Mill Road. But since the mechanical equipment is not  
57 visible from Staples Mill Road, staff feels deletion of this proffer would not  
58 diminish the quality of this development. Staff is recommending approval. We are  
59 not aware of any opposition.

60  
61 **C-15C-10 Brett Davis for Wistar Commons Condo Assoc.:**  
62 Request to amend proffered condition accepted with Rezoning Case C-11C-08,  
63 on Parcel 772-752-0526, located approximately 445 feet east of Staples Mill  
64 Road (U. S. Route 33), approximately 335 feet north of Wistar Road, and  
65 approximately 230 feet west of Kimway Drive. The applicant proposes to delete  
66 Proffer 3 related to screening of roof-mounted mechanical equipment. The  
67 existing zoning is M-1C Light Industrial District (Conditional). The Land Use Plan  
68 recommends Light Industry and Environmental Protection Area.

69  
70 Mr. Vanarsdall - Anyone in the audience in opposition to C-15C-10,  
71 Brett Davis for Wistar Commons Condo Association? No opposition. I

72 recommend that C-15C-10, Brett Davis for Wistar Commons Condo Association,  
73 be recommended to the Board of Supervisors for approval.

74  
75 Mr. Branin - Second.

76  
77 Mr. Vanarsdall - Motion made by Mr. Vanarsdall, seconded by Mr.  
78 Branin. All in favor say aye. All opposed say no. The ayes have it; the motion  
79 passes.

80  
81 **REASON:** Acting on a motion by Mr. Vanarsdall seconded by  
82 Mr. Branin, the Planning Commission voted 4-0 (one, absent, one abstention) to  
83 recommend the Board of Supervisors grant the request because the changes do  
84 not greatly reduce the original intended purpose of the proffers, and the proffers  
85 continue to assure a quality form of development with maximum protection  
86 afforded the adjacent properties.

87  
88 Mr. Strauss - The next case requesting expedited approval this  
89 evening is in the Varina District, page two of the agenda. This is P-10-10,  
90 American Tower Corporation. This is a request to permit a height increase for  
91 the existing tower to allow collision lighting. They're increasing the height from  
92 190 feet to 197.4 feet. The lighting is an FAA requirement. Staff is  
93 recommending approval and we are not aware of any opposition.

94  
95 **P-10-10 Bonnie Belair for American Tower Corp:** Request  
96 for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of  
97 Chapter 24 of the County Code in order to increase the height of an existing  
98 communications tower (P-1-97) and add obstruction lighting on part of Parcel  
99 857-713-7587 located approximately 500' northwest of the intersection of E.  
100 Williamsburg (U.S. Route 60) and White Oak Roads. The existing zoning is C-1  
101 Conservation District. The Land Use Plan recommends Environmental  
102 Protection Area.

103  
104 Mr. Vanarsdall - Anyone in the audience in opposition to case P-10-10,  
105 Bonnie Belair for American Tower Corporation? No opposition.

106  
107 Mr. Archer - Mr. Chairman, I move that P-10-10, Bonnie Belair for  
108 American Tower Corporation, be sent to the Board with a recommendation of  
109 approval.

110  
111 Mr. Branin - Second.

112  
113 Mr. Vanarsdall - Motion by Mr. Archer, second by Mr. Branin. All in  
114 favor say aye. All opposed say no. The ayes have it; the motion passes.

115  
116 **REASON:** Acting on a motion by Mr. Vanarsdall seconded by  
117 Mr. Branin, the Planning Commission voted 4-0 (one absent, one abstention) to

118 recommend the Board of Supervisors grant the request because it would not be  
119 expected to adversely affect public safety, health or general welfare.

120  
121 Mr. Strauss - That completes the expedited agenda this evening.

122  
123 Mr. Vanarsdall - Thank you, Mr. Strauss.

124  
125 Mr. Emerson - Mr. Chairman, that takes us to the first item on you  
126 agenda tonight, which is public hearing on zoning ordinance amendments. The  
127 staff report will be presented by Mr. Ben Blankinship.

128  
129 **PUBLIC HEARING ON ZONING ORDINANCE AMENDMENTS:** To Amend and  
130 Reordain Section 24-3 Titled "Enumerated," Section 24-30.2 Titled "Development  
131 standards – Multifamily development," Section 24-34 Titled "Development  
132 standards," Section 24-50.4 Titled "Required conditions," Section 24-50.9 Titled  
133 "Required conditions," Section 24-50.14 Titled "Required conditions," Section 24-  
134 50.22 Titled "Development standards," Section 24-50.33 Titled "Development  
135 standards and use restrictions," Section 24-57 Titled "Development standards  
136 and conditions for permitted uses," Section 24-61 Titled "Development standards  
137 and conditions for permitted uses," Section 24-65 Titled "Development standards  
138 and conditions for permitted uses," Section 24-69 Titled "Required conditions,"  
139 and Section 24-79 Titled "Required conditions," and to Add Sections 24-13.01,  
140 24-13.5, 24-27.1, 24-30.3, 24-37.2, 24-44, 24-53.1, 24-72.1, 24-75.1, and 24-  
141 90.1 Each Titled "Development standards and conditions for permitted uses" to  
142 the Code of the County of Henrico to Minimize the Impact of Refuse Container  
143 Servicing on Adjacent Properties.

144  
145 Mr. Vanarsdall - Good evening, Mr. Blankinship.

146  
147 Mr. Blankinship - Good evening, Mr. Chairman, members of the Board.  
148 Thank you, Mr. Secretary. I believe the title of this ordinance is actually longer  
149 than my PowerPoint presentation.

150  
151 Mr. Emerson - I wouldn't doubt it.

152  
153 Mr. Blankinship - We held a work session the last week of June on this  
154 subject; I'm sure you remember. The current regulations limit the hours during  
155 which dumpsters or other refuse containers can be serviced in the B-1 and B-2  
156 districts. They can't be serviced between midnight and six a.m. And in the B-3  
157 District, if the dumpster is located within 250 feet of a Residence District then that  
158 same restriction applies—it cannot be serviced between midnight and six a.m. In  
159 any other zoning district, there are no regulations on the hours of servicing  
160 dumpsters or refuse containers.

161  
162 The Board of Supervisors recently revised the noise ordinance due to a court  
163 case out of Virginia Beach. As they were going through that process, the subject

164 came up of why don't we regulate the servicing of refuse containers the same  
165 way in other districts that we do in B-1 and B-2. And so we were asked to  
166 prepare the amendment that's before you tonight. Essentially, it would take the  
167 same regulations that apply in B-3 and apply them in the O-3 and three Industrial  
168 Districts. That is to say in those districts if the refuse container is within 250 feet  
169 of an R District, it could not be serviced between midnight and six a.m. In all the  
170 other zoning districts, except for UMU, it would just be a blanket provision as it is  
171 in B-1 and B-2, any dumpster or refuse container in the district may not serviced  
172 between midnight and six a.m.

173

174 And finally as we were going through this, we noticed that the language  
175 regulating other aspects of refuse containers such as the screening and the  
176 location of them was not consistent among all the different zoning districts. So  
177 while we were going through this process, we made the language consistent  
178 from one district to the next. The most significant of those changes is that in  
179 some zoning districts now, according to the Code, landscape plantings are an  
180 appropriate matter for screening dumpsters. Whereas, as you know from sitting  
181 on the Planning Commission, we hardly ever approve that. We almost always  
182 require an opaque fence or a wall. So we're just removing landscape plantings  
183 from the Code so that everyone will know up front that they have to put in a wall  
184 or an opaque fence. That really is all this is about.

185

186 Mr. Vanarsdall - Questions for Mr. Blankinship. I think I asked you this  
187 question before. It's 250 feet as measured from the property line.

188

189 Mr. Blankinship - From the property line to the dumpster. If the  
190 dumpster is within—well actually the zoning district boundary. If the dumpster is  
191 within 250 feet of a Residential District then it would be effective. That again is  
192 only in the O-3, B-3, and the Industrial District.

193

194 Mr. Vanarsdall - If the house, for example, is at the other end of the lot.

195

196 Mr. Blankinship - If the dumpster is within 250 of the zoning district.

197

198 Mr. Vanarsdall - Okay, thank you.

199

200 Mr. Branin - Mr. Blankinship, I have a question. When this came  
201 before us before, I had asked you to review and look at the 250. Did you guys do  
202 that?

203

204 Mr. Blankinship - We did. We had several conversations. I don't know if  
205 Mr. Emerson is going to have anything to add to this, but the 250 feet that has  
206 been in the Code for years, with respect to the B-3 District, has, as far as we  
207 know, served well. It's impossible to pick a magic number, but we didn't really  
208 see any need either to raise it or lower it.

209

210 Mr. Branin - Okay. The second question I have is with the refuse  
211 companies that are servicing dumpsters. When you guys started the process of  
212 reviewing it, did we have any pushback at all from such companies?  
213

214 Mr. Blankinship - Very little. We did notify them and some  
215 representatives of that industry attended the Board of Supervisors' work session,  
216 the one on the noise ordinance. They did speak to the issue at that time, but I  
217 think they understood the concerns. When we get complaints, we pass them right  
218 along. Even though there's no law against it, we do get complaints about people  
219 servicing dumpsters at five in the morning. And we do pass them along, through  
220 our Department of Public Utilities, to the refuse people. They try to respond to  
221 those complaints. So I think they were aware of the issue and not terribly  
222 surprised to see it addressed.  
223

224 Mr. Branin - Okay.  
225

226 Mrs. Jones - I have a quick question. Would you just make sure  
227 that I understand this correctly? The multifamily development and the phrasing of  
228 the section here, it doesn't include the provision that you find in other areas about  
229 how the enclosure will screen the refuse containers from within and outside the  
230 premises. Those phrases are used in a number of other sections. I wondered  
231 why the phrasing was different here in multifamily and whether that does give  
232 them the protection they need. Unless I have just missed the wording somehow.  
233 This is 24-32(b).  
234

235 Mr. Blankinship - Yes ma'am.  
236

237 Mrs. Jones - Seeing as how multifamily, obviously, is  
238 [unintelligible].  
239

240 Mr. Blankinship - The requirement in the Code now says that refuse  
241 containers shall be located in an enclosed area conveniently accessible to all  
242 residents. Enclosures shall be constructed of finished masonry materials with the  
243 exception of gates and doors. I think the answer to your question is that those  
244 requirements that were in the Code when we began this process, if we felt they  
245 were adequate. We did not feel it needed changing.  
246

247 Mrs. Jones - No need to change is what you're saying.  
248

249 Mr. Blankinship - Yes ma'am.  
250

251 Mrs. Jones - Okay. That phrasing was so evident elsewhere, I  
252 wondered what the thought was not to have it there. Okay.  
253

254 Mr. Kaechele - Question. The refuse collectors, do they use a lot of  
255 these late-hour collections in the midnight timeframe?

256  
257 Mr. Blankinship - In the eleven years that I've been here, I have never  
258 heard a complaint about late-night hours between say midnight and two in the  
259 morning. It's usually the early-morning hours, the 4:30 to 5:00 timeframe.  
260  
261 Mr. Kaechele - But the same hours apply to school and churches and  
262 other uses in a residential area.  
263  
264 Mr. Blankinship - Yes sir.  
265  
266 Mr. Kaechele - Is that any different from what it is now?  
267  
268 Mr. Blankinship - Well the difference is that now the hours of servicing  
269 dumpsters is not regulated at all in those districts. It's only regulated now in B-1  
270 and B-2, and in B-3 if the dumpster is within 250 feet.  
271  
272 Mr. Kaechele - Golf courses, churches, and schools.  
273  
274 Mr. Blankinship - If they're in the A-1 or a residential district, they're not  
275 regulated at all now in terms of the hours of servicing the dumpster.  
276  
277 Mr. Kaechele - Will they be?  
278  
279 Mr. Blankinship - Yes sir. They like to get an early start in the summer.  
280  
281 Mr. Vanarsdall - You know what the answer is, don't you. It's always a  
282 new driver. He just didn't know.  
283  
284 Mr. Blankinship - Yes sir, I've heard that more than once.  
285  
286 Mr. Vanarsdall - Any other questions? This is a public hearing, Mr.  
287 Petrini, would you like to speak?  
288  
289 Mr. Petrini - [Off microphone; inaudible.]  
290  
291 Mr. Blankinship - Mr. Petrini and his department were in on the  
292 development of the draft.  
293  
294 Mrs. Jones - Happy to have this standardized.  
295  
296 Mr. Archer - So Mr. Blankinship, the main complaints that have  
297 been coming have been for like 4:30 and 5:00 in the morning.  
298  
299 Mr. Blankinship - Yes sir.  
300  
301 Mr. Archer - Have you heard any at all for earlier than that?

302  
303 Mr. Blankinship - I couldn't really say what the earliest is that I've heard.  
304 Generally they are pretty close to daylight in midsummer, 5:30-ish.  
305  
306 Mr. Archer - I imagine that's going to take quite an adjustment for  
307 some of these refuse companies. Their employees will literally have to change by  
308 a couple of hours. That's quite a bit.  
309  
310 Mr. Vanarsdall - If there are no more questions, thank you very much,  
311 Mr. Blankinship. Did you have anything else?  
312  
313 Mr. Emerson - No sir, I don't have anything to add. I believe Mr.  
314 Blankinship covered everything. Yes ma'am, you need a recommendation on  
315 this, on the ordinance.  
316  
317 Mrs. Jones - All right. I would like to move that the Zoning  
318 Ordinance Amendment as presented here this evening be sent to the Board of  
319 Supervisors for approval. I'm not going to read all of the Ordinance.  
320  
321 Mr. Emerson - "As presented" will suffice.  
322  
323 Mrs. Jones - As presented. I decided to leave it there.  
324  
325 Mr. Vanarsdall - That's enough.  
326  
327 Mr. Branin - I second that.  
328  
329 Mr. Vanarsdall - Motion by Mrs. Jones, seconded by Mr. Branin. All in  
330 favor say aye. All opposed say no. The ayes have it; the motion passes.  
331  
332 Thank you, Ben.  
333  
334 Mr. Emerson - Mr. Chairman, that takes us to the next item on your  
335 agenda, which is Resolution for SIA-01-10, Bacova Water Pumping Station and  
336 Storage Site, Substantially in Accord with the Henrico County Comprehensive  
337 Plan. The staff report will be presented by Ms. Rosemary Deemer.  
338  
339 **RESOLUTION:**  
340 **SIA-01-10 Bacova Drive Water Pumping Station and Storage**  
341 **Site – Substantially In Accord with the County of Henrico Comprehensive Plan.**  
342  
343 Mr. Vanarsdall - Good evening, Ms. Deemer.  
344  
345 Ms. Deemer - Good evening.  
346

347 At the request of the Department of Public Utilities, the Planning Department  
348 conducted a Substantially in Accord Study to determine whether a proposed site  
349 for a water pumping station and storage facility along Bacova Drive is  
350 substantially in conformance with the County's adopted Comprehensive Plan.

351  
352 Located in the Three Chopt Magisterial District, the proposed site consists of a  
353 single parcel generally bounded by Colonial Trail Elementary School to the north  
354 and east, Bacova Drive to the west, and Interstate 64 to the south.

355  
356 The site is zoned A-1 and the proposed water pumping station and storage site  
357 are permitted by right. The 4.72-acre parcel exceeds the minimum 1-acre lot  
358 requirement for county-owned water pumping stations and storage tanks and  
359 would provide ample room to accommodate required yards and setbacks.

360  
361 The subject property and surrounding area is recommended for Suburban Mixed-  
362 Use development in the 2026 Comprehensive Plan. The provision of  
363 infrastructure improvements, including water pumping and storage tank facilities,  
364 are generally compatible and appropriate with this mixed land use  
365 recommendation and is also consistent with several Goals, Objectives and  
366 Policies of the 2026 Comprehensive Plan. Specifically in the Vision under  
367 Infrastructure Service Provision and Growth Coordination the Plan recommends  
368 closely coordinating development with plans for expansion of public services and  
369 infrastructure, and Objective 1 of Infrastructure/Service Provision and Growth  
370 Coordination, recommends identifying the need for new public services and  
371 facilities based on projected growth in coordination with the Future Land Use  
372 Map.

373  
374 Through proper design, the proposed county water pumping station and storage  
375 tank facility would be compatible with current and recommended land uses, meet  
376 the increasing water supply demands of this growth area of the county and fulfill  
377 the Goals, Objectives and Policies of the 2026 Comprehensive Plan. Staff  
378 recommends the Planning Commission find the proposed Bacova Drive Water  
379 Pumping Station and Storage Site facility substantially in accord with the Henrico  
380 County 2026 Comprehensive Plan.

381  
382 That concludes my presentation. I'd be happy to answer any questions you may  
383 have.

384  
385 Mr. Vanarsdall - Any questions for Ms. Deemer?

386  
387 Mr. Branin - Have we begun the design of this station and will  
388 there be any other use other than this pump station on this land?

389  
390 Ms. Deemer - We have a preliminary site plan that I have put up on  
391 the screen for you and I believe Mr. Petrini may be able to answer that question  
392 for you.

393  
394 Mr. Vanarsdall - Good evening, Mr. Petrini.  
395  
396 Mr. Petrini - Good evening, Mr. Chairman, members of the  
397 Commission. That is the extent of the design so far. We've done a survey of the  
398 property to make sure there was nothing there that would prevent us from  
399 designing it. The only function on this property will be the water pump station  
400 and the two shown water tanks, one to be built and in use by 2016; the second  
401 one for future demand.  
402  
403 Mr. Branin - When is the second one?  
404  
405 Mr. Petrini - Approximately 2030.  
406  
407 Mrs. Jones - How tall are these structures?  
408  
409 Mr. Petrini - Approximately 40 to 42 feet high. We keep them  
410 specifically under 45 feet.  
411  
412 Mr. Branin - Mr. Petrini, this is the initial design and layout,  
413 correct?  
414  
415 Mr. Petrini - Yes sir.  
416  
417 Mr. Branin - My only concern is not with the pump station being  
418 here, but because there is a school so close, when the design is done that there  
419 is proper fencing as a security and safety measure because of the school.  
420  
421 Mr. Petrini - Yes sir, that is our concern also and we will address  
422 any concerns that may come up or any direction given by the Planning staff.  
423  
424 Mr. Kaechele - The tanks, are they flat tops or are they domed?  
425  
426 Mr. Petrini - I would call them slightly domed. They're not flat, but  
427 they're not a ball. They're kind of a slightly arched dome. That's the way our  
428 tanks have been recently. Shady Grove would be an example of that, the two  
429 tanks at Shady Grove.  
430  
431 Mr. Vanarsdall - Any more questions?  
432  
433 Mr. Branin - I apologize if you said this. When will this start?  
434 When do you guys look to start coming out of the ground on this?  
435  
436 Mr. Petrini - Start in the ground around 2013 and be in operation  
437 in 2016.  
438

439 Mr. Branin - This is the only use for the land, correct?  
440  
441 Mr. Petrini - Correct.  
442  
443 Mr. Kaechele - Will they be fed by the line in Bacova Drive now?  
444  
445 Mr. Petrini - No sir. There would be a new line extended from  
446 Pouncey Tract Road to this site.  
447  
448 Mr. Branin - Is that part of the line that came across when they did  
449 the upgrade down Pouncey Tract?  
450  
451 Mr. Petrini - It would be attached to that line, yes sir.  
452  
453 Mr. Branin - Do you know if there's a line coming toward Gayton,  
454 across that bridge?  
455  
456 Mr. Petrini - Yes sir. There is a water line that is going to be  
457 extended along North Gayton.  
458  
459 Mr. Branin - Will this feed into that as well?  
460  
461 Mr. Petrini - This system that you see in front of you will feed into  
462 the entire system of everything west of Pouncey Tract, which would include that  
463 line.  
464  
465 Mr. Branin - I don't think I can come up with any more questions.  
466  
467 Mr. Vanarsdall - All right. Any more questions for Mr. Petrini? Thank  
468 you. We don't have any more speakers for the public hearing.  
469  
470 Mr. Branin - We have to take action on this?  
471  
472 Mr. Emerson - Yes sir, Mr. Branin.  
473  
474 Mr. Vanarsdall - Do we have to read it into the record, Mr. Secretary?  
475  
476 Mr. Emerson - I can read it into the record and then a motion.  
477  
478 Mr. Branin - If you read it, I'll make the motion.  
479  
480 Mr. Emerson - I'll do that. This is SIA-01-10, Bacova Drive Water  
481 Pumping Station and Storage Site, Substantially In Accord with the  
482 Comprehensive Plan. Whereas, Section 15.2-2232 of the Code of Virginia  
483 requires the Planning Commission to review and to consider whether the general  
484 or approximate location, character, and extent of major public facilities are

485 substantially in accord with the County's Comprehensive Plan; and whereas, the  
486 Planning Commission has reviewed the proposed Bacova Drive Water Pumping  
487 Station and Storage Site for conformance with the County's 2026  
488 Comprehensive Plan; and whereas, a report dated September 2, 2010,  
489 presented by Planning staff to the Planning Commission found the proposed use  
490 would not be in conflict with or a significant departure from the adopted plan; and  
491 whereas, the Planning Commission has reviewed the staff recommendations and  
492 finds the proposed Bacova Drive Water Pumping Station and Storage Site will  
493 further the Goals, Objectives, and Policies of the Comprehensive Plan that  
494 identify the need for new public services and facilities based on projected and  
495 planned growth in accordance with the 2026 Future Land Use map; and  
496 whereas, the Planning Commission finds the proposed use of this site for the  
497 Bacova Drive Water Pumping Station and Storage Site would be compatible with  
498 adjacent developments and existing and future residential developments in the  
499 larger vicinity. Now, therefore, be it resolved the Henrico County Planning  
500 Commission find the proposed Bacova Drive Water Pumping Station and  
501 Storage Site substantially in accord with the County's Comprehensive Plan.  
502

503 Mr. Kaechele - Excuse me Mr. Chairman, Mr. Secretary, does this  
504 come before the Board as well?  
505

506 Mr. Emerson - Yes sir, it will come before the Board next month.  
507

508 Mr. Kaechele - Okay. So I'll abstain.  
509

510 Mr. Branin - I'd like to move that SIA-01-10 as stated by the  
511 secretary move forward to the Board of Supervisors with a recommendation of  
512 approval.  
513

514 Mrs. Jones - Second.  
515

516 Mr. Vanarsdall - Motion by Mr. Branin, seconded by Mrs. Jones. All in  
517 favor say aye. All opposed say no. The ayes have it; the motion passes.  
518

519 Mr. Emerson - Mr. Chairman, that takes us to the next item on your  
520 agenda, which is a brief discussion item to schedule a work session after your  
521 September 22, 2010 meeting—that it is a morning meeting—to review some  
522 questions that were recently raised regarding permitted automobile repair uses in  
523 the B districts and also any potential Code amendments or changes. I know the  
524 Commission has some questions and would like to discuss items that may come  
525 to your mind in regards to the Code. That is the purpose of this work session. I  
526 would suggest that you plan on doing this directly after your meeting and possibly  
527 reconvene in the large conference room of the Planning Department upstairs  
528 after the meeting. I'm not sure right now how many items are on your September  
529 22<sup>nd</sup> agenda. I did look at the preliminary earlier this week. The majority of items  
530 on that agenda are TOAs, but I can't tell you exactly what time we actually would

531 adjourn the meeting. I would just recommend that you plan on doing this  
532 immediately after the meeting. That is probably the best way to address it.

533

534 Mr. Vanarsdall - Anybody have an objection to that? All right, I'll  
535 entertain a motion.

536

537 Mr. Branin - I move.

538

539 Mr. Archer - Second.

540

541 Mr. Vanarsdall - Motion by Mr. Branin, seconded by Mr. Archer. All in  
542 favor say aye. All opposed say no. The ayes have it; the motion passes.

543

544 Mr. Emerson - Mr. Chairman, that takes us to the next item on you  
545 agenda, which is a presentation from the Richmond Association of Realtors.  
546 There are two items: "Examining the Impact of Mixed Use/Mixed Housing  
547 Developments in the Richmond Region" and "Sustainable Communities Building  
548 for the Future." These will be presented by Elizabeth Greenfield, who is the  
549 director of Government Affairs and Member Services for the Richmond  
550 Association of Realtors.

551

552 Ms. Greenfield - Thank you.

553

554 Mr. Vanarsdall - Good evening, Ms. Greenfield, nice to have you here.

555

556 Ms. Greenfield - Thank you. Glad to be here. Let me start off by saying  
557 that these two presentations I'm going to present to you tonight were  
558 commissioned by the Partnership for Housing Affordability. The Partnership is a  
559 501(c)(3) Non-Profit that the Richmond Association manages. Laura Lafayette,  
560 our CEO of the Association, kind of wears dual hats and also serves as the  
561 executive director for the Partnership for Housing Affordability.

562

563 A little interesting note about the Partnership is that the Partnership's Board  
564 consists of non-profits, for-profits, and local government county officials. We are  
565 fortunate to have four of our Board members from Henrico, Hanover,  
566 Chesterfield, and Richmond from either the Community Development or Planning  
567 Departments, one of which is Mark Strickler from Henrico. So it's a very dynamic  
568 mixed group of people on the Board that we're really proud of its  
569 accomplishments.

570

571 What I'm here to talk to you today about is, just as the title says—please bear  
572 with me. I normally speak off the cuff, not PowerPoint, so if I get ahead or forget  
573 to flip the screen, please let me know. I'm here to talk to you today about the  
574 impact of mixed use and mixed income developments in the region. What we are  
575 looking at here is kind of a little bit of information to give you some cover. I can  
576 speak firsthand from some of the meetings I've been in where any time a local

577 government may be looking at something new or new development that may  
578 bring in some multifamily, you tend to get those that come out and say I don't  
579 want this multifamily or this mixed-use development in my area. So this report  
580 kind of serves as a little bit of cover to show you that the impacts of mixed use  
581 and mixed income housing developments on nearby neighborhoods is actually  
582 positive, kind of the opposite of what we normally hear from what we call the  
583 "NIMBYs". I take that directly from our CEO. So sorry if I offend anybody with  
584 that word.

585  
586 Mr. Vanarsdall - We use it all the time, ma'am.

587  
588 Ms. Greenfield - And also what we hope to accomplish with this report  
589 is to kind of encourage local jurisdictions as they plan forward for growth and  
590 development to look at this type of mixed-use, mixed-income development.

591  
592 The next slide is something that you already know; the slide kind of speaks for  
593 itself. It's to just kind of give you a brief recap of where housing prices have been  
594 in the area. Obviously we saw quite an increase or skyrocket during our boom  
595 times and now we're beginning to see housing prices decrease. That's an  
596 interesting point about the Partnership for Housing Affordability. When we first  
597 began this endeavor, the purpose was to raise awareness and advocate for  
598 affordable housing. Obviously the market has taken care of the affordable  
599 housing needs, so now we're kind of turning our shift to focus on how regions  
600 grow and develop and sustain.

601  
602 We selected—when I say "we," the Board of the Partnership, as well as George  
603 Mason University that put together this study—eleven study sites throughout  
604 Chesterfield, Hanover, Richmond, and Henrico. Two of those sites you'll see  
605 included in the study are Meredith Creek and Charles Glen. The data methods  
606 and sources that we looked at were home prices on single-family homes that we  
607 pulled from our Central Virginia Regional Multiple Listing Service. We looked at  
608 property assessment data, which came directly from the localities. So the  
609 assessment data you're seeing here came from Henrico. And we also look at  
610 incidences of crime from county and city police departments. That crime data  
611 was also provided to us by the County.

612  
613 This will pull together as we get further into the slides, but the impact areas, the  
614 geographic areas that surround the study sites that we believe there could be the  
615 most potential impacts from mixed use and mixed income development. These  
616 impact areas were defined in previous literature, discussion with our Partnership  
617 Board members, or site visits by project staff. You'll see the data and methods  
618 and impact areas that we looked at in Henrico County meaning the mixed-use  
619 development was here and then we looked at single-family homes that were a  
620 quarter mile away or a half mile away.

621

622 Again, what we were looking for in the data that we were pulling together was to  
623 look and see what the effect of mixed use or multifamily developments had on  
624 the surrounding single-family development. We looked at single-family  
625 developments pre-mixed-income developments and then looked at the data after  
626 the development was finished.

627

628 One of the things that we wanted to accomplish and we did was—and I bring this  
629 up because it was questioned by a Board member—your data shows that  
630 housing prices increased, but did they increase because we experienced a boom  
631 during some of the times that we were looking at this data. But what the reports  
632 show is that while housing values and assessments may have increased in the  
633 County, they generally increased a little bit higher around the data sites that we  
634 reviewed. So that was positive to show that we're still a little bit ahead of the  
635 County curve there.

636

637 So I'm going to bring you to the first development that was previewed in the  
638 report and this is Charles Glen. Charles Glen Redevelopment Project involved  
639 the construction and renovation of single-family townhouse and apartment units.  
640 The overall development includes 236 new single-family homes, 256 new rental  
641 townhouses, and 298 renovated apartment units. So you can see here, based on  
642 the kind of pre- and post-look at the development that home prices and  
643 assessments increased once the development came into the area, the mixed  
644 use, and crime decreased. Again, kind of the opposite of what we tend to hear  
645 from people when they think about multifamily or mixed use.

646

647 The second data site was the Townes at Meredith Creek, which is a 116-unit  
648 townhouse development. Ninety-eight units were built in 2003 and the remaining  
649 eighteen were completed in 2006. Again, we're seeing the same trend where the  
650 housing prices and assessments in the single-family areas increased once this  
651 development occurred and crime numbers decreased.

652

653 So the policy implications: We're here today, the realtors, to present this to you  
654 as kind of a tool to service and cover when you hear some negative comments  
655 regarding this type of development, but also to encourage you as a Planning  
656 Commission in a county to look at these types of mixed-use denser  
657 developments as you move forward in your growth patterns.

658

659 That brings me to the second report, which focuses a bit more on sustainable  
660 communities and not so much data, as I tried to run through in this previous  
661 report. This sustainable communities report was put together by the Southern  
662 Environmental Law Center.

663

664 What this data shows is that there is a new kind of approach to development.  
665 There's kind of a new momentum for mixed-use denser development. We're  
666 seeing market changes that may be associated with many of these changes—  
667 rising gas prices, alternative to driving, environmental benefits. All these factors,

668 as well as changing demographics in terms of households. We have the baby  
669 boomers who are tending to want to downsize and maybe move into a  
670 community where they can walk to their grocery store or their dry cleaners. Same  
671 with Generation Y, the younger generation. The types of housing patterns that  
672 these Generation Y persons are going towards are a denser, walkable  
673 community.

674  
675 The last kind of major driving alternative is transportation. Sprawling  
676 developments have lead to a dependency on the automobile. And just a quick  
677 point that's not in the slideshow presentation, but just to read for you a bit from  
678 the full report, the U. S. Department of Agriculture estimates that 58,000 acres  
679 were developed in the region between 1992 and 1997, an area over 1.5 times  
680 the size of the City of Richmond, more land that was developed in either  
681 Northern Virginia or Hampton Roads. If land continues to be developed at that  
682 rate, more land will be developed in the next 20 years than in the previous 400  
683 years. So just to give you a basic idea of how we as a region in the past few  
684 years kind of during our boom sprawled. I'm sorry?

685  
686 Mr. Branin - Richmond has the highest driving rate of any major  
687 metro area in Virginia?

688  
689 Ms. Greenfield - That's [unintelligible]. I'm going to leave the full  
690 reports for you and the data backs it up. I'm not a land-use planner; I'm not a  
691 VDOT transportation analyst, but I draw that conclusion because of how we're  
692 sprawled and we're developed outwards versus inwards.

693  
694 Mr. Branin - I'm sorry for interrupting you.

695  
696 Ms. Greenfield - That's okay. I'm happy to answer your questions.

697  
698 Mr. Branin - I spend a lot of time in Northern Virginia and I know  
699 they have mass transit up there with trains, buses, and that's great, going to D.C.  
700 Their road system is denser than ours and they have a larger traffic problem than  
701 ours. So I have a real hard time getting my arms around that one.

702  
703 Ms. Greenfield - Okay. If you like as a side note, I'd be happy to kind of  
704 walk through that area of the data with you later so as not to hold up the  
705 presentation. It would take a moment for me to flip through the full book.

706  
707 Mr. Branin - I'll see you afterwards.

708  
709 Ms. Greenfield - Okay.

710  
711 Mr. Kaechele - Well, the driving rate, that means the percentage of  
712 people that drive to work is higher than any other while the distance may be  
713 shorter.

714 Ms. Greenfield - Yes.  
715  
716 Mr. Branin - Or is it based on a per capita and it's a larger—go  
717 ahead.  
718  
719 Ms. Greenfield - Without having that page in front of me, I don't want to  
720 misspeak.  
721  
722 Mr. Branin - That's fine.  
723  
724 Ms. Greenfield - The next kind of slide here brings us to what  
725 sprawling development means to local government and its constituents, the fiscal  
726 and economic impacts of sprawling development. We see that we have higher  
727 infrastructure costs and service costs, the cost to taxpayers to service new  
728 developments or infrastructure already built and may be under used. The more  
729 developments have, the more schools, roads, police, firefighters, etcetera, that  
730 you need. Not to mention the lack of affordable housing that tends to be in  
731 sprawling developments. You see larger lot sizes and not as much dense kind of  
732 different housing prices within these regions.  
733  
734 So here's a little quote that—  
735  
736 Mr. Vanarsdall - Just a minute.  
737  
738 Ms. Greenfield - I'm sorry?  
739  
740 Mr. Vanarsdall - Go back to that infrastructure under used.  
741  
742 Ms. Greenfield - That tends to be where say in—this report also in a  
743 much larger aspect looks at infill and revitalization. That is thinking along the  
744 lines of maybe an area that was built up and maybe needs some revitalization or  
745 needs some infill and maybe people have kind of moved out of it and you have  
746 some existing services that aren't being utilized. Does that answer your  
747 question? Okay.  
748  
749 So here's a quote here about the market changes. Energy prices and road  
750 congestion accelerate the move back into metropolitan interiors and more people  
751 crave greater convenience in their lives. They want to live closer to work and  
752 shopping without the hassle of car dependence. One of the nice things about  
753 being here in Henrico and presenting this is that Henrico has clearly moved  
754 towards this type of mixed-use denser development. I've sat down with many of  
755 your Board members and heard about different projects coming down the pike.  
756 So Henrico is kind of already moving towards this movement. But again, part of  
757 my reason here is the question again is not whether we're going to grow, it's how  
758 we're going to grow. As you move towards the future and you're looking at new  
759 developments or approving new developments and new development patterns,

760 the demographics show that the big McMansion is no longer the popular method  
761 of home. People do want something a little denser. As you move forward, you  
762 want to think about walkable communities, mixed use, mixed income, pedestrian  
763 friendly so that you can have all aspects of housing in one area, but then you're  
764 having less infrastructure costs and less people on the road and less driving and  
765 maybe we won't look like Northern Virginia in a couple of years.

766  
767 What's the benefit for everyone in sustainable communities? Much of what I  
768 covered before—shorter commute times, cleaner air and water, more active  
769 lifestyles. Maybe if you have a dense community, you have less people  
770 depending on their car, they're walking or biking to where they want to live or  
771 work. It's just a higher quality of life overall.

772  
773 Budget and taxpayer relief is another kind of reason to head towards this type of  
774 new development. Costs to operate and maintain infrastructure sprawl may be  
775 higher due to the large amount of [unintelligible].

776  
777 So there are many kind of incentives for everyone, whether it's the local  
778 governments or the constituents to kind of move towards this new type of  
779 development. Not to mention economic competitiveness. One of the reasons a  
780 business may want to move here is that their workforce can live and work in the  
781 area and it has quality housing stock to live in. We reference Charlotte and  
782 Arlington here, some other localities in our region that have taken advantage of  
783 this new mixed-development.

784  
785 So I leave you with what can local governments do as you move forward. Much  
786 of what I've mentioned before is encourage infill and revitalization, promote  
787 alternatives for new development. The presentation kind of speaks for itself.  
788 What we're encouraging here is as you move forward, try to look at denser  
789 housing options where more people can live together and not be so car  
790 dependent and sprawling and we won't have these transportation figures that we  
791 have in here.

792  
793 That is what I close with. I know I'm trying to run through a lot of data in a short  
794 period of time, not to mention I also speak very fast. I'm happy to entertain any  
795 questions and specifically the transportation one.

796  
797 Mr. Vanarsdall - Really and truly the public sets the pace, the public  
798 controls the market. One thing I've never understood is how can you prevent the  
799 leapfrog effect they usually speak of?

800  
801 Ms. Greenfield - The leapfrog effect? I'm not a planner, but I would  
802 say smaller lot sizes, having zoning that allows for smaller homes, denser  
803 developments, that would encourage development to be closer together and  
804 people not to leapfrog. But I can't speak as an expert planner, so.

805

806 Mr. Vanarsdall - I'm thinking about up near Powhatan. That big  
807 shopping center—  
808  
809 Ms. Greenfield - Westchester Commons?  
810  
811 Mr. Vanarsdall - —was proposed before the downturn.  
812  
813 Ms. Greenfield - Right.  
814  
815 Mr. Vanarsdall - I can't think of the word.  
816  
817 Mr. Emerson - I think that's what you're looking for, when the  
818 development moves.  
819  
820 Mr. Vanarsdall - That's not the term; I just can't think of it. How do you  
821 keep that from happening?  
822  
823 Ms. Greenfield - Keep people from moving further out?  
824  
825 Mr. Vanarsdall - All the way to the Goochland line, building from The  
826 Pump all the way out to that. How can you keep people from going beyond  
827 there? That's what causes the miles and the crisscross all over.  
828  
829 Ms. Greenfield - I understand what you're saying. Again, if I was a  
830 planner, I'd probably have some brilliant ideas. But I would say that people are  
831 moving further out and sprawling because of the house choices. People want  
832 more land, larger lot homes. But what this report kind of backtracks and shows is  
833 the changing age demographics with Gen Y's and baby boomers aren't looking  
834 for that larger lot size.  
835  
836 Mr. Vanarsdall - I think if we built on what we have out there.  
837  
838 Ms. Greenfield - Right. Like in infill and revitalization.  
839  
840 Mr. Emerson - Mr. Chairman, I think you've addressed many of these  
841 items with your 2026 Comprehensive Plan. You do have smaller lot sizes.  
842 Henrico accommodates the second largest conglomeration of apartments in the  
843 region besides the City. You recently recommended to the Board a 1351-acre  
844 amendment to the Comprehensive Plan for the Greater Innsbrook Area. You do  
845 encourage infill. You have TND ordinances under development. You have Urban  
846 Mixed Uses. You're probably more proactive in this category than any other  
847 locality in the region at this point.  
848  
849 Ms. Greenfield - I think we would agree with you.  
850

851 Mr. Emerson - I think we've addressed many of these. I question  
852 some of the data and in your first presentation I question the choices that you  
853 made, but those are for discussion for another day. Meredith Creek and Charles  
854 Glen, I think those speak for themselves to a certain extent because Meredith  
855 Creek is a relatively upper-end townhome development. It went into an area  
856 where it naturally pulled price points up because it sold at a higher price point.  
857 Probably the crime statistics went down because the population went up. I see  
858 Charles Glen very similar. That was a redevelopment project, so I don't know the  
859 correlations made with the data necessarily connect.

860  
861 Ms. Greenfield - As I mentioned, the data sites were selected by a  
862 Henrico County staff member, who had input in selecting the data sites. Several  
863 sites were reviewed by the staff from George Mason, as well as our Partnership  
864 Board members. But the sites that were chosen were recommended from the  
865 County.

866  
867 Mr. Emerson - I don't know that they were reviewed with the  
868 Planning Department, I guess would be my comment.

869  
870 Ms. Greenfield - Okay. I understand that. I just wanted you to know  
871 that we didn't pick them blindly. I thank you for the opportunity to present this. As  
872 Mr. Emerson said, I think Henrico is very well beyond the curve here. I see if for  
873 myself and the various different developments and the different zoning policies  
874 that you have. This is more of something to continue to encourage you to look at  
875 this type of development and maybe not be—which clearly the County is not.  
876 Some are afraid of going into a more mixed-use denser development. So we're  
877 just trying to encourage as we grow—

878  
879 Mr. Branin - Ms. Greenfield, where do you live?

880  
881 Ms. Greenfield - I live in the city, but I did live in Henrico during  
882 college.

883  
884 Mr. Branin - I'm sure your data is probably sound in some fashion,  
885 but I don't know if you were just here to inform us—

886  
887 Ms. Greenfield - Yes.

888  
889 Mr. Branin - —or enlighten us. If you look at Henrico County's  
890 track record, speaking for both Mr. Vanarsdall's district and my district, we have  
891 some of the first UMUs approved. We have them underway. If you looked into  
892 the Innsbrook Study at all, you would know that we're looking at and encouraging  
893 mass transit from within.

894  
895 Ms. Greenfield - Right.

896

897 Mr. Branin - And we, as a county, extended that area to take up  
898 more land and be more inclusive to provide a better area for Innsbrook than what  
899 is currently there. So I appreciate you coming, but—  
900

901 Ms. Greenfield - I'm here nothing more than just to share our data and  
902 share what we have found. When I say "we," the Partnership and our work with  
903 George Mason. I'm really just here to say this is some great information and we  
904 want to share it with you.  
905

906 Mr. Branin - Well thank you.  
907

908 Ms. Greenfield - You're welcome.  
909

910 Mr. Vanarsdall - We needed to hear what you had to say and we  
911 appreciate it. As Mr. Emerson and Mr. Branin said, we have kind of prepared  
912 ourselves [unintelligible].  
913

914 Ms. Greenfield - Well thank you. And as I mentioned, I have the full  
915 reports here that I will leave for you so you can see more of the data and  
916 methodology, specifically where the data came from and the sustainable  
917 communities report from the Southern Environmental Law Center.  
918

919 Mr. Vanarsdall - Any more questions?  
920

921 Ms. Greenfield - Thank you.  
922

923 Mr. Archer - Thank you, Ms. Greenfield.  
924

925 Mr. Emerson - Mr. Chairman, that takes us to the next item on you  
926 agenda, which is at the top of page three, and that's the approval of the minutes  
927 from the Planning Commission meeting of August 12, 2010.  
928

929 Mr. Vanarsdall - All right.  
930

931 Mrs. Jones - Mr. Chairman, I just have a couple of things, none of  
932 which, except one or two, are all that substantive, but I'll mention them for  
933 consideration if people want to change the minutes. On the first page on line 25,  
934 it's, "there are no deferrals this evening." On page eight, that blank, I guess, is—  
935 Mr. Jernigan isn't here to fill that in, so we'll leave that blank. On page 13, line  
936 532, "Mr. Diradour, may I address you for just one moment on that." And on  
937 page 16, line 686, "I was told it was big enough to put another house on it." Page  
938 17, line 721, "they didn't feel like pursuing all this stuff." My comment on that  
939 same page, line 745, is "should have come through the subdivision process."  
940 And on page 20, Mr. Vanarsdall, I don't know whether this comment is accurate  
941 or not; you may have to tell me; it's your comment. I think what you said was in  
942 line 863, "because two wrongs don't make a right."

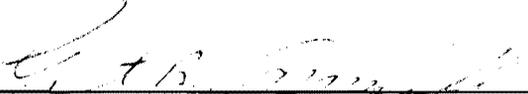
943  
944 Mr. Vanarsdall - I thought I changed it, two rights don't—wait a minute.  
945  
946 Mrs. Jones - I will leave that line up to you.  
947  
948 Mr. Vanarsdall - I don't know what I said. Two wrongs don't make a  
949 right. I don't know.  
950  
951 Mrs. Jones - Okay.  
952  
953 Mr. Vanarsdall - Anybody else? I need a motion.  
954  
955 Mrs. Jones - I move they be accepted as corrected.  
956  
957 Mr. Archer - Second.  
958  
959 Mr. Vanarsdall - Motion by Mrs. Jones, seconded by Mr. Archer. All in  
960 favor say aye. All opposed say no. The ayes have it; the motion passes.  
961  
962 Anyone else have anything? Mr. Secretary?  
963  
964 Mr. Emerson - No sir, that is all staff has for the Commission this  
965 evening.  
966  
967 Mr. Vanarsdall - Mrs. Jones?  
968  
969 Mrs. Jones - No sir.  
970  
971 Mr. Vanarsdall - Mr. Branin?  
972  
973 Mr. Branin - No sir.  
974  
975 Mr. Vanarsdall - Since there is no more business to conduct, we will  
976 adjourn.  
977  
978 Mrs. Jones - I move we adjourn.  
979  
980 Mr. Archer - Second.  
981  
982 Mr. Vanarsdall - Motion by Mrs. Jones, second by Mr. Branin. All in  
983 favor say aye. All opposed say no. The ayes have it; the motion passes.  
984  
985 The meeting adjourned at 7:55 p.m.  
986  
987  
988



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994  
995  
996  
997

Mr. R. Joseph Emerson, Jr., Secretary

  
\_\_\_\_\_  
Mr. Ernest B. Vanarsdall, Chairperson