

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County  
2 held in the County Administration Building in the Government Center at Parham and  
3 Hungary Springs Roads beginning at 9:00 a.m. Wednesday, November 16, 2016.  
4

Members Present: Mr. C. W. Archer, C.P.C., Chair (Fairfield)  
Mr. Gregory R. Baka (Tuckahoe)  
Mr. Eric Leabough, C.P.C., (Varina)  
Mrs. Sandra M. Marshall (Three Chopt)  
Mr. Robert H. Witte, Jr., (Brookland)  
Mr. R. Joseph Emerson, Jr., AICP,  
Director of Planning, Secretary  
Mr. Frank J. Thornton,  
Board of Supervisors' Representative

Others Present: Ms. Jean Moore, Assistant Director of Planning  
Ms. Leslie A. News, PLA, Senior Principal Planner  
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner  
Mr. Michael F. Kennedy, County Planner  
Ms. Christina L. Goggin, AICP, County Planner  
Mr. Tony Greulich, C.P.C., County Planner  
Mr. Matt Ward, County Planner  
Mr. Gregory Garrison, AICP, County Planner  
Mr. Lee Pambid, C.P.C., County Planner  
Ms. Aimee B. Crady, AICP, County Planner  
Ms. Kate Teator, County Planner  
Ms. Sharon Smidler, P.E., Traffic Engineer  
Mr. Gary A. DuVal, P.E., Traffic Engineer  
Ms. Melissa Ferrante, Office Assistant / Recording Secretary

5 **Mr. Frank J. Thornton, the Board of Supervisors' representative, abstains on all**  
6 **cases unless otherwise noted.**

7  
8 Mr. Archer - Good morning. Welcome to the November 16th edition of our  
9 Planning Commission meeting. Is there anyone here from the newspapers? I don't believe  
10 so. Let us please rise and pledge allegiance to the flag. And while we're doing that, if your  
11 phones are active, please either mute them or turn them off. Thank you.

12  
13 Thank you. We have a not-too-long agenda this morning, but we need to get started. So I  
14 will turn things over to our secretary, Mr. Emerson.

15  
16 Mr. Emerson - Thank you, Mr. Chairman. As I mentioned to you prior to  
17 beginning the meeting, we do have a photographer here from Media Services. We have a  
18 new member on the Commission in the Tuckahoe District, Mr. Baka. They need to grab a  
19 couple of photos of the Commission for the website. So everybody make sure you have

20 your tie adjusted and all that good stuff. And smile for the camera for a minute. He's  
21 pointing it at us, so I guess he's ready. Thank you.

22

23 Mr. Archer - Thank you.

24

25 Mr. Emerson - Mr. Chairman, with that done now, first on our agenda this  
26 morning are the requests for deferrals and withdrawals. Those will be presented by  
27 Ms. Leslie News.

28

29 Mr. Archer - Good morning, Ms. News.

30

31 Ms. News - Good morning, members of the Commission. Staff is not aware  
32 of any requests for deferrals or withdrawals this morning.

33

34 Mr. Emerson - If the Commission does not have any deferrals to enter, we'll  
35 move on to the expedited items. Those will also be presented by Ms. Leslie News.

36

37 Ms. News - We have five items on our expedited agenda this morning. The  
38 first is found on page 4 of your agenda and located in the Varina District. This is a transfer  
39 of approval for POD-86-90, Specialty Beverage of Virginia, formerly Broudy Kantor  
40 Company, Inc. and National Distributing Company. Staff recommends approval.

41

#### 42 TRANSFER OF APPROVAL

43

POD-086-90  
POD2016-00399  
Specialty Beverage of  
Virginia (Formerly Broudy-  
Kantor Company, Inc. &  
National Distributing Co.  
Phase 1 & 2) – 5401  
Eubank Road

**Engineering Design Associates for Lanier Lane Realty, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from National Distributing Company, Inc. to Lanier Lane Realty, LLC. The 5.65-acre site is located at the southeast corner of the intersection of Eubank Road and Corrugated Road on parcel 818-711-4358. The zoning is M-1, Light Industrial District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

44

45 Mr. Archer - Thank you. Is there anyone present who is opposed to POD-  
46 086-90 (POD2016-00399), Specialty Beverage of Virginia (formerly Broudy-Kantor  
47 Company, Inc. & National Distributing Co. Phase 1 & 2)? I see no opposition.

48

49 Mr. Leabough - There being no opposition, Mr. Chair, I move that the transfer  
50 request for POD-086-90 (POD2016-00399), Specialty Beverage of Virginia (formerly  
51 Broudy-Kantor Company, Inc. & National Distributing Co. Phase 1 & 2), be approved on  
52 the expedited agenda.

53

54 Mr. Baka - Second.

55

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18 new member on the Commission in the Tuckahoe District, Mr. Baka. They need to grab a  
19 couple of photos of the Commission for the website. So everybody make sure you have

20 your tie adjusted and all that good stuff. And smile for the camera for a minute. He's  
21 pointing it at us, so I guess he's ready. Thank you.

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26 morning are the requests for deferrals and withdrawals. Those will be presented by  
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28  
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30  
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32 of any requests for deferrals or withdrawals this morning.

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34 Mr. Emerson - If the Commission does not have any deferrals to enter, we'll  
35 move on to the expedited items. Those will also be presented by Ms. Leslie News.

36  
37 Ms. News - We have five items on our expedited agenda this morning. The  
38 first is found on page 4 of your agenda and located in the Varina District. This is a transfer  
39 of approval for POD-86-90, Specialty Beverage of Virginia, formerly Broudy Kantor  
40 Company, Inc. and National Distributing Company. Staff recommends approval.

41  
42 **TRANSFER OF APPROVAL**

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POD-086-90 POD2016-00399 Specialty Beverage of Virginia (Formerly Broudy- Kantor Company, Inc. & National Distributing Co. Phase 1 & 2) – 5401 Eubank Road	<b>Engineering Design Associates for Lanier Lane Realty, LLC:</b> Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from National Distributing Company, Inc. to Lanier Lane Realty, LLC. The 5.65-acre site is located at the southeast corner of the intersection of Eubank Road and Corrugated Road on parcel 818-711-4358. The zoning is M-1, Light Industrial District and ASO, Airport Safety Overlay District. County water and sewer. <b>(Varina)</b>
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44  
45 Mr. Archer - Thank you. Is there anyone present who is opposed to POD-  
46 086-90 (POD2016-00399), Specialty Beverage of Virginia (formerly Broudy-Kantor  
47 Company, Inc. & National Distributing Co. Phase 1 & 2)? I see no opposition.

48  
49 Mr. Leabough - There being no opposition, Mr. Chair, I move that the transfer  
50 request for POD-086-90 (POD2016-00399), Specialty Beverage of Virginia (formerly  
51 Broudy-Kantor Company, Inc. & National Distributing Co. Phase 1 & 2), be approved on  
52 the expedited agenda.

53  
54 Mr. Baka - Second.



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**TRANSFER OF APPROVAL**

POD-032-06  
POD2016-00452  
Spring Arbor Cottage of  
Richmond (Formerly New  
Dawn Assisted Living) –  
10601 Barbara Lane

**Dewberry for R. Neal Keesee Jr., Esq.:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from 10700 Three Chopt Road, LLC to R. Neal Keesee Jr. Esq. The 5.47-acre site is located on the north side of Three Chopt Road, approximately 1,500 feet north west of the intersection of Three Chopt Road and Gaskins Road, on parcel 748-756-9031. The zoning is R-6C, General Residential (Conditional). County water and sewer. **(Three Chopt)**

Mr. Archer - All right. Is there anyone present who is opposed to POD-032-06 (POD2016-00452), Spring Arbor Cottage of Richmond (formerly New Dawn Assisted Living)? There is no opposition. Mrs. Marshall.

Mrs. Marshall - Mr. Chairman, I move approval of the transfer of approval for POD-032-06 (POD2016-00452), Spring Arbor Cottage of Richmond (formerly New Dawn Assisted Living), as presented, subject to the previously approved conditions, on the expedited agenda.

Mr. Leabough - Second.

Mr. Archer - Motion by Mrs. Marshall and seconded by Mr. Leabough. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved the transfer of approval request for POD-032-06 (POD2016-00452), Spring Arbor Cottage of Richmond (formerly New Dawn Assisted Living), from 10700 Three Chopt Road, LLC to R. Neal Keesee Jr. Esq., subject to the standard and added conditions previously approved.

Ms. News - The next item is on page 7 of your agenda and located in the Three Chopt District. This is a transfer of approval for POD2014-00143 (part), for Neuroscience, Orthopaedic, and Wellness Center, formerly Short Pump Medical and Office Center at Towne Center West. Staff recommends approval.

131 **TRANSFER OF APPROVAL**

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POD2014-00143 (pt)  
POD2016-00290  
Neuroscience,  
Orthopaedic, and  
Wellness Center (Formerly  
Short Pump Medical and  
Office Center) at Towne  
Center West –  
11958 West Broad Street

**Daniel M. Campbell for Virginia Commonwealth University Health System Authority:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Town Center West, LLC and Short Pump Medical, LLC to VCU Health System Authority. The 2.92-acre site is located in an existing shopping center approximately 450 feet north and east of the intersection of West Broad Street (U.S. Route 250) and Towne Center West Boulevard (private) on parcel 735-764-8708. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

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Mr. Archer - Okay. Is there anyone present who is opposed to POD2014-00143 (part) (POD2016-00290), Neuroscience, Orthopaedic, and Wellness Center (formerly Short Pump Medical and Office Center) at Towne Center West? No opposition.

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Mrs. Marshall - Mr. Chairman, I move approval of the transfer of approval for POD2014-00143 (part) (POD2016-00290), Neuroscience, Orthopaedic, and Wellness Center (formerly Short Pump Medical and Office Center) at Towne Center West, as presented, subject to the previously approved conditions, on the expedited agenda.

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Mr. Baka - Second.

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Mr. Archer - Motion by Mrs. Marshall and seconded by Mr. Baka. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

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The Planning Commission approved the transfer of approval request for POD2014-00143 (part) (POD2016-00290), Neuroscience, Orthopaedic, and Wellness Center (Formerly Short Pump Medical and Office Center) at Towne Center West, from Town Center West, LLC and Short Pump Medical, LLC to VCU Health System Authority, subject to the standard and added conditions previously approved.

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Ms. News - The final item is found on page 8 of your agenda and is located in the Three Chopt District. This is a transfer of approval for PODs 094-087, 118-89, 109-89, and 023-11, Westpark Shopping Center, Phases I and II. This was formerly Phases 1 and 2 and the Martin's Fuel facility. Staff recommends approval.

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165 **TRANSFER OF APPROVAL**

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POD-094-87, POD-118-89, POD-109-89, and POD-023-11  
POD2016-00250,  
POD2016-00260,  
POD2016-00261,  
POD2016-00262, and  
POD2016-00263  
Westpark Shopping  
Center – Phases I & II  
(Formerly Phase I, Phase  
II, and Martin’s Fuel  
Facility at West Park  
Shopping Center)  
9645 and 9669 West  
Broad Street (U.S. Route  
250)

**InvenTrust Properties Corporation for IVT Westpark Glen Allen, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Westdale Westpark I, II, LP to IVT Westpark Glen Allen, LLC. Phase I is a 18.36-acre site located at the southwest corner of Pemberton Road (State Route 157) and West Broad Street (U.S. Route 250), on part of parcels 753-758-7318, 754-758-2409 and 753-758-8965. Phase II is a 3.57-acre site located along the western line of Stillman Parkway, approximately 215 feet south of West Broad Street (U.S. Route 250) on part of parcel 753-758-7318. The zoning is B-2C Business District (Conditional). County water and sewer. **(Three Chopt)**

167  
168 Mr. Archer - All right. Is there anyone present who is opposed to POD-094-  
169 87, POD-118-89, POD-109-89, and POD-023-11 (POD2016-00250, POD2016-00260,  
170 POD2016-00261, POD2016-00262, and POD2016-00263) Westpark Shopping Center –  
171 Phases I & II (formerly Phase I, Phase II, and Martin’s Fuel Facility at Westpark Shopping  
172 Center)? I see no opposition.

173  
174 Mrs. Marshall - Mr. Chairman, I move approval of the transfer of approval for  
175 POD-094-87, POD-118-89, POD-109-89, and POD-023-11 (POD2016-00250, POD2016-  
176 00260, POD2016-00261, POD2016-00262, and POD2016-00263) Westpark Shopping  
177 Center – Phases I & II (formerly Phase I, Phase II, and Martin’s Fuel facility at Westpark  
178 Shopping Center), as presented, subject to previously approved conditions, on the  
179 expedited agenda.

180  
181 Mr. Witte - Second.

182  
183 Mr. Archer - Motion by Mrs. Marshall and seconded by Mr. Witte. All in favor  
184 say aye. All opposed say no. The ayes have it; the motion passes.

185  
186 The Planning Commission approved the transfer of approval request for POD-094-87,  
187 POD-118-89, POD-109-89, and POD-023-11 (POD2016-00250, POD2016-00260,  
188 POD2016-00261, POD2016-00262, and POD2016-00263) Westpark Shopping Center –  
189 Phases I & II (formerly Phase I, Phase II, and Martin’s Fuel Facility at Westpark Shopping  
190 Center), from Westdale Westpark I, II, LP to IVT Westpark Glen Allen, LLC, subject to the  
191 standard and added conditions previously approved.

192  
193 Ms. News - That completes our expedited agenda.

194  
195 Mr. Archer - Thank you, Ms. News. Mr. Emerson, before you begin,  
196 Mr. Thornton is now here. Mr. Thornton is our representative from the Board of  
197 Supervisors. Good morning, sir. And now we'll continue.

198  
199 Mr. Emerson - Yes sir, Mr. Chairman. Next on your agenda are Subdivision  
200 Extensions of Conditional Approval. You have none of those for consideration this  
201 morning, so now we move to your regular agenda, page 3, for POD2014-00205, Joseph  
202 P. Clark II for 8000 Villa Park Drive, LLC. The staff report will be presented by Ms. Aimee  
203 Crady.

204  
205 **TRANSFER OF APPROVAL**

206  
POD2014-00205                      **Joseph P. Clark II for 8000 Villa Park Drive, LLC:**  
POD2016-00140                      Request for transfer of approval as required by Chapter 24,  
Colortree (Formerly                      Section 24-106 of the Henrico County Code from Villa Park  
Colortree Expansion                      Investors, LLC to 8000 Villa Park Drive, LLC. The 12.84-  
Project) – 8000 Villa Park                      acre site is located on the west line of Villa Park Drive,  
Drive    approximately 2,200 feet southwest of East Parham Road,  
on parcel 780-754-4684. The zoning is O/SC, Office Service  
District (Conditional). County water and sewer. **(Fairfield)**

207  
208 Mr. Archer - Good morning, Ms. Crady.

209  
210 Ms. Crady - Good morning.

211  
212 Mr. Archer - Is there anyone present who is opposed to this transfer for  
213 POD2014-00205 (POD2016-00140), Colortree (formerly Colortree Expansion Project)? I  
214 see no opposition. Go right ahead, ma'am.

215  
216 Ms. Crady - All right. The original staff report in your agenda states that  
217 work was scheduled to be completed prior to today. Those remaining deficiencies have  
218 been addressed. The applicant replaced missing landscaping, a stop sign, a stop bar, and  
219 completed paving maintenance.

220  
221 Staff recommends approval of this transfer request.

222  
223 Mr. Archer - All right. Are there any questions from Commission members?  
224 Okay. Since there was no opposition, I move for approval of POD2014-00205 (POD2016-  
225 00140), Colortree (formerly Colortree Expansion Project).

226  
227 Mr. Baka - Second.

228  
229 Mr. Archer - Motion by Mr. Archer, seconded by Mr. Baka. All in favor say  
230 aye. All opposed say no. The ayes have it; the motion passes.

231

232 The Planning Commission approved the transfer of approval request for POD2014-00205  
233 (POD2016-00140), Colortree (formerly Colortree Expansion Project), from Villa Park  
234 Investors, LLC to 8000 Villa Park Drive, LLC, subject to the standard and added conditions  
235 previously approved.

236  
237 Mr. Emerson - Mr. Chairman, we now move on to page 9 of your agenda for  
238 POD2016-00425, CESO, Incorporated for Damestown Road Property. The staff report will  
239 be presented by Mr. Greg Garrison.

240  
241 **PLAN OF DEVELOPMENT**  
242

POD2016-00425 MedExpress at Fountain Square Shopping Center – 8040 W Broad Street	<b>CESO, Inc for Damestown Road Property:</b> Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing 4,750 square foot restaurant and construct a one-story 4,700 square foot medical office in an existing shopping center. The 0.65-acre site is located on the northern line of West Broad Street, approximately 1,000 feet east of Carousel Lane, on part of parcel 763-753-8421. The zoning is B-3, Business District. County water and sewer. <b>(Brookland)</b>
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243  
244 Mr. Archer - All right. Is there anyone present who is opposed to POD2016-  
245 00425, MedExpress at Fountain Square Shopping Center? There is no opposition. Mr.  
246 Garrison, good morning.

247  
248 Mr. Garrison - Good morning. The applicant is requesting approval to  
249 demolish an existing 4,750-square-foot restaurant and construct a one-story 4700-square-  
250 foot medical office in an existing shopping center. The applicant has been working with  
251 staff to address comments regarding the provision of parking islands adjacent to West  
252 Broad Street and the width of proposed parking islands, as well as an updated master  
253 plan.

254  
255 The site plans in your agenda address these comments and meet the technical  
256 requirements. The elevations propose a 4-by-8 cementitious fiberboard with a brick  
257 pattern. Staff has expressed a concern with the visibility of the seams between the 8-foot  
258 panels. The applicant has assured that the seams fall on mortar joints and are not visible  
259 from a few feet away. The applicant has also come to an agreement on the type of awning  
260 proposed and will continue to work with staff to provide those details.

261  
262 With this, staff can recommend approval subject to the standard conditions for  
263 developments of this type, the annotations on the plan, and added conditions 29 through  
264 34. Staff is available to answer any questions, as well as Juan Lopez and Zach Freshner.

265  
266 Mr. Archer - All right, thank you, Mr. Garrison. Are there questions from the  
267 Commission? All right. Do you need to hear from the applicant?

268  
269 Mr. Witte - I'd like to hear from the applicant, please.  
270  
271 Mr. Archer - Okay. Would the applicant please come forward? Please state  
272 your name for the record, sir.  
273  
274 Mr. Freshner - Good morning. My name is Zach Freshner with CESO.  
275  
276 Mr. Lopez - Good morning. My name is Juan Lopez with MedExpress.  
277  
278 Mr. Witte - Thank you, gentlemen. I would like for you to explain to me  
279 how you intend to make these fabric awnings permanent.  
280  
281 Mr. Lopez - We do a solid surface structure for the awnings. The fabric will  
282 be wrapped around the structure itself.  
283  
284 Mr. Witte - Okay. Will the fabric be laminated or glued on or is just going  
285 to be able to flap?  
286  
287 Mr. Lopez - No, it will be properly adhered to the structure.  
288  
289 Mr. Witte - Okay. So there will be some type of adhesive holding it down  
290 so we don't have an awning that flaps in the breeze and tears and such.  
291  
292 Mr. Lopez - Yes.  
293  
294 Mr. Witte - Okay, that was my main issue.  
295  
296 Mr. Archer - Anyone else? Thank you, gentlemen.  
297  
298 Mr. Witte - Thank you, gentlemen. All right, Mr. Chairman. Since we have  
299 no opposition, I move approval of POD2016-00425, MedExpress at Fountain Square  
300 Shopping Center, as presented, subject to the annotations on the plans, standard  
301 conditions for developments of this type, and additional conditions 29 through 34 as shown  
302 on the agenda.  
303  
304 Mrs. Marshall - Second.  
305  
306 Mr. Archer - Motion by Mr. Witte and seconded by Mrs. Marshall. All in favor  
307 say aye. All opposed say no. The ayes have it; the motion passes.  
308  
309 The Planning Commission approved POD2016-00425, MedExpress at Fountain Square  
310 Shopping Center, subject to the annotations on the plans, the standard conditions attached  
311 to these minutes for developments of this type, and the following additional conditions:  
312

- 313 29. Only retail business establishments permitted in a B-3 zone may be located in this  
 314 center.  
 315 30. The ground area covered by all the buildings shall not exceed in the aggregate 25  
 316 percent of the total site area.  
 317 31. No merchandise shall be displayed or stored outside of the building(s) or on  
 318 sidewalk(s).  
 319 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted  
 320 to the Department of Planning and approved prior to issuance of a certificate of  
 321 occupancy for this development.  
 322 33. The conceptual master plan, as submitted with this application, is for planning and  
 323 information purposes only.  
 324 34. The location of all existing and proposed utility and mechanical equipment  
 325 (including HVAC units, electric meters, junction and accessory boxes, transformers,  
 326 and generators) shall be identified on the landscape plans. All equipment shall be  
 327 screened by such measures as determined appropriate by the Director of Planning  
 328 or the Planning Commission at the time of plan approval.  
 329

330 Mr. Emerson - Mr. Chairman, we now move along to page 11 of your agenda  
 331 and page 1 of your amended agenda for POD2016-00454, Willmark Engineering, PLC for  
 332 WSRCII, LLC. The staff report will be presented by Mr. Greg Garrison.  
 333

334 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**  
 335

336 337 338 339 340 341 342 343 344 345 346 347	POD2016-00454 Shoppes at Reynolds Crossing, Phase III – 7000 Forest Avenue	<b>Willmark Engineering, PLC for WSRCII, LLC:</b> Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct Phase III of an existing shopping center – a one-story 14,463 square foot retail building. The 2.12-acre site is located on the northern line of Forest Avenue (private), approximately 1,000 feet east of the intersection of Glenside Drive and Forest Avenue, on parcel 765-744-5648. The zoning is B-2C, Business District (Conditional) and B-3C, Business District (Conditional). County water and sewer. <b>(Tuckahoe)</b>
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336  
 337 Mr. Archer - Thank you, Mr. Secretary. Is there anyone present who is  
 338 opposed to POD2016-00454, Shoppes at Reynolds Crossing, Phase III? No opposition.  
 339 Mr. Garrison.  
 340

341 Mr. Garrison - Good morning again. The applicant is requesting approval to  
 342 construct a one-story, 14,463-square-foot retail store and lighting plan as part of Phase III  
 343 of the Shoppes at Reynolds Crossing.  
 344

345 The site and lighting plan in your agenda meet the technical requirements for staff to  
 346 recommend approval. However, this site is part of Parcel 2, referenced in zoning case C-  
 347 22C-04 and is required to meet proffered condition 36 from C-13C-07, which states:

348  
349 Development of buildings constructed on parcel 2 shall be similar in quality  
350 and style with the architecture of the Shoppes at Westgate unless otherwise  
351 requested by the owner and specifically approved at the time of plan of  
352 development.

353  
354 Staff has requested and received revised architectural and lighting plans that pull details  
355 from the Walmart while maintaining consistency with the existing shops at the corner of  
356 Glenside and Forest. Some of these details include similar brick, stone, and EIFS color;  
357 awnings; and masonry details along the side and rear of the building. The original plan  
358 proposed a utilitarian type of wall-mounted light fixture that had a higher light output. The  
359 revised lighting plan provides decorative wall-mounted fixtures that match the existing  
360 shops approved with Phase 2. However, the light intensity is reduced with the decorative  
361 wall fixture, and therefore, a pole-mounted light fixture in the center island was necessary.  
362 That's right here.

363  
364 I would like to point out that this site sits approximately ten feet lower than Forest Avenue.  
365 Staff has requested a sightline to ensure that the roof-mounted HVAC units would not be  
366 visible from the property line. There were three sightlines taken from various points along  
367 the property line. This exhibit shows that the HVAC units will not be visible. It also takes  
368 into account the grading. That represents the retaining wall right there.

369  
370 Staff has been in contact with the residents for Charles Glen and has provided the site  
371 plan and elevations to them. To date, staff has not received any opposition to this request.

372  
373 With the revised architectural plans and lighting plan in your addendum, staff can  
374 recommend approval of POD2016-00454, subject to the standard conditions, the  
375 annotations on the plans, and added conditions 11B and 29 through 32. Staff and  
376 representatives of the applicant are available to answer any questions that you may have.

377  
378 Mr. Archer - Thank you, Mr. Garrison. Are there questions from the  
379 Commission?

380  
381 Mr. Baka - I have one comment and question, sir. Mr. Garrison. I'm  
382 pleased that the architecture is in substantial conformance with the existing buildings that  
383 are there based on the high design standards that were put in this rezoning for B-2C. It's  
384 also very effective to see that sightline analysis; I appreciate that the HVAC units will be  
385 hidden.

386  
387 Can you describe—or perhaps this is a question for the applicant. If there's a ten-foot  
388 difference in grade, what's the range in building height as it varies from finished floor to  
389 the top of the building? That's variable. But then if you have a range in building height,  
390 what would be typically visible for the actual building height from Forest Avenue? In other  
391 words, if it's recessed ten feet into the ground, what would be a typical sightline analysis  
392 of the building itself? Are you going to see half of the top of the building or?

393

394 Mr. Garrison - Right.  
395  
396 Mr. Baka - What type of portion of that? And perhaps this is a question  
397 better addressed by the architect.  
398  
399 Mr. Garrison - Yes, I might have to get the architect up here to answer that  
400 question. Basically, you're asking how much of the building will be out of the ground.  
401  
402 Mr. Baka - Yes.  
403  
404 Mr. Garrison - So if it's a 20-foot building, we'll see 10 feet of the top. I mean  
405 the building's not 20 feet; it's a little bit more.  
406  
407 Mr. Baka - What is the range in height from finished floor to the top of the  
408 building? On the architectural elevations, it appears to vary.  
409  
410 Mr. Garrison - Right. I'll get the architect or the engineer up here.  
411  
412 Mr. Baka - Thank you.  
413  
414 Mr. Archer - State your name, please, sir.  
415  
416 Mr. Williams - Mark Williams with Willmark Engineering. The architectural  
417 elevations that they had up there, we did revise them. When we first submitted, there was  
418 a request to revise to show the heights of the building. I don't know if that's something you  
419 might have.  
420  
421 Mr. Baka - That's what I was referring to, that variable roof height. Okay,  
422 there we go. Thanks.  
423  
424 Mr. Williams - That would be the side facing Forest.  
425  
426 Mr. Baka - So building heights will range from about 15 feet to about 21  
427 feet, give or take?  
428  
429 Mr. Williams - The 15-foot dimension is the ceiling height. There's an  
430 elevated parapet or a higher-than-normal parapet around due to the fact that the site sits  
431 lower than the road.  
432  
433 Mr. Baka - That additional architectural treatment of the parapet will help  
434 screen any roof impacts from the properties. That's helpful.  
435  
436 And the second and final question I had was I was trying to get a general idea on the  
437 distance on the tax map, of the distance from the homes in Charles Glen on Colgate  
438 Avenue. Any visual sightlines that they might be have would be somewhat obscured by  
439 the distance going across Forest Avenue, that Bon Secours' property, that parking lot,

440 and then their rear lots. So a question for Mr. Garrison. Approximately how far are those  
441 homes from the property lines?

442  
443 Mr. Garrison - From the property line to the nearest light pole is 266 feet. The  
444 other light pole is 274 feet, which well exceeds the proffered limitation.

445  
446 Mr. Baka - Thank you very much. That's helps to minimize the impact.  
447 Thanks.

448  
449 Mr. Archer - Any further questions? Thank you, Mr. Garrison. Mr. Baka.

450  
451 Mr. Baka - At this time, Mr. Chairman, I move that POD2016-00454,  
452 Shoppes at Reynolds Crossing, Phase III, be approved subject to the annotations on the  
453 plan, the standard conditions for developments of this type, the additional conditions 11B  
454 and 29 through 37 in the agenda, and including the revised plan in the addendum.

455  
456 Mr. Witte - Second.

457  
458 Mr. Archer - Motion by Mr. Baka and seconded by Mr. Witte. All in favor say  
459 aye. All opposed say no. The ayes have it; the motion passes.

460  
461 The Planning Commission approved the plan of development and lighting plan for  
462 POD2016-00454, Shoppes at Reynolds Crossing, Phase III, subject to the annotations on  
463 the plans, the standard conditions attached to these minutes for developments of this type,  
464 and the following additional conditions:

- 465  
466 11B. Prior to the approval of an electrical permit application and installation of the site  
467 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
468 specifications and mounting heights details shall be revised as annotated on the staff  
469 plan and included with the construction plans for final signature.
- 470 29. Only retail business establishments permitted in a B-2 zone may be located in this  
471 center.
- 472 30. The ground area covered by all the buildings shall not exceed in the aggregate 25  
473 percent of the total site area.
- 474 31. No merchandise shall be displayed or stored outside of the building(s) or on  
475 sidewalk(s).
- 476 32. Outside storage shall not be permitted.
- 477 33. The proffers approved as a part of zoning case C-13C-07 shall be incorporated in  
478 this approval.
- 479 34. Evidence of a joint ingress/egress and maintenance agreement must be submitted  
480 to the Department of Planning and approved prior to issuance of a certificate of  
481 occupancy for this development.
- 482 35. The conceptual master plan, as submitted with this application, is for planning and  
483 information purposes only.
- 484 36. The location of all existing and proposed utility and mechanical equipment  
485 (including HVAC units, electric meters, junction and accessory boxes, transformers,

486 and generators) shall be identified on the landscape plans. All equipment shall be  
487 screened by such measures as determined appropriate by the Director of Planning  
488 or the Planning Commission at the time of plan approval.

489  
490 Mr. Emerson - Mr. Chairman, we now move on to page 13 of your agenda and  
491 page 1 of the amended agenda for POD2016-00368, Draper Aden Associates for Virginia  
492 United Methodist Homes Incorporated. The staff report will be presented by Ms. Christian  
493 Goggin.

494  
495  
496 **PLAN OF DEVELOPMENT AND MASTER PLAN**

497  
POD2016-00368  
Hermitage at Cedarfield  
Expansion and  
Renovations – 2300  
Cedarfield Parkway

**Draper Aden Associates for Virginia United Methodist Homes, Inc:** Request for approval of a plan of development and a revised master plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to increase the total number of life care units by 50 units (from 436 units to 486 units) including 256 independent living apartments, 60 health care beds, 85 assisted living units and 85 cottages; and to construct a total of 196,780 square feet of additions, to include: a new three-story, 76,625 square foot parking facility; a new two-story, 25,590 square foot wellness building; a new two-story, 35,550 square foot skilled nursing expansion with 20 relocated healthcare beds and 20 additional healthcare beds; a new three-story, 52,475 square foot independent living expansion containing 30 new apartments, with a one-level parking structure beneath; and 6,540 square feet of other ancillary building modifications. The 75.66-acre site is located on the south line of Three Chopt Road, approximately 2,000 feet east of Gaskins Road, on parcel 747-754-9557. The zoning is R-6C, General Residential District (Conditional) and RTHC Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt/Tuckahoe)**

498  
499 Mr. Archer - Hello, Ms. Goggin. Is there anyone present who is opposed to  
500 POD2016-00368, Hermitage at Cedarfield Expansion and Renovations? We do have  
501 opposition. We'll get to you. Ms. Goggin, go ahead.

502  
503 Ms. Goggin - Good morning.

504  
505 The Hermitage at Cedarfield is a 75-acre, 436-unit life care facility containing independent  
506 living cottages and apartments, assisted living apartments, and healthcare beds. There is  
507 a current overhead aerial of the site. As you can see, it is mostly developed on one side  
508 of the parcel. The other side of the parcel is mostly environmentally sensitive areas.

509

510 The facility opened in September 1996 and just recently celebrated its 20th anniversary.  
511 At this time, the facility wishes to expand its program by 50 additional units. When I use  
512 the term “units,” that includes beds, apartments—just where a person would live. That  
513 would be 30 new independent living apartments and 20 assisted living units. This would  
514 provide 437 units on this side, which is closest to the neighborhood associated with  
515 rezoning case C-23C-92 and the existing 49 cottage units associated with case C-26C-93  
516 for a total of 486 units for the entire site.

517  
518 This expansion will also include a two-story wellness building, which is in the center of the  
519 current independent apartment facility right here and the assisted living facility here. It also  
520 includes a three-story parking deck, which would be in the back closest to Deep Run Park  
521 and other building modifications that will allow for other upgrades within the facility.

522  
523 The assisted living rooms and healthcare beds are undergoing rehabilitations to be less  
524 hospital in feel and more homelike and patient-centered. The hospital dining area will be  
525 expanded, as well as the physical therapy area, the technical center, the spa, and the  
526 library.

527  
528 The building materials—let me go to an elevation. It’s hard to get a good elevation that  
529 shows, but the building materials for all proposed buildings and additions will match the  
530 existing red brick with white accents that currently exist on the main building campus. All  
531 improvements are within the developed areas of the site and do not impact perimeter  
532 landscape areas against residential properties.

533  
534 Because of the size of the site and the scope of the overall project, Hermitage at Cedarfield  
535 held a neighborhood meeting to go over the project and answer questions the neighbors  
536 may have this last Monday, November 14th. Concerns were with the thickness of the  
537 existing buffer between the existing western parking lot and the Dover Hunt subdivision—  
538 we’re back to the master plan, which is this buffer along here. Here’s the parking lot. Here’s  
539 the buffer and the subdivision. Concerns about HVAC and mechanical equipment  
540 screening and noise were also brought up. Additional comments concerning noise coming  
541 from the existing parking lot is also a concern.

542  
543 To help address these issues prior to, during, and after construction, the applicant has  
544 agreed to screen and sound-suppress the HVAC mechanical equipment and to  
545 supplement the existing buffer with additional landscaping and/or fencing per additional  
546 conditions 36 and 37. Condition 36: HVAC and mechanical equipment location and  
547 screening plan shall be submitted for administrative review and approval prior to approval  
548 of the construction plan for the healthcare addition or parking desk.

549  
550 Condition 37: A supplementary landscape fence plan for the 100-proffered buffer along  
551 Dover Hunt subdivision shall be submitted for administrative review and approval prior to  
552 approval of any construction plan. The fence shall be installed prior to the start of  
553 construction, and supplemental landscaping shall be installed in the first planting season  
554 after approval.

555

556 In additional to additional buffering and screening, the applicant has agreed to modify  
557 building walls on the western side of the new parking deck to mitigate or redirect noise  
558 from the adjacent subdivision. As previously mentioned, here's the parking deck and here  
559 is the subdivision.

560  
561 The plan does meet the technical requirements for approval. Staff recommends approval  
562 subject to the annotations on the plan, the standard conditions for developments of this  
563 type, conditions 29 through 35 in the agenda, conditions 9 and 11 amended, and additional  
564 conditions 36 and 37 in your handout addendum.

565  
566 Dan Oetzel, the chief operating officer for Hermitage at Cedarfield, is here today, and  
567 Steve Rothman, the architect, and Glenn Custis, the engineer, are here as well, should  
568 you have any questions of them, as well as their attorney. And I would be happy to answer  
569 any questions you may have of me.

570  
571 Mr. Archer - Thank you, Ms. Goggin. Are there questions from the  
572 Commission for Ms. Goggin? Not at this time, Ms. Goggin. Now we do have opposition to  
573 this case. Do we want to hear from the applicant first or the opposition, Mrs. Marshall?

574  
575 Mrs. Marshall - The opposition.

576  
577 Mr. Archer - Opposition? Okay. Mr. Secretary, would you read the rules for  
578 opposition, please?

579  
580 Mr. Emerson - Yes sir, Mr. Chairman. As the Chairman has noted, the  
581 Commission does have guidelines for their public hearings and they are as follows: The  
582 applicant is allowed ten minutes to present the request, and time may be reserved for  
583 responses to testimony. Opposition is allowed a cumulative ten minutes to present its  
584 concerns, meaning everyone who wishes to speak should make every effort to do it within  
585 those ten minutes. Commission questions do not count into the time limits. The  
586 commission may waive the time limits for either party at its discretion. Any comments must  
587 be directly related to the case under consideration.

588  
589 Mr. Archer - Thank you, sir. I'm sorry, Mrs. Marshall. Who did you want to  
590 hear from first?

591  
592 Mrs. Marshall - Opposition, please.

593  
594 Mr. Archer - Okay. Would a representative of the opposition please come  
595 forward, bearing in mind Mr. Secretary's reading of the rules as to how this is to be  
596 handled. You may come up in any order. And when you do come up, please give your  
597 name and address for the record as all of our proceedings are recorded. Good morning,  
598 ma'am.

599

600 Ms. Stiles - Good morning. Who do I hand this up to? This is a copy of the  
601 remarks that are being made in case the Board would like our comments. I do not speak  
602 for our entire community; I speak for my husband and myself. Some of the neighbors—

603  
604 Mr. Emerson - Ma'am, could you identify yourself, please?

605  
606 Ms. Stiles - Yes. My name is Andrea Stiles. My husband is Andrew Stiles.  
607 We have lived on Dover Hunt Place for 20 years. Our property shares the western  
608 boundary with Cedarfield. And we're opposed to the plan of development because we  
609 believe the project of this size and scope will severely impact the quiet use and enjoyment  
610 of our home and devalue our property.

611  
612 We can see everything that happens between our boundary and Cedarfield when the  
613 leaves drop. We see the traffic in the parking lot. We have the headlights right now coming  
614 into our window at two and three in the morning. We hear the ambulances. We hear the  
615 fire trucks. We live with this. We've made with peace with this to the extent that we can.  
616 But we can't go any further than where we are now and still have a neighborhood.

617  
618 Basically what happened to us as a community is we got a knock on our door Monday  
619 night from our neighbor who said, "We're going to be making a \$75 million renovation to  
620 the property next door to you. But don't worry; it's not going to have any impact on you."  
621 Well you know immediately just the opposite is about to happen. We were shocked. We  
622 were surprised at the Monday meeting. Nobody knew this was going on, nothing to this  
623 scope. And we feel like we've been excluded from this process and that there's kind of like  
624 a private handshake that this is a done deal.

625  
626 The Planning Commission minutes (sic) of November 16 plainly state that all  
627 improvements are within the developed areas of the site and do not impact the perimeter  
628 landscape areas against existing residential properties. This is simply not true. Our  
629 concerns briefly are as follows: We are concerned about the traffic noise and the  
630 headlights. Cedarfield plans to build a three-story parking garage basically in our backyard  
631 and use the current parking lot as a thoroughfare. So we are going to have shift changes,  
632 we're going to have visitors, we're going to have everybody running through the backyard  
633 all times of the day and night. Cedarfield already has a little party palace in that area. We  
634 can smell the cigarette smoke from the employees in the back at 2 a.m. We have to shut  
635 our windows because of the noise. We could stop that with a phone call. We haven't  
636 because we're neighbors; we know that kind of stuff is going to happen. We live with it.  
637 But we can't live with traffic for 300 parking spots in a garage in our backyard.

638  
639 We're going to have increased ambulance noise. When we asked at the Monday meeting  
640 what was the ambulance and fire truck noise going to be like. "Oh, it's not going to be  
641 increased. We're not adding nursing beds to our units, so you shouldn't have more  
642 ambulance noise." This is a home for the aged. These people are sick; they go to the  
643 hospital. Of course you're going to have ambulance noise. The bigger the unit gets, the  
644 more ambulances and fire trucks are going to be there. So that wasn't a well-thought-out  
645 or genuine response.

646  
647 They're proposing to build a new set of apartments, again, right next to the parking deck.  
648 Right in our backyard. Well what's going to be the attendant noise associated with basically  
649 a new apartment community? After all, it is a new apartment community. There is noise  
650 associated with residential living.

651  
652 We're extremely worried about noise from HVAC and generator equipment. Years ago,  
653 our neighborhood banded together because Cedarfield would not respond to the HVAC  
654 noise that was coming on our property line from a generator or HVAC unit that emitting  
655 low frequency waves. We had neighbors and children that were sick, and they did  
656 absolutely nothing until one neighbor got the media involved and another neighbor  
657 threatened legal action. And then they spent the \$50,000 to correct the fans.

658  
659 But we are concerned because we've had to go to war before. We don't want that to  
660 happen again, and we don't want our Commission supporting a plan of development that  
661 hurts us.

662  
663 We're worried about unintended consequences, the things we don't know. Like the  
664 garbage trucks that come at 6 a.m. and wake us up twice a week, what else is going to  
665 happen where we can no longer use our backyards?

666  
667 We fear that we will never have a good night sleep or enjoy a peaceful day in our  
668 backyards. The result of this development is that our home values will decline because we  
669 have a city being built literally in our backyards. It is a city. We are the people that are  
670 paying the price for this development; no one else. But we have no attenuating rewards  
671 flowing in our direction. What Cedarfield has done is created a plan that is at their  
672 convenience and completely disregards the needs of the community.

673  
674 But there is a solution. They can have everything they want and not impact us. They just  
675 bought a four-acre parcel that would hold their healthcare facility and their parking deck.  
676 Those can stand independently. They can shuttle people; they have four buses. They can  
677 shuttle people, have a walkway that allows transit to and from the health center for their  
678 residences and to and from the health center for their employees. That's not a hard thing.  
679 And it would absolutely annihilate any impact to the neighborhood. They could then take  
680 those apartments that they want to build on the western line and put them where they were  
681 going to put the health center. It wouldn't hurt anybody.

682  
683 So what we're asking is that you protect that western boundary, protect us from additional  
684 development, and protect us from additional noise. Thank you.

685  
686 Mr. Archer - Thank you, ma'am. Before you leave, are there any questions  
687 from the Commission for Ms. Stiles?

688  
689 Mr. Leabough - Could you show us on the map, please, where you live in  
690 relationship to this site? If you can. I know it's probably hard.

691

692 Ms. Stiles - How would I do that?  
693  
694 Mr. Leabough - Just use the mouse cursor there.  
695  
696 Ms. Stiles - You can see where Dragana Drive is, and I can show you  
697 where we are. Where Dragana dead-ends into Cedarfield, we're the next house over to  
698 the left.  
699  
700 Mr. Stiles - This is Dragana Drive that dead-ends right there. That's the fire  
701 exit. This is the proposed parking building that they're going to build.  
702  
703 Mr. Leabough - Just show me where you are.  
704  
705 Mr. Stiles - I am, I promise.  
706  
707 Ms. Stiles - Go to it first. There.  
708  
709 Mr. Stiles - Right there is our property.  
710  
711 Mr. Leabough - Okay. Thank you.  
712  
713 Mr. Archer - Sir, can we get your name for the record?  
714  
715 Mr. Stiles - My name is Andrew Stiles.  
716  
717 Mr. Archer - Thank you, Mr. Stiles.  
718  
719 Mr. Stiles - I'll make one statement. People ask me all the time why I live  
720 in Henrico County. I moved out of the city to move to Henrico to get away from all the  
721 expansion building. I vote in good faith for my officers that are elected to take care of our  
722 needs.  
723  
724 Several years ago we had a school redistricting. They were going to send my kids to a  
725 school across an interstate. My daughter had just gotten her driver's license. Sixteen years  
726 old going across the interstate to another high school when I could hear the other high  
727 school band play. We banded together with two different neighborhoods. They kept our  
728 neighbors at Godwin High School.  
729  
730 We depend on you folks to put yourself in our position. These are our homes. This is where  
731 we live. These are some folk's savings. You can grow so much, but the growth has to be  
732 controlled. This facility is beautiful. I know it's one of the best ones in the state. But I  
733 honestly think that it's big enough. How big do we want Henrico County? These are the  
734 decisions you all have to make, and we trust you all to make the right decision.  
735  
736 That's all I want to say.  
737

738 Mr. Archer - Thank you, Mr. Stiles.  
739  
740 Mr. Witte - Mr. Stiles, how long have you lived there, sir.  
741  
742 Mr. Stiles - Twenty years.  
743  
744 Mr. Witte - Was the facility being built when you moved there?  
745  
746 Mr. Stiles - They had just completed it.  
747  
748 Mr. Witte - Okay. All right.  
749  
750 Mr. Stiles - But I had no idea they were going to purchase more property.  
751  
752 Mr. Witte - I understand.  
753  
754 Mr. Stiles - I had no idea.  
755  
756 Mr. Witte - I was in a similar situation. I lived right behind this facility when  
757 this was all woods.  
758  
759 Mr. Stiles - Well you have a nice facility here. Ambulances coming in and  
760 out every day?  
761  
762 Mr. Witte - Prisoners.  
763  
764 Mr. Stiles - They don't have alarms on prison paddy wagons I don't think.  
765 I want you to really think.  
766  
767 Mr. Witte - I think about it all the time.  
768  
769 Mr. Stiles - I hope you do.  
770  
771 Mr. Witte - I do.  
772  
773 Mr. Archer - Any other questions from the Commission?  
774  
775 Mr. Witte - No.  
776  
777 Mr. Archer - All right. If there are other opposition, we have approximately  
778 three minutes left. If someone has a different point of view to express, please come  
779 forward. Please state your name and address for the record if you would, ma'am.  
780  
781 Ms. Thigpen - I'm Melody Thigpen. I live on Dover Hunt Place, and I've been  
782 there 22 years. I was there when they built the facility. They got a lot of things right when

783 they built; they got a few things wrong. And it did take some sort of extreme action to get  
784 some of the noise abatement to happen with the HVAC system.

785  
786 We did learn some things on Monday night that we didn't know. It feels a little late in the  
787 game that we're finding that out. I am not opposed to the expansion. This is a beautiful  
788 facility that was full before it was completed. It'll be full as soon as they complete what they  
789 have. I'm going to need that facility at some point in my life too, and I hope it's a good one.

790  
791 What I do want is to make sure that Cedarfield hears our concerns and that they take  
792 action to do something about it. We don't want to take extreme action. The media getting  
793 involved just makes it sensational. There's no need for shrillness. But we do want to be  
794 included, and we want to make sure that our concerns are genuinely heard and responded  
795 to. I think Cedarfield and the builder seemed a bit surprised Monday night that the parking  
796 garage, where it's located and where employees will have to drive through along our  
797 property lines and along that buffer, will create a small driveway for a lot of employees.  
798 That's a concern—lights, sound. The fence may do it; the buffers may do it. But we need  
799 to make sure that we're involved in those things. And so I think that is the concern that we  
800 are heard and that those things are really changed.

801  
802 There's a buffer there right now that needs some pretty serious maintenance if they want  
803 to save that buffer and the beautiful hardwood and pine trees that are there. They need to  
804 start maintaining it and get the encroaching vines that are going up every tree and killing  
805 trees, and coming over the fence that divides their property. I have to spend hundreds of  
806 dollars every year to get those vines off of my property because it's encroaching from  
807 there. They could do that next week. So to show sort of a sincere interest in what they are  
808 saying they'll do, take some action. But more than anything, include us.

809  
810 So I support what they are doing in general, but they do need to take considerations with  
811 the changes that are being made and what's happening.

812

813 Mr. Archer - Thank you, ma'am.

814

815 Mr. Witte - How do you propose them involving you in their process?

816  
817 Ms. Thigpen - The traffic, for example, that seemed to be a bit of a surprise  
818 to them. I think to find out what is their actual solution. I know moving the building and  
819 doing something different, when you have a healthcare facility, you need it attached to  
820 your main building. I get that.

821

822 Mr. Witte - But how do you propose they involve you in their process?

823

824 Ms. Thigpen - I think we should see their proposals for mitigating the traffic  
825 issues, the sound, and the noise. And we just don't know that yet. I think they have an  
826 opportunity to do that. I would ask, respectfully, that they include us and they aggressively  
827 include us and really not wait until the eleventh hour. An information meeting on Monday  
828 when it's coming before you on Wednesday doesn't feel right to me. It feels a little

829 underhanded. And maybe that's not their intention, but their actions will show us that that's  
830 not their intention. So I will give them some latitude, but not much. Thank you.

831  
832 Mr. Witte - Thank you.

833  
834 Mr. Archer - Thank you, ma'am. Any further questions?

835  
836 Mr. Baka - One more question, if I may. Could you point out where on  
837 Dover Hunt Place your home is?

838  
839 Ms. Thigpen - I am right there.

840  
841 Mr. Baka - You had mentioned a mix of deciduous trees and even  
842 evergreens. And Ms. Stiles had also mentioned some leaves were down. Would an  
843 increase in the number of evergreen trees help some of the visual impact and then perhaps  
844 it may address some of the noise concerns if it were beefed up from an evergreen  
845 standpoint rather than just deciduous. Is that a step in the right direction?

846  
847 Ms. Thigpen - It is a step in the right direction. And I think we heard Monday  
848 night that Cedarfield intends to do that.

849  
850 Mr. Baka - With the new condition 36.

851  
852 Ms. Thigpen - I'd love to hear from them. Obviously, they're here. But I think  
853 their intention now is to also put a fence along there.

854  
855 Mr. Baka - Right.

856  
857 Ms. Thigpen - So not like a wooden fence or a mesh fence. I think their  
858 intention is a vinyl fence that would shield some of the noise.

859  
860 Mr. Baka - And the evergreens would help with visual, but it's not going to  
861 help with noise attenuation unless we hear more to that specifically from the applicant.

862  
863 Ms. Thigpen - That's right. And then just the flow of traffic. Traffic, I think, has  
864 its own set of lights, noise, that they try to abate that. Thank you.

865  
866 Mr. Archer - Thank you, ma'am. Okay. There are literally just a few seconds  
867 left if anybody would want to make a quick comment. But if you think your views have been  
868 expressed, then we'll move on. All right, thank you. Oh, I'm sorry.

869  
870 Ms. Caldwell - [Off microphone.] Just real quickly.

871  
872 Mr. Archer - Yes ma'am.

873  
874 Ms. Caldwell - [Off microphone.] I'm Valarie—

875  
876 Mr. Archer - No, you have to come up here.  
877  
878 Ms. Caldwell - [Off microphone.] Sorry, sorry. I was trying to save time. I just  
879 want to make one point.  
880  
881 Mr. Archer - Wait until you get up here.  
882  
883 Ms. Caldwell - All right. I'd like to make the point—  
884  
885 Mr. Archer - Your name.  
886  
887 Ms. Caldwell - Valerie Caldwell.  
888  
889 Mr. Archer - Thank you, Ms. Caldwell.  
890  
891 Ms. Caldwell - 2816 Dover Hunt Place. I actually live across the street from  
892 many of these neighbors. We also still hear the noise, but that's not an issue today.  
893  
894 I just want to make the point that we have never seen a plan, and that's one thing that I  
895 came home from the meeting Monday night and said we've seen some pretty renderings.  
896 We've seen what I think I would use in marketing. The buildings look beautiful. But we've  
897 not really seen a plan that says how many feet this will be, will the boundary be impacted  
898 as far as will the driveway encroach, and what changes are we looking to on proffers that  
899 were established in the beginning.  
900  
901 It sounds to me like there's a play going on here where there will be changes requested.  
902 We've protected our citizens initially with the proffers, and it sounds like there are going to  
903 be requests for changes to some of those. That is a big concern. As we've said, 20 years  
904 we've lived with what we've got, and we're not complaining.  
905  
906 Mr. Archer - Thank you, ma'am. All right, the time has expired and it went a  
907 little bit over. So I suppose we need to hear from the applicant.  
908  
909 Mrs. Marshall - Yes, please.  
910  
911 Mr. Archer - Would the applicant please come forward? State your name  
912 for the record.  
913  
914 Mr. Rothermel - Good morning, Mr. Chairman, members of the Commission.  
915 My name is Mike Rothermel. I'm an attorney with the law firm of Spotts Fain. I'm here on  
916 behalf of the applicant.  
917  
918 We appreciate the comments that were made this morning. There were a lot of good  
919 comments made. There were a few things that I want to correct. I think they were  
920 inaccurate.

921  
922 There was mention of the new apartments, the independent living units that would be built.  
923 Those are not going to be located adjacent to the Dover Hunt subdivision. Those will  
924 actually be on the east side of the facility away from Dover Hunt. That would be a new  
925 apartment building. That's the last phase of the proposed expansion. So those new  
926 apartment buildings would not be adjacent. If you look at this drawing, what's in black are  
927 the proposed improvements. So the new apartment building is actually sort of the twisted  
928 rectangular building. It is down here. This is the new apartment building. The Dover Hunt  
929 subdivision is up top here. So the new apartment building would be down here to the east  
930 side of the property.

931  
932 Mr. Leabough - What is the building that's closest to the community?

933  
934 Mr. Rothermel - To run through the site plan here, this is the new healthcare  
935 building that would be proposed. The parking deck is back here. The new wellness and  
936 fitness center is in the middle of the building. That's essentially going to take up the existing  
937 courtyard. And then the new apartment building would be down here at the bottom of the  
938 screen.

939  
940 One of the things that was said—I think it was Mr. Stiles—was that this is one of the best  
941 facilities in the state. We're proud of that, and this \$75 million expansion is designed to  
942 maintain that status, to continue that tradition. So we are obviously committed to doing the  
943 best job we can here.

944  
945 One other thing I want to make mention of is to the parking deck. It's been referred to as  
946 a three-story parking deck, but actually a substantial portion of the parking deck is actually  
947 below grade. Let me see if I can pull up the elevation here. This is the elevation for the  
948 parking deck. Elevation C, if you will look at that, is the view that you would have from the  
949 Dover Hunt subdivision. We pushed this structure back as far as we could. And Glenn  
950 Custis with Draper Aden is here if you have any specific engineering question. But the  
951 structure was pushed back as far as it could be to sort of back up to Deep Run Park  
952 because Deep Run Park is our neighbor in the rear. And it was oriented away from Dover  
953 Hunt. So it's perpendicular to Dover Hunt, so elevation C is what you will see from Dover  
954 Hunt. So the parking deck actually sort of goes down. So you're entering there. If you turn  
955 in immediately into the parking deck, you're on the second level of the parking deck.

956  
957 A lot of thought has already gone into this as far as mitigating the impact to the neighbors.  
958 I will say one of the main things that came out of the meeting Monday night that I thought  
959 was very productive—and I think it was Ms. Thigpen that spoke to this—was the buffer,  
960 the loss of some of the trees within the existing buffer. I think what was agreed to the other  
961 night and is addressed in one of the additional conditions that was included by staff, is that  
962 there would be sort of a perimeter walk to take note of what the condition of the existing  
963 buffer is, what needs to be supplemented, and whether or not a fence is appropriate and  
964 desired. And so the additional condition that's been added in there says that a  
965 supplemental buffer needs to be in place—let me just read it:

966

967 A supplementary landscape/fence plan for the 100-foot proffered buffer  
968 along Dover Hunt subdivision shall be submitted for administrative review  
969 and approval prior to approval of any construction plan.  
970

971 So I think it's contemplated that very early in the process we're going to get out there and  
972 walk the perimeter with staff, and I'm assuming the neighbors, and determine exactly what  
973 needs to be planted. I think we heard the other night they'd like to see some evergreens  
974 to sort of replace the understory that's been lost and perhaps a fence. So this condition  
975 addresses that. That's actually going to have to be put in place before the construction  
976 plans are approved.  
977

978 We do not have any objection to the additional conditions that have been added. We think  
979 they provide a lot of protection. One of the comments was made that—the word “party  
980 palace” was thrown out there and some suggestion that there are issues that they could  
981 complain about but they don't. Dan Oetzel is here. He's the chief operation officer of  
982 Virginia United Methodist Homes. I think I speak for him in saying that any complaints that  
983 the neighbors have, we'd like to hear them. We will do what we can to address any issues  
984 that they have. It's very important for us to be a good neighbor and to maintain our standing  
985 within that immediate community.  
986

987 I've tried to address the issues that have been noted by the folks who attended this  
988 morning. But if there are any other questions that the Commission has, I'm happy to  
989 address them. Again, we have other representatives that can speak to some of the  
990 specifics.  
991

992 Mr. Archer - Thank you, sir. Questions for Mr. Rothermel?  
993

994 Mrs. Marshall - One of the questions that I have is a good question they  
995 brought up. Why the late notice for the meeting? Can you address that?  
996

997 Mr. Rothermel - Yes. We've been working with the County staff on this for quite  
998 a while. This is a large expansion. It's \$75 million dollars. And we went back and forth on  
999 some of the specifics of the plan. We wanted to wait until it was in place, that we had sort  
1000 of a specific proposed plan that we were prepared to move forward with. We wanted to  
1001 make sure that we got in there—again, this is not a zoning case; it's a plan of development  
1002 site plan. So it's not always the case that would even have a community meeting for a plan  
1003 of development or site plan.  
1004

1005 And so we wanted to make sure it was completely intact and we were prepared to move  
1006 forward with it. So several weeks ago, we looked at some proposed dates where we could  
1007 have the facility. We looked at having it last week, but Cedarfield is actually a polling  
1008 district, and so we were not able to have it because of the election. So that bumped us up  
1009 to Monday. Ideally, we would have liked to have had it perhaps last week. Scheduling  
1010 reasons prevented us from doing that.  
1011

1012 I'm not sure what percentage of PODs have community meetings, but involving the  
1013 neighborhood is important to us. I hope that addresses your questions.

1014  
1015 Mrs. Marshall - Okay. Another question from me is talking about leaving the  
1016 parking deck. Moving the parking deck to other recently purchased piece of land, that's  
1017 more of an environmental impact. Am I correct on that?

1018  
1019 Mr. Rothermel - Yes. There are a number of issues with that. First of all, we  
1020 don't have the zoning at this time on that. The newly acquired property is zoned  
1021 agricultural. We did mention at some point it would be our intention of sort of bringing that  
1022 into the campus and rezoning that. But there are a whole host of sort of design and  
1023 engineering issues that prevent us from doing that.

1024  
1025 Again, in order to maintain sort of the character over there and our status—maybe I should  
1026 say this. Our residents—and Dan Oetzel can speak to this better than me. Our residents  
1027 are more critical of us than anybody. This process was probably a couple of years in the  
1028 making. Dan can talk to the fact that they had countless, countless meetings with the  
1029 residents who really flyspeck every aspect of this. When you're talking about noise and  
1030 you're talking about lighting and you're talking about screening, I would say our residents—  
1031 and we have very many active residents. We have these single-family cottages that many  
1032 of them live in, and they've very active. They're worried about all these details too. So we  
1033 have really gone through sort of a long, arduous process to get to this point, as far as the  
1034 overall design of the facility. Did that answer your question?

1035  
1036 Mrs. Marshall - Yes it did.

1037  
1038 Mr. Rothermel - Thank you.

1039  
1040 Mr. Leabough - Well it didn't answer the question. You said there are a number  
1041 of factors that limit the location of the deck and some of the other features. I'd like to hear  
1042 what those are. It's a valid point that the residents bring up.

1043  
1044 Mr. Rothermel - Maybe Glenn can come up here. The thought process in  
1045 locating the deck where it was, is you have Deep Run Park that borders the facility in the  
1046 rear. So the thought was you put the parking deck as far as you can back toward the park  
1047 because you're minimizing the impact on surrounding neighborhoods. I think that was just  
1048 part of the long process in working with the County and the engineers looking at the site  
1049 and figuring what is the best location to put this parking deck.

1050  
1051 Mr. Leabough - I get that. That's the park. What are the environmental issues  
1052 that kind of forced you to decide to put it where you're proposing?

1053  
1054 Mr. Rothermel - There is also a deeded restriction, a—what is that? When  
1055 VUMH purchased the property from the Blackwoods back in the '90s, there was an  
1056 environmental buffer. There was a deed restriction put in place. Do you know the exact  
1057 location of that?

1058  
1059 Mr. Leabough - Maybe he should come up to the podium.  
1060  
1061 Mr. Rothermel - Yes.  
1062  
1063 Female - [Off microphone.] But that doesn't have anything to do with—  
1064  
1065 Mr. Archer - Ma'am.  
1066  
1067 Mr. Custis - The buffer runs along here. It runs through here.  
1068  
1069 Mr. Archer - Excuse me, sir. Would you state your name?  
1070  
1071 Mr. Custis - Oh, I'm sorry. I'm Glenn Custis for Draper Aden Associates.  
1072  
1073 Mr. Archer - Okay.  
1074  
1075 Mr. Custis - The buffer runs along there, and that's the restriction. I think it  
1076 might be that line right there; it's hard to see.  
1077  
1078 Mr. Witte - Can you speak into the microphone, please?  
1079  
1080 Mr. Custis - Oh, yes. I think this line right here.  
1081  
1082 Mr. Leabough - So there's a deed restriction that prevents you from putting any  
1083 facilities in there.  
1084  
1085 Mr. Custis - Yes. There's no grading. Nothing can occur in there. One thing  
1086 I wanted to point out, too, this is an existing parking lot here. The deck is going to replace  
1087 the existing parking lot and just come up.  
1088  
1089 Mr. Baka - Could the deck be moved further to the east at that point? I  
1090 know you're replacing an existing parking lot with a deck. But right where your mouse is,  
1091 could it be shifted further east away from Dover Hunt?  
1092  
1093 Mr. Custis - No. That's part of that Blackwood buffer. It's hard to see on  
1094 here. It's very restrictive on how far we can go. It's in through here.  
1095  
1096 Mr. Leabough - So where is it?  
1097  
1098 Mr. Baka - Can you zoom in on that?  
1099  
1100 Mr. Custis - I don't know if it shows up on this plan or not.  
1101  
1102 Mr. Leabough - Just estimate where you think it is.  
1103

1104 Mr. Custis - Yes, that's what I'm going to do.  
1105  
1106 Mr. Baka - To the east of the existing parking lot there's nothing shown as  
1107 a restriction.  
1108  
1109 Mr. Custis - Are you talking about over here somewhere?  
1110  
1111 Mr. Leabough - I see it says "Limits of Blackwood Buffer."  
1112  
1113 Mr. Custis - The Blackwood buffer comes up in here. We can't move the  
1114 parking deck any further to the east because we're pretty much up against the buffer right  
1115 now.  
1116  
1117 Mr. Rothermel - Mr. Leabough, one of the suggestions that we try to divert the  
1118 traffic around the other side of the building and perhaps to locate the parking deck more  
1119 on that side. It's those buffers and deed restrictions that prevent us from putting it over  
1120 there. The fact that we already have the parking lot there, we're putting another level above  
1121 that.  
1122  
1123 Mr. Leabough - One other question. Fifty beds, fifty units, whatever we call that,  
1124 what's your staff-to-bed/unit ratio? What's driving the need for structured parking here?  
1125 Fifty beds is not a substantial expansion.  
1126  
1127 Mr. Rothermel - That's a good question. This facility right here, the new  
1128 healthcare building that I have the mouse on, that is actually taking up existing parking.  
1129 That as it currently stands is a parking lot. So that healthcare building will be built on an  
1130 existing parking lot. So we'll be losing that parking.  
1131  
1132 Mr. Leabough - How many?  
1133  
1134 Mr. Rothermel - It's replacing.  
1135  
1136 Mr. Curtis - We kind of offset the count. We did an analysis count, and the  
1137 parking deck was sized basically to offset the parking that's being lost and any new  
1138 requirements for parking.  
1139  
1140 Mr. Rothermel - With the apartments here, there is some parking here, there's  
1141 a deck under here. But we had to do an overall count of the required spaces and with the  
1142 new addition what additional parking would be required. That drove the size of the parking  
1143 deck.  
1144  
1145 Mr. Leabough - You didn't answer my question. So you don't know how many  
1146 spaces you're losing.  
1147  
1148 Mr. Rothermel - I don't remember it off the top of my head. I'm saying that's the  
1149 analysis we went through to establish that.

1150  
1151 Mr. Leabough - Because 300 spaces, I don't know how many are currently  
1152 where the deck's located. How many are where the proposed deck is located?  
1153  
1154 Mr. Rothermel - Like I said, right off I don't know. It's probably in the range of  
1155 many 70 or 75 spaces in that parking log. I'm guessing right now. I don't remember exactly.  
1156  
1157 Mr. Leabough - Okay.  
1158  
1159 Mr. Emerson - Mr. Custis, how far this structure actually from the property  
1160 line? You have a 100-foot buffer. But measuring from the structure back to the closest  
1161 residential property line, what is that distance?  
1162  
1163 Mr. Rothermel - That is the 100-foot buffer.  
1164  
1165 Male - [Off microphone.] There's actually a closer property.  
1166  
1167 Mr. Rothermel - This is the property line. I'm just saying that's a 100-foot buffer,  
1168 so it's probably over 200 feet.  
1169  
1170 Mr. Emerson - Over 200 feet to the deck.  
1171  
1172 Mr. Rothermel - Yes.  
1173  
1174 Mr. Emerson - And then the other proposed building?  
1175  
1176 Mr. Rothermel - It's pretty close. About the same distance.  
1177  
1178 Mr. Emerson - And there is an existing parking lot already there.  
1179  
1180 Mr. Rothermel - Yes. The existing parking lot comes right through here. This is  
1181 the face of the existing building right in here.  
1182  
1183 Mr. Emerson - I just wanted to clarify that.  
1184  
1185 Mr. Archer - Sir, when you all were designing this, is it possible you could  
1186 have come up with any other configuration that may make a difference to what the  
1187 neighborhood is concerned about.  
1188  
1189 Mr. Rothermel - I think the units had to go—they were trying to put them with  
1190 the existing uses and the buildings were added on so the uses were compatible with the  
1191 existing zonings that were already there. I guess that's what drove this building right here.  
1192  
1193 Mr. Witte - Explain to me why we can't redirect that traffic around the  
1194 independent living facility and go straight—  
1195

1196 Mr. Custis - This way here?  
1197  
1198 Mr. Witte - Yes.  
1199  
1200 Mr. Custis - That buffer is in this area down here.  
1201  
1202 Mr. Witte - No. I'm not talking going down there. I'm talking about staying  
1203 up near the existing facilities.  
1204  
1205 Mr. Custis - Maybe I'm not quite sure where. Are you talking about up in  
1206 here?  
1207  
1208 Mr. Witte - No. Redirected from down there where were you were.  
1209  
1210 Mr. Custis - Right here?  
1211  
1212 Mr. Witte - No. Go like that and stay out of the buffer.  
1213  
1214 Mr. Custis - There is also a drainage channel through here and storm  
1215 outlets. Actually, there are wetlands right in here.  
1216  
1217 Mr. Witte - I'm sorry; I can't hear you.  
1218  
1219 Mr. Custis - I'm sorry. In this area that's a drainage channel. And actually  
1220 these lines here, this is the limits of wetlands that come up in here.  
1221  
1222 Mr. Witte - Right. Inside those lines. Stay to the right of those lines.  
1223  
1224 Mr. Custis - In here?  
1225  
1226 Mr. Witte - No, the other right.  
1227  
1228 Mr. Custis - Right here?  
1229  
1230 Mr. Witte - There you go.  
1231  
1232 Mr. Custis - I think we'd have to cross over these. I guess it would be—I'm  
1233 not sure how to answer. We'd have to go back and look at it to see if it is—  
1234  
1235 Mr. Rothermel - Mr. Witte, that is part of the building there. This right here is—  
1236  
1237 Mrs. Marshall - He can't go through there.  
1238  
1239 Mr. Leabough - He can't go through there.  
1240

1241 Mr. Witte - I understand that. I'm not talking about going into the building,  
1242 staying just outside the building like there is in the other parking areas, just outside the  
1243 building.  
1244  
1245 Mr. Custis - This is part of that buffer area that we're not allowed to disturb.  
1246 We're not allowed to go into that area.  
1247  
1248 Mr. Witte - All right. I have another question. I think that's worth looking at.  
1249 This walk-around you're going to do, how much notice are you going to give the residents  
1250 so that they can have their input?  
1251  
1252 Mr. Rothermel - If I can show you this. This line right here is the Blackwood  
1253 buffer that comes all the way up through here like this and around. Those are the areas  
1254 we cannot disturb. All this area in here can't be disturbed because of the deed restrictions.  
1255  
1256 Mr. Witte - Okay.  
1257  
1258 Mr. Baka - There appears to be an adequate distance between the edge  
1259 of that buffer and the edge of the building wall wide enough to have an access road. Is  
1260 that incorrect? Can you zoom in any further?  
1261  
1262 Mr. Leabough - Can't tell.  
1263  
1264 Mr. Witte - To Mr. Witte's point, there appears to be sufficient room to do  
1265 so. All we're saying is if we're looking at conceptually, maybe we can't.  
1266  
1267 Mr. Emerson - Are there topographic challenges behind that building?  
1268  
1269 Mr. Rothermel - Yes.  
1270  
1271 Mr. Emerson - Fairly significant, I believe. It drops down into that drainage  
1272 area pretty significantly. That would probably require a substantial retaining wall even if  
1273 you did have the area.  
1274  
1275 Mr. Witte - So it's not feasible.  
1276  
1277 Mr. Emerson - That would be up to the applicant to respond. But from my  
1278 perspective, it would be challenging. And of course I know everyone understands this. In  
1279 deference to the neighbors, this is a use by right, and it is allowed under the zoning  
1280 categories currently on the property. So the Commission has to work within the parameters  
1281 of that zoning category and any other restrictions or environmental constraints that are on  
1282 the property. So for the Commission here, it's really only a ministerial action here. The use  
1283 is already allowed.  
1284  
1285 Mr. Witte - I understand that. I was just trying to see if there was another  
1286 avenue. Obviously, there doesn't appear to be. But I think it was worth investigating.

1287  
1288 Mr. Leabough - I agree, Mr. Witte. Having not been a part of this process until  
1289 this morning, I'm just trying to understand some of the thinking in terms of the building  
1290 orientation and placement. It's important.  
1291  
1292 Mr. Rothermel - And I appreciate that. I didn't answer Mr. Witte's question as  
1293 far as involving the neighbors in the walk-through.  
1294  
1295 Mr. Witte - The residents are obviously anxious to be involved.  
1296  
1297 Mr. Rothermel - Yes.  
1298  
1299 Mr. Witte - You suggested that some of them were going to be involved,  
1300 but you didn't actually say you were going to give them notification and get them involved.  
1301  
1302 Mr. Rothermel - We're happy to do that. I can talk to them after. Whoever wants  
1303 to coordinate for them, whether it is Mr. and Mrs. Stiles or Ms. Thigpen or Ms. Caldwell or  
1304 anybody else. The condition mandates that we do that prior to getting construction plans  
1305 approved. So we have to do that. It's a requirement that you all have imposed. And I  
1306 appreciate Mr. Emerson's comments regarding this being a POD. I do want for the  
1307 neighbors to understand that we are trying to go above and beyond what the ordinances  
1308 require and agreeing to do things and supplement things that wouldn't otherwise be  
1309 required by the ordinance.  
1310  
1311 Mr. Witte - And I appreciate that. I think they understand by right you can  
1312 do this. But I also think it's very important to try to accommodate them as much as possible.  
1313  
1314 Mr. Rothermel - I agree with you.  
1315  
1316 Mr. Witte - Thank you.  
1317  
1318 Mrs. Marshall - I have a couple more questions. I know that we discussed on  
1319 Monday night—a lot of the people that were there are here right now—that it was important  
1320 for them to have mailed to them the updated plans and the things that they asked for,  
1321 where things were going to be located, generators, and those types of things. Do we have  
1322 a date when that will be mailed to them? Can we have a time frame for that?  
1323  
1324 Mr. Rothermel - A lot of these things are provided that we need to supplement  
1325 what we file with the County. We can send copies as we send them to the County.  
1326  
1327 Mrs. Marshall - What time frame are you looking at for it coming to the County?  
1328  
1329 Mr. Rothermel - I'm not exactly sure of the timing on that. Obviously, we need  
1330 to get these things in before we get our approvals. So our desire is to get them as soon as  
1331 possible so that we can move forward. I can't stand here today and tell you if it's going to  
1332 be in a week or in a month.

1333  
1334 Mrs. Marshall - Okay. But you will use a list that we generated on Monday night  
1335 and make sure that each person that signed that list does get that.  
1336  
1337 Mr. Rothermel - Sure.  
1338  
1339 Mrs. Marshall - Okay.  
1340  
1341 Mr. Rothermel - And I do want to reiterate that they have our contact  
1342 information now. So to the extent they have any questions, they can contact myself or Mr.  
1343 Henderson or whomever.  
1344  
1345 Mrs. Marshall - Okay. We did talk about this on Monday night. We appreciate  
1346 your willingness—I think the neighbors also appreciate your willingness—to help with and  
1347 during construction, the agreed upon screen and sound suppression for the HVAC  
1348 mechanical equipment and to supplement the existing buffer with additional landscaping  
1349 and/or fencing per additional conditions. I think when we talked about it, sometimes it's  
1350 just not enough to put a fence around an HVAC or a generator. I know when we had the  
1351 meeting the other night the applicant was willing to put sound suppression above and  
1352 beyond what was necessary so that they're not hearing that constantly, even though we  
1353 will have the buffer.  
1354  
1355 I know we're kind of going a little bit backwards with this case. Just for people that don't  
1356 know, we're going to go in and we're going to put the buffer in first. And that's not normal.  
1357 We're going to walk the buffer. I'm probably going to crutch it. Mr. Branin and I will come  
1358 out. And we'll discuss what needs to go in there with everybody. I think it shows great  
1359 concern for the neighbors that you're willing to put the buffer in first, prior to what's going  
1360 on.  
1361  
1362 I also wanted to bring this up. We talked about the parking deck at the meeting the other  
1363 night. I find the walls on the western side of the new parking deck will help mitigate and  
1364 redirect noise from adjacent subdivisions. I think that's important because nobody wants  
1365 to have people driving in and have headlights shining in their kitchen window.  
1366  
1367 We talked a lot about the fence the other night, and we talked about what kind of fence  
1368 would be suitable. I think we all came to a conclusion as a group—and correct me if I'm  
1369 wrong—that it would be great to have a white vinyl fence but solid so it would definitely aid  
1370 in the sound abatement. That would be necessary for the neighborhood, to show being  
1371 good neighbors. Is that agreed upon?  
1372  
1373 Mr. Rothermel - I think if that's what's ultimately determined, that it's a vinyl  
1374 fence to be put up there, I think it was the consensus the other night. I think part of it was  
1375 that maybe we should get out—I'm not sure that I'm going to be part of that walk-through,  
1376 but the engineer and the architect and the representatives from VUMH, along with the  
1377 neighbors, would walk and determine exactly what was needed. Part of the discussion the  
1378 other night was we were all sort of throwing out ideas, but until you get out there and walk

1379 it - a vinyl fence may be perfectly appropriate. And I think if that's what's ultimately  
1380 determined to be wanted, I don't think my client has any problem with it.

1381  
1382 Mrs. Marshall - Okay. Mr. Branin and I would love an invitation to that walk  
1383 also.

1384  
1385 Mr. Rothermel - Sure. Absolutely.

1386  
1387 Mrs. Marshall - Thank you.

1388  
1389 Mr. Rothermel - Sure.

1390  
1391 Mr. Archer - All right. Any further questions or comments? Thank you, sir.

1392  
1393 Mr. Rothermel - Thank you.

1394  
1395 Mr. Archer - Ma'am, I'm sorry, but we actually went over the amount of time  
1396 that we're supposed to extend. I wish we could, but we can't.

1397  
1398 Male- [Off microphone.] One thing I wanted to mention. Statements  
1399 represented by one [inaudible]—

1400  
1401 Mr. Archer - Sir, I'm sorry, but we've really exhausted the time limits and  
1402 went over. Mrs. Marshall?

1403  
1404 Mrs. Marshall - Mr. Chairman. I move POD2016-00368, Hermitage at  
1405 Cedarfield Expansion and Renovations, be approved subject to the annotations on the  
1406 plan, standard conditions for developments of this type, additional conditions 29 through  
1407 35 in the agenda, and added conditions 9 amended, 11 amended, 36, and 37 on the  
1408 addendum.

1409  
1410 Mr. Leabough - Second.

1411  
1412 Mr. Archer - Motion by Mrs. Marshall and seconded by Mr. Leabough. All in  
1413 favor say aye. All opposed say no. The ayes have it; the motion passes.

1414  
1415 The Planning Commission approved POD2016-00368, Hermitage at Cedarfield  
1416 Expansion and Renovations, subject to the annotations on the plans, the standard  
1417 conditions attached to these minutes for developments of this type, and the following  
1418 additional conditions:

1419  
1420 9. **AMENDED ADDED:** A detailed landscaping plan shall be submitted to the  
1421 Department of Planning for review and Planning Commission approval prior to the  
1422 issuance of any occupancy permits.

1423 11. **AMENDED ADDED:** Prior to the approval of an electrical permit application and  
1424 installation of the site lighting equipment, a plan including depictions of light spread

- 1425 and intensity diagrams, and fixture specifications and mounting height details shall  
1426 be submitted for Department of Planning review and Planning Commission  
1427 approval.
- 1428 29. In order to maintain the effectiveness of the County's public safety radio  
1429 communications system within buildings, the owner will install radio equipment that  
1430 will allow for adequate radio coverage within the building, unless waived by the  
1431 Director of Planning. Compliance with the County's emergency communication  
1432 system shall be certified to the County by a communications consultant within ninety  
1433 (90) days of obtaining a certificate of occupancy. The County will be permitted to  
1434 perform communications testing in the building at anytime.
- 1435 30. The proffers approved as a part of zoning cases C-23C-92, C-25C-93, and C-26C-  
1436 93 shall be incorporated in this approval.
- 1437 31. A construction staging plan which includes details for traffic control, fire protection,  
1438 stockpile locations, construction fencing and hours of construction shall be  
1439 submitted for County review and prior to the approval of any final construction plans.
- 1440 32. The conceptual master plan, as submitted with this application, is for planning and  
1441 information purposes only. All subsequent detailed plans of development and  
1442 construction needed to implement this conceptual plan may be administratively  
1443 reviewed and approved and shall be subject to all regulations in effect at the time  
1444 such subsequent plans are submitted for review/ approval.
- 1445 33. The location of all existing and proposed utility and mechanical equipment  
1446 (including HVAC units, electric meters, junctions and accessory boxes,  
1447 transformers, and generators) shall be identified on the landscape plan. All building  
1448 mounted equipment shall be painted to match the building, and all equipment shall  
1449 be screened by such measures as determined appropriate by the Director of  
1450 Planning or the Planning Commission at the time of plan approval.
- 1451 34. Except for junction boxes, meters, and existing overhead utility lines, and for  
1452 technical or environmental reasons, all utility lines shall be underground.
- 1453 35. The limits and elevations of the Special Flood Hazard Area shall be conspicuously  
1454 noted on the plan and labeled "Limits of Special Flood Hazard Area." In addition,  
1455 the delineated Special Flood Hazard Area must be labeled "Variable Width  
1456 Drainage and Utility Easement." The easement shall be granted to the County prior  
1457 to the issuance of any occupancy permits.
- 1458 36. **ADDED:** An HVAC and mechanical equipment location and screening plan shall be  
1459 submitted for administrative review and approval prior to approval of the  
1460 construction plan for the health care addition or the parking deck.
- 1461 37. **ADDED:** A supplementary landscape/fence plan for the 100-foot proffered buffer  
1462 along Dover Hunt subdivision shall be submitted for administrative review and  
1463 approval prior to approval of any construction plan. The fence shall be installed prior  
1464 to the start of construction and supplemental landscaping shall be installed in the  
1465 first planting season after approval.

1466  
1467 Mr. Emerson - Mr. Chairman, we now move on to page 15 of your agenda for  
1468 POD2016-00423, Engineering Design Associates for Community Housing Partners  
1469 Corporation and Apartments at Kingsridge, LLC. The staff report will be presented by  
1470 Mr. Matt Ward. This also appears on page 2 of your amended agenda.



1505 Additionally, as required by the County Traffic Engineer, you have a temporary emergency  
1506 access easement that would be built in this area to connect Kingsridge Parkway to existing  
1507 Dabbs House Road as a means to provide a second point of access. Until such time that  
1508 the Kingsridge Parkway and Dabbs House intersection is completely constructed for  
1509 permanent use, that temporary access would be gated and only used for emergency  
1510 access.

1511  
1512 Additional traffic requirements included for the applicant to provide a traffic signal study for  
1513 this area of the road, and during that time if there were any comments that need to be  
1514 addressed. That is something that would be required prior to construction plan approval.

1515  
1516 The building elevations for all of these apartment buildings, as well as the community  
1517 house, do show the majority of the first and second floors all brick and the remaining parts  
1518 of the building being cementitious siding. And as noted earlier, at preparation of the  
1519 agenda, the opposition, several citizens in the townhome community across the street,  
1520 have expressed concerns about increased traffic and the market value of their townhomes  
1521 declining.

1522  
1523 Based on the Zoning Ordinance and things provided by the applicant, staff can  
1524 recommend approval subject to the annotations on the plans, the standard conditions for  
1525 developments of this type, and the following conditions 29 through 37 with 37 modified as  
1526 noted on page 2 in the addendum.

1527  
1528 This completes my presentation. Should you have any questions, I'm happy to answer  
1529 those. We have Randy Hooker with Engineering Design Associates, representing the  
1530 applicant, as well as Todd Collins with Community Housing Partners, should you have any  
1531 questions of them.

1532  
1533 Mr. Archer - Thank you, Mr. Ward. Are there questions from the  
1534 Commission?

1535  
1536 Mr. Leabough - Just one quick question, Mr. Chair, if I may.

1537  
1538 Mr. Archer - Go right ahead.

1539  
1540 Mr. Leabough - Mr. Ward, is this a piece of R-5 conditioned or unconditioned  
1541 property?

1542  
1543 Mr. Ward - It's unconditioned.

1544  
1545 Mr. Leabough - So there wasn't a rezoning case with conditions brought before  
1546 the Commission and the Board.

1547  
1548 Mr. Ward - That's correct. It was rezoned back in '74.

1549  
1550 Mr. Leabough - Okay. Thank you.

1551  
1552 Mr. Archer - All right. Anything else from the Commission?  
1553  
1554 Mr. Leabough - No sir.  
1555  
1556 Mr. Archer - We do have opposition, Mr. Leabough.  
1557  
1558 Mr. Leabough - I'd like to hear from the opposition first if I may, Mr. Chair.  
1559  
1560 Mr. Archer - People who are opposed, I think you were present when the  
1561 secretary read the rules of opposition about the ten-minute rule. So you all understand  
1562 that? Okay. Will someone please come forward and state your name and address for the  
1563 record.  
1564  
1565 Ms. Robinson - Good morning. My name is Kimberly Robinson.  
1566  
1567 Mr. Archer - Good morning, Ms. Robinson.  
1568  
1569 Ms. Robinson - I'm a property owner and concerned resident of Kingsridge  
1570 Townhomes located on Laburnum Avenue. Although we are a small community of only 47  
1571 townhomes, our voices and concerns should not be overlooked by the County of Henrico.  
1572  
1573 I purchased this home in February of 2008, and shortly after, experienced the loss of  
1574 property value due to the negative impact of a failing economy. I speak for myself and the  
1575 other homeowners when I say it is our hope that our property values will soon begin to  
1576 recover. However, with the news of this proposed 200-family subsidized housing  
1577 community being constructed adjacent to our property, our hopes are bleak. It is more  
1578 likely that in the wake of the construction, our property values will continue to fall, leaving  
1579 us with little opportunity to ever gain equity in our homes. It is very unlikely that we will  
1580 ever be able to sell or rent our homes to recoup our investments.  
1581  
1582 The approval of this project will certainly mean financial ruin for us all, not to mention the  
1583 loss of community, an increase in traffic, noise, and possibly crime in the area. Moreover,  
1584 to add insult to injury, you want to link the apartment project to us by using the name of  
1585 our townhouse community. We are not a low-income housing community.  
1586  
1587 The County of Henrico has completely disregarded the livelihood of our small community.  
1588 On behalf of the Kingsridge Townhomes community, I urge you to reconsider this approval.  
1589 Thank you.  
1590  
1591 Mr. Archer - Thank you. Are there questions for Ms. Robinson from the  
1592 Commission? All right. Thank you, ma'am. Is there anyone else who wishes to speak?  
1593 We have approximately eight minutes left. Please state your name and address for the  
1594 record, ma'am.  
1595

1596 Ms. Murphy-Thorne - Good morning. My name is Katrina Murphy-Thorne. I am the  
1597 president of the Kingsridge Townhomes Association. We just want to echo the sentiments  
1598 of Ms. Robinson. We are very concerned about these apartments being built adjacent to  
1599 our community. We were hopeful that we would still be able to expand at some point. We  
1600 weren't notified of any sale of the property. We found out at the last minute. We were still  
1601 hopeful to expand. The financial implications of having just a 47-unit community has been  
1602 broad. It limits the amount of income coming into our association. We are struggling to just  
1603 maintain the things that we need to maintain within our own community. We're very  
1604 concerned about traffic, litter, crime, noise, and just the volume of people that an apartment  
1605 community would bring to our small, quiet neighborhood. So we are very, very concerned  
1606 about this. And we are opposed. We cannot stress that enough.

1607  
1608 Mr. Archer - Thank you, ma'am. Any questions? Ma'am, would you repeat  
1609 your last name again please?

1610  
1611 Ms. Murphy-Thorne - Murphy-Thorne. Hyphenated.

1612  
1613 Mr. Archer - Thank you. No questions?

1614  
1615 Mr. Leabough - No sir.

1616  
1617 Mr. Archer - All right, there's still a little bit of time left if there's another  
1618 person who wants to speak. All right.

1619  
1620 Mr. Leabough - Mr. Chair, before the applicant comes forward, Mr. Secretary,  
1621 do you mind explaining to the residents that are here in opposition kind of the position that  
1622 we're in as it relates to the zoning? It's kind of similar to the last case we just heard. This  
1623 use is allowed by right. And it was an unconditioned piece of property, so there wasn't a  
1624 rezoning case where the County had more influence over the conditions or things of that  
1625 nature. Could you explain that for the residents?

1626  
1627 Mr. Emerson - Certainly. I think you've covered it very well. As in the last  
1628 case—with the exception on the last case I believe it did have a rezoning governing it. This  
1629 case doesn't even have that piece. This is a by-right zoning category. It exists on the  
1630 property, so the property enjoys the rights that are allowed by that zoning category. Mr.  
1631 Ward, do we know exactly when—was this in the 1960 overall zoning?

1632  
1633 Mr. Ward - From my research, it was 1974.

1634  
1635 Mr. Emerson - So it was 1974. But it was granted without any conditions. So  
1636 the Commission is in a position where this use is allowed by right to the property owner.  
1637 The only thing that they can work with pertains to the guidelines of the Zoning and  
1638 Subdivision Regulations and any other regulatory constraints that may exist in terms of  
1639 setbacks and design standards and things of that nature. So they merely are purveyors of  
1640 reviewing the application and making sure that it conforms to the County's rules and  
1641 regulations, which are very basic, along with the allowed use.

1642  
1643 Mr. Leabough - So there's no ability to deny the case based on the use  
1644 proposed.  
1645  
1646 Mr. Emerson - Correct. There would be no ability of the Commission at this  
1647 stage to say no, we won't allow this development because it is a use by right.  
1648  
1649 Mr. Archer - Ma'am, you may ask a question, but you need to come up.  
1650  
1651 Mr. Leabough - While you're approaching the podium, I thought that that was  
1652 important. We hear this a lot for these types of cases. Unfortunately, our hands are tied as  
1653 it relates to the use being proposed. We often hear that people don't like the use. But  
1654 unfortunately, there's little that we can do at the POD phase in the process to deny the  
1655 case just only solely based on the use. Yes ma'am.  
1656  
1657 Ms. Dugger - My name is Janet Dugger. D-u-g-g-e-r. I live at 436 Kingsridge  
1658 Place, which would be the road that drives right into the complex. Is there any way that  
1659 the name of the place can be changed from Kingsridge Apartments so that it is not directly  
1660 associated with our townhome community? That is my question.  
1661  
1662 Mr. Leabough - It's not something we would regulate as it relates to the  
1663 Commission action, would it be, Mr. Secretary?  
1664  
1665 Mr. Emerson - No sir, Mr. Leabough, we would not regulate the name of the  
1666 development. That would be up to the developer what he chooses to name it.  
1667  
1668 Mr. Leabough - That decision is not within the purview of this Commission,  
1669 unfortunately. The applicant, if you could come forward. From what I understand, this is a  
1670 low-income housing tax-credit development potentially. There may be some implications  
1671 as it relates to changing the name because I think you've already filed the case, if I'm not  
1672 mistaken.  
1673  
1674 Mr. Collins - Yes.  
1675  
1676 Mr. Leabough - So I don't think you have a lot of flexibility. I mean can you  
1677 change the name or is that an option at this point?  
1678  
1679 Mr. Collins - Todd Collins, Community Housing Partners. At this point, the  
1680 structure behind the development is set in place. LLCs are already set in place, and the  
1681 structure of the whole ownership entity is all set in place with those names. Kingsridge  
1682 Parkway is the name of the road that is going to be accessing it. So it was not to associate  
1683 with the townhomes. It was merely to reflect that we were off Kingsridge Parkway.  
1684  
1685 Mr. Leabough - Could you talk a little bit about the concerns that were raised?  
1686 The issue of property values often comes up. Traffic, noise, and crime. I know that when  
1687 people think about subsidized housing, there are some perceptions associated with that.

1688 But can you speak to the financing program that you're pursuing and the price points or  
1689 the rental unit prices that you're proposing for this type of development?

1690  
1691 Mr. Collins - First of all, it is an affordable housing project. The credits were  
1692 awarded through the State Housing Authority. There is going to be a first mortgage loan  
1693 on the property, and the balance of the money is coming in through an equity investor that  
1694 comes in and uses the tax credits that are available. There are not other funding sources  
1695 that we are using for this project.

1696  
1697 Each of the residents in there will be at or below 60 percent County median income. The  
1698 rent structure—I can't tell you off the top of my head. There were a variety of rents that  
1699 were associated with that. Typically, the rents are approximately 30 percent of income  
1700 levels. So I'm thinking that the rents were somewhere in the 600-to-1,000 dollar range.

1701  
1702 Mr. Leabough - Well that's not accurate. They're not 30 percent. In relationship  
1703 to the apartment community across the street, your rents are probably likely to be higher.  
1704 Correct?

1705  
1706 Mr. Collins - Seven Gables?

1707  
1708 Mr. Leabough - Yes.

1709  
1710 Mr. Collins - I do not know what the rents are over at Seven Gables. I would  
1711 say that our rents are in the affordable range that are mandated by the state regulations  
1712 through the State Housing Authority.

1713  
1714 Mr. Leabough - Well, let me help you out. I work in the housing industry.  
1715 Sometimes these rents are actually at the market rent or exceed what the market is; it just  
1716 depends upon the area. Just because the word "subsidize" is associated with it doesn't  
1717 necessarily mean—it's not like a voucher, if you will, where you were speaking about the  
1718 rents would be at 30 percent. They're actually 60 percent rents, which are higher than what  
1719 you would typically associate with affordable housing or subsidized housing, which most  
1720 people think of.

1721  
1722 Mr. Collins - Yes, that is correct. For clarification, we do have 18 units that  
1723 will have vouchers provided by the City of Richmond for this project. And just as a little bit  
1724 of background on the Community Housing Partners. We are a non-profit organization. We  
1725 own and manage approximately 5800 units of housing. We take pride in our housing. If  
1726 there is ever concern about crime or garbage, we will respond to it. It's part of our mission  
1727 that we do. We're not coming in as a private developer that you have to worry about. We  
1728 are accessible. It's the mission of the organization.

1729  
1730 Mr. Leabough - Can you talk about the administrative oversight as it relates to  
1731 property standards that the program brings to it from the tax-credit perspective?

1732

1733 Mr. Collins - From the tax-credit perspective, there is an investigation of the  
1734 tenant records on an annual basis by the State Housing Authority. The State Housing  
1735 Authority inspects the property on an annual basis. We have an equity investor with  
1736 millions of dollars invested. They visit the property once a year. So everything is in place  
1737 to make sure it's a quality and well-maintained project.

1738  
1739 Mr. Leabough - So you have 30 years of that oversight, right?

1740  
1741 Mr. Collins - Yes sir. At minimum. We will retain ownership after that once  
1742 the equity investor is gone from the project. Community Housing Partners will continue to  
1743 own that.

1744  
1745 Mr. Leabough - Okay. Can you speak to your operations as it relates to noise  
1746 and crime?

1747  
1748 Mr. Collins - Well again, we will have a site manager on site—I believe it's  
1749 a full-time position—that will be in the leasing office in there to oversee the residents. Most  
1750 of the issues that we have are addressed in qualifying of the residents. There are very  
1751 tight screening qualifications to get into the units. That again is monitored by the State  
1752 Housing Authority, plus our management entity. Again, it's professionally managed.

1753  
1754 Mr. Leabough - So you're screening for criminal backgrounds, things of that  
1755 nature?

1756  
1757 Mr. Collins - Yes. We have guidelines of what we will allow and what we  
1758 won't allow. Crime is a major one. I think minor crimes, there's like a five-year limit that we  
1759 will look back. Major crimes, it's an automatic disqualification.

1760  
1761 Mr. Leabough - Can you also speak to who's going to manage it? I mean you  
1762 all typically manage your own property.

1763  
1764 Mr. Collins - Yes.

1765  
1766 Mr. Leabough - You don't subcontract the property management?

1767  
1768 Mr. Collins - That is correct. We are managing this property ourselves.

1769  
1770 Mr. Leabough - So if your manager is noticing something that needs to be  
1771 addressed, there is a direct linkage to the owner? It's not like you've got some property  
1772 manager from out of town that's managing that.

1773  
1774 Mr. Collins - That is very true. The vice president of our management  
1775 company is right in my office that's located here in Richmond. So we're fully accessible.

1776  
1777 Mr. Thornton - Sir, you mentioned the word "mission" a few moments ago.

1778

1779 Mr. Collins - Yes.  
1780  
1781 Mr. Thornton - And also you mentioned the advantage of tax credits.  
1782  
1783 Mr. Collins - Correct.  
1784  
1785 Mr. Thornton - I'm always interested also in the mission towards the residents  
1786 who are going to be living in the units there. And also, the citizen did ask about the  
1787 feasibility of changing your name. But you never quite said it was an impossibility. You  
1788 mentioned the kind of quasi-legal aspect of it. This is Henrico County, and there are certain  
1789 things that we have as expectations. The advantage you have is this can't be denied  
1790 because of by-right issues there.  
1791  
1792 We know this is a lucrative enterprise for your company. That's okay; that's America. But  
1793 what could you say as a part of this mission about the residents who are going to live  
1794 there? What's in place?  
1795  
1796 Mr. Collins - We do have the ability to bring in resident services in our  
1797 organization. I can't say specifically whether it was planned for this particular project. We  
1798 do have a large division in our company that handles resident participation and  
1799 association. So that resource is always available to us. But this is independent living. It's  
1800 our purpose to provide quality living space for residents. But we don't provide social  
1801 services for them. We just try to make sure that there is no crime, there's no damage to  
1802 the property, and we maintain the property. But I don't believe there's any particular service  
1803 that's going to be provided to these residents at this point.  
1804  
1805 Mr. Thornton - In your professional opinion, what do you think will be the  
1806 ethnicity of the majority of the residents in this enterprise?  
1807  
1808 Mr. Collins - The ethnicity will be determined by the residents that show up  
1809 and make application. I don't—  
1810  
1811 Mr. Thornton - Now that's your professional opinion.  
1812  
1813 Mr. Collins - That is my professional opinion. We advertise openly for  
1814 residents to show up. And we follow fair housing guidelines to a T. Again, we are a non-  
1815 profit. That is what we do. And fair housing is one of the large missions that we follow.  
1816  
1817 Just to that point, we had a meeting of supervisors yesterday within our organization to  
1818 talk about the election results, and I don't know that you want to get into that. But there  
1819 was some talk that—there was a fear from people that do consulting work that some of  
1820 the fair housing issues might be pulled back from the new administration coming in. The  
1821 president of our company said specifically we will continue to follow those fair housing  
1822 guidelines because that is what we do. We are looking at fair housing continually.  
1823

1824 Mr. Thornton - Well, I conclude just with the observation that I think persons  
1825 in your industry, I hope that they will be much more cognizant now of serving these  
1826 residents who'll be living in the apartment units. Mr. Chairman, may I ask this too?  
1827

1828 Mr. Archer - Certainly, go right ahead.  
1829

1830 Mr. Thornton - Will there be cameras on this property? Will there be security  
1831 cameras?  
1832

1833 Mr. Collins - I'm sorry; I missed the question.  
1834

1835 Mr. Thornton - Will there be security cameras on the property?  
1836

1837 Mr. Collins - There are planned right now security cameras in the  
1838 community room, at this point, covering the community room.  
1839

1840 Mr. Thornton - In the community room?  
1841

1842 Mr. Collins - That is correct. The community building, which has a  
1843 clubhouse, per se. It has a laundry room. So that will be covered by cameras at this point.  
1844 We do not in the current plan have any plans for any cameras on any of the buildings.  
1845

1846 Mr. Leabough - I don't think you would want cameras.  
1847

1848 Mr. Thornton - Would that not be an enhancement for safety?  
1849

1850 Mr. Collins - It potentially could, but we're working with the Planning  
1851 Department and doing what we're asked to do.  
1852

1853 Mr. Thornton - Okay. Thank you.  
1854

1855 Mr. Collins - And I also want to point out that we have 24 units in this  
1856 building that will be fully accessible for persons with disabilities.  
1857

1858 Mr. Thornton - Thank you very much.  
1859

1860 Mr. Leabough - Yes, fair housing is definitely a concern. When we talk about  
1861 the typical resident, these are working families. The individuals have to afford 2-1/2 times  
1862 the monthly rent to qualify. So they are people who are working. Can you speak to the  
1863 type of residents that you anticipate housing here in terms of their occupations?  
1864

1865 Mr. Collins - I cannot speak to what occupation.  
1866

1867 Mr. Leabough - I mean they're probably working-class folks. They could be  
1868 teachers, firefighters—  
1869

1870 Mr. Collins - They very well could be. We have income restrictions that we  
1871 look at. And legal source of income is what we determine. I can't tell you. It may be  
1872 teachers, it may be firefighters. I don't know. I didn't look at the income categories, the  
1873 individuals that would qualify for the income in these units.  
1874

1875 Mr. Leabough - Okay. I'm going to help you out. If you're renting from for 600,  
1876 700 bucks a month, multiply that times 2.5. That gives you their average monthly income.  
1877 And then project that out times 12 months. So they're working-class people that are going  
1878 to live here.  
1879

1880 Mr. Collins - Yes.  
1881

1882 Mr. Leabough - You have to be gainfully employed to be able to afford to live  
1883 here.  
1884

1885 Mr. Collins - Well again, I can't discriminate on source of income. So if  
1886 someone has an income source that's—  
1887

1888 Mr. Leabough - Yes. But the typical resident is going to be gainfully employed.  
1889

1890 Mr. Collins - I think that would be a fair statement.  
1891

1892 Mr. Leabough - Thank you. I don't have any further questions.  
1893

1894 Mr. Archer - Okay. Anybody else have further questions? All right,  
1895 Mr. Leabough.  
1896

1897 Mr. Leabough - Thank you, sir.  
1898

1899 Mr. Collins - Thank you.  
1900

1901 Mr. Leabough - Do you have a question? I don't think the question was  
1902 answered; could you come back up, sir, from Community Housing? The question about  
1903 the name change was not something that you addressed I don't think even after Mr.  
1904 Thornton asked it again. So could you all look into the possibility of the name change? I  
1905 know you filed your paperwork and your financing, but can you at least look into whether  
1906 that's a possibility?  
1907

1908 Mr. Collins - I can look into the possibility of doing that. Unfortunately, the  
1909 final decision is above my pay grade.  
1910

1911 Mr. Leabough - Yes. But you could at least see if it's even an option. If it's not  
1912 an option then there's no point—  
1913

1914 Mr. Collins - I will look to see if it is an option, yes.  
1915

1916 Mr. Leabough - Okay. Thank you. I think we've exhausted pretty much all the  
1917 comment period. Any other questions you can feel free to ask Mr. Ward after the decision  
1918 is made. Is that fair? All right.

1919  
1920 I think we need to move forward. I understand the residents' concerns. But unfortunately  
1921 this is a zoned property. It has been zoned since the '70s. It's unconditioned zoning. I think  
1922 just understanding the rental and the housing industry, that you're actually getting because  
1923 of the financing that the developer pursued, actually a pretty good product, given the fact  
1924 that this is unconditioned property. It's masonry, brick, and HardiPlank, which is probably  
1925 one of the superior materials as it relates to exterior construction. The architectural, in my  
1926 opinion, are fairly decent.

1927  
1928 The other thing that this property will have is the tax-credit program, which requires a lot  
1929 above and beyond what you would typically find in an apartment community. It's probably  
1930 going to the EarthCraft certified, I'm presuming, because of the requirements of the tax-  
1931 credit program.

1932  
1933 There's the oversight that's there. And you also have a developer that has a local  
1934 presence. I think they manage properties from here to Florida, so they have a strong  
1935 reputation in our community. And their property management company is their own. So if  
1936 you have an issue, whatever issues you convey to the property manager will go directly to  
1937 the developer because they're one in the same.

1938  
1939 I do have a concern about the concentration of apartments. I will tell the developer that.  
1940 There are already a thousand homes across the street. If this was a rezoning case, I could  
1941 tell you now I would be struggling to support a rezoning for an apartment development.  
1942 But given that this is a by-right use, our hands are tied in that regard.

1943  
1944 There are always perceptions about subsidized housing. I can assure you that this is not  
1945 the typical subsidized housing that many people think of. It's actually probably closer to  
1946 market rate, if you compare this to surrounding apartment communities in this area.

1947  
1948 There will be a traffic signal study. That is a concern too. I travel through this area  
1949 frequently, and I know it's probably difficult for you to get out on Laburnum from time to  
1950 time. So the good part is there is a traffic signal study that is required as a part of this case  
1951 to hopefully alleviate or hopefully improve some of the traffic conditions there.

1952  
1953 With that, I move that POD2016-00423, Kingsridge Apartments, Phase I, be approved  
1954 subject to annotations on the plans, standard conditions for developments of this type, and  
1955 additional conditions 29 through 37 modified with the traffic signal study.

1956  
1957 Mr. Witte - Second.

1958  
1959 Mr. Archer - Motion by Mr. Leabough and seconded by Mr. Witte. All in  
1960 favor say aye. All opposed say no. The ayes have it; the motion passes.

1961

1962 The Planning Commission approved POD2016-00423, Kingsridge Apartments, Phase I,  
1963 subject to the annotations on the plans, the standard conditions attached to these minutes  
1964 for developments of this type, and the following additional conditions:  
1965

- 1966 29. The unit house numbers shall be visible from the parking areas and drives.  
1967 30. The names of streets, drives, courts and parking areas shall be approved by the  
1968 Richmond Regional Planning District Commission and such names shall be included  
1969 on the construction plans prior to their approval. The standard street name signs shall  
1970 be installed prior to any occupancy permit approval.  
1971 31. Prior to issuance of a certificate of occupancy for any building in this development,  
1972 the engineer of record shall certify that the site has been graded in accordance with  
1973 the approved grading plans.  
1974 32. Outside storage shall not be permitted.  
1975 33. Approval of the construction plans by the Department of Public Works does not  
1976 establish the curb and gutter elevations along the Henrico County maintained right-  
1977 of-way. The elevations will be set by Henrico County.  
1978 34. The location of all existing and proposed utility and mechanical equipment  
1979 (including HVAC units, electric meters, junction and accessory boxes, transformers,  
1980 and generators) shall be identified on the landscape plans. All equipment shall be  
1981 screened by such measures as determined appropriate by the Director of Planning  
1982 or the Planning Commission at the time of plan approval.  
1983 35. The conceptual master plan, as submitted with this application, is for planning and  
1984 information purposes only.  
1985 36. Details for the gate and locking device at emergency access road shall be submitted  
1986 for review by the Traffic Engineer, Police and approved by the County Fire Marshal.  
1987 The owner or owner's contractor shall contact the County Fire Marshal prior to  
1988 completion of the fence installation to test and inspect the operations of the gates.  
1989 Evidence of the Fire Marshal's approval shall be provided to the Department of  
1990 Planning by the owner prior to issuance of occupancy permits.  
1991 37. **MODIFIED:** The applicant shall incorporate into the construction plans for signature  
1992 any comments generated by the County's Traffic Engineer from his review of the  
1993 Traffic Impact **Signal** Study for this development.  
1994

1995 Mr. Archer - With that, Commission members, we are going to take a short  
1996 recess. Let's reconvene at 11:00.  
1997

1998 **[MRS. MARSHALL LEFT THE MEETING DURING THE RECESS AND DID NOT**  
1999 **RETURN.]**  
2000

2001 **[Meeting reconvenes.]**  
2002

2003 Mr. Archer - Okay, let's continue our meeting. Mr. Secretary?  
2004

2005 Mr. Emerson - Thank you, Mr. Chairman. We now move to page 17 of your  
2006 agenda for SJB2016-00146, Bowman Consulting for Episcopal Diocese of VA and Wilkins  
2007 Bradley Realty Partners LLC. The staff report will be presented by Ms. Christina Goggin.

2008  
2009  
2010

**SUBDIVISION**

SUB2016-00146  
Ridgefield Green  
Townhomes (October  
2016 Plan) – 10700  
Ridgefield Parkway

**Bowman Consulting for Episcopal Diocese of VA and Wilkins Bradley Realty Partners, LLC:** The 7.58-acre site proposed for 66 townhouses for sale is located on the southwest line of Ridgefield Green Drive between John Rolfe and Ridgefield Parkways, on parcel 737-750-7485. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Tuckahoe) 66 Lots**

2011  
2012 Mr. Archer - Thank you, sir. Is there anyone present who is opposed to  
2013 SUB2016-00146, Ridgefield Green Townhomes (October 2016 plan)? No opposition. Ms.  
2014 Goggin again.

2015  
2016 Ms. Goggin - Hello. This conditional subdivision proposes the re-  
2017 subdivision of 7-1/2 acres into 66 townhouse lots. The site was rezoned July 12, 2016,  
2018 and the layout is consistent with the proffered plan and provides 25-foot proffered  
2019 landscape buffers along John Rolfe Parkway, Ridgefield Green Drive, and Ridgefield  
2020 Drive. Access into the development will be from the existing private drive that currently  
2021 serves the Walgreens. That is the only access into the development, which is right here.

2022  
2023 Because this is a townhouse development, this will return to the Planning Commission for  
2024 a plan of development review, which will contain additional details such as sidewalks,  
2025 architectural elevations, and floor plans.

2026  
2027 The staff recommends conditional approval subject to the annotations on the plans, the  
2028 standard conditions for residential townhouses for sale, and the additional conditions 15  
2029 through 20 in the agenda. Kevin Deloye, the engineer, is here, as well as the developer,  
2030 Rob Lanphear, should you have any questions for them. And I am here should you have  
2031 any questions for me.

2032  
2033 Mr. Archer - Thank you, Ms. Goggin. Are there questions from the  
2034 Commission?

2035  
2036 Mr. Baka - No questions of staff, just a question for the developer.

2037  
2038 Mr. Archer - All right. Would the developer please come forward and state  
2039 your name for the record. Good morning, sir.

2040  
2041 Mr. Lanphear - Good morning. My name is Rob Lanphear. I'm here  
2042 representing Wilkins Bradley Realty Partners LLC.

2043  
2044 Mr. Baka - Thank you for submitting the plan as presented, given the  
2045 constraints on the size of the parcel. My question deals with phasing. Are there any plans,

2046 sir, to phase any of the development in different sections, or would the sections nearest  
2047 the access point behind the Walgreens be built first and you would move out incrementally  
2048 from there?

2049  
2050 Mr. Lanphear - Our plan currently is to phase the construction in one single  
2051 phase for development for home construction. It likely will move in a clockwise or  
2052 counterclockwise direction from the main entry.

2053  
2054 Mr. Baka - Okay. Thank you very much. No other questions, sir.

2055  
2056 Mr. Archer - All right. Thank you, sir. Anyone else? All right. Mr. Baka,  
2057 whenever you're ready.

2058  
2059 Mr. Baka - Mr. Chairman, I would move SUB2016-00146, Ridgefield  
2060 Green Townhomes (October 2016 plan), be approved subject to the annotations on the  
2061 plans, the standard conditions for residential townhouses for sale, and additional  
2062 conditions 15 through 20 in the agenda.

2063  
2064 Mr. Leabough - Second.

2065  
2066 Mr. Archer - All right. Motion by Mr. Baka and seconded by Mr. Leabough.  
2067 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

2068  
2069 The Planning Commission granted conditional approval to SUB2016-00146, Ridgefield  
2070 Green Townhomes (October 2016 plan), subject to the standard conditions attached to  
2071 these minutes for subdivisions served by public utilities, the annotations on the plans, and  
2072 the following additional conditions:

- 2073  
2074 15. The plat shall contain a statement that the common area is dedicated to the  
2075 common use and enjoyment of the homeowners of Ridgefield Green Townhomes  
2076 and is not dedicated for use by the general public. This statement shall refer to the  
2077 applicable article in the covenants recorded with the plat.
- 2078 16. Prior to requesting the final approval, a draft of the covenants and deed restrictions  
2079 for the maintenance of the common area by a homeowners association shall be  
2080 submitted to the Department of Planning for review. Such covenants and  
2081 restrictions shall be in a form and substance satisfactory to the County Attorney and  
2082 shall be recorded prior to recordation of the subdivision plat.
- 2083 17. Any necessary offsite drainage easements must be obtained prior to final approval  
2084 of the construction plan by the Department of Public Works.
- 2085 18. The proffers approved as part of zoning case REZ2016-00010 shall be incorporated  
2086 in this approval.
- 2087 19. The final plat for recordation shall contain information showing The Chesapeake  
2088 Bay Preservation areas, if any, in accordance with Chapter 19, Section 19-72 (18),  
2089 of the Henrico County Code, as determined by the Director of Public Works.
- 2090 20. Any future building lot containing a BMP, sediment basin or trap and located within  
2091 the buildable area for a principal structure or accessory structure, may be

2092 developed with engineered fill. All material shall be deposited and compacted in  
2093 accordance with the Virginia Uniform Statewide Building Code and geotechnical  
2094 guidelines established by a professional engineer. A detailed engineering report  
2095 shall be submitted for the review and approval by the Building Official prior to the  
2096 issuance of a building permit on the affected lot. A copy of the report and  
2097 recommendations shall be furnished to the Directors of Planning and Public Works.  
2098

2099 The vote was as follows:

2100

2101	Mr. Archer -	Yes
2102	Mr. Baka -	Yes
2103	Mr. Leabough -	Yes
2104	Mrs. Marshall -	Absent
2105	Mr. Witte -	Yes

2106

2107 Mr. Emerson - Mr. Chairman, we now move on to page 19 of your agenda and  
2108 page 3 of your amended agenda for SUB2016-00160, Timmons Group for Herman  
2109 Fletcher & Sharon Gammon, and HHHunt River Mill, LLC. The staff report will be  
2110 presented by Ms. Aimee Crady.

2111

## 2112 SUBDIVISION

2113

SUB2016-00160 River Mill (November 2016 Plan) - Woodman Road	<b>Timmons Group for Herman Fletcher &amp; Sharon Gammon, and HHHunt River Mill, LLC:</b> The 76.3-acre site proposed for a subdivision of 146 townhouses for sale and 150 zero lot line single-family homes is located on the north line of future Woodman Road extended, approximately 2,200 feet west of Brook Road (U.S. Route 1), on parts of parcels 781-773-3186, 780-772-9071, and 782-772-1447. The zoning is R-5AC, General Residential District (Conditional) and RTHC, Residential Townhouse District (Conditional). County water and sewer. <b>(Fairfield) 296 Lots</b>
--	--

2114

2115 Mr. Archer - All right. Thank you, Mr. Secretary. Is there anyone present  
2116 who is opposed to SUB2016-00160, River Mill (November 2016 plan)? No opposition. Ms.  
2117 Crady, how are you?

2118

2119 Ms. Crady - I'm still good. All right.

2120

2121 This conditional subdivision plan for the first phase of the River Mill development includes  
2122 146 townhomes and 150 zero-lot-line single-family units, which is a total of 296 lots for  
2123 your approval today.

2124

2125 This 76-acre phase is approximately one-third of the overall 256 acres subject to the  
2126 proffered conditions of recent zoning cases approved by the Board of Supervisors in April

2127 and October of 2016 to allow a mixture of residential types for a maximum of 1,089 units.  
2128 Up to 50 additional single-family units in the R-3C district and 285 multi-family units in the  
2129 R-5C district are included in the primary zoning case as well. You'll see those in future  
2130 phases.

2131  
2132 The revised plan you have in your addendum has been reviewed by staff. The applicant  
2133 has adjusted lot configurations and placement to address comments from the Department  
2134 of Public Works Traffic and Environmental Divisions, and the Planning Department as well,  
2135 concerning adequate site distance, buffering of the SPA adjacent to the townhomes, and  
2136 some sight line issues on blocks F and G over here. So these lots have been reconfigured  
2137 at these corners to allow some better pockets of common area. I'll zoom into that. Now  
2138 you have that concentrated on the corners. The SPA buffer I speak of, you can see these  
2139 environmental features down here to the south. These townhomes were shifted further  
2140 away from the SPA.

2141  
2142 Additional information clarified some right-of-way improvement and construction  
2143 sequencing questions in relation to the future Woodman Road construction for access to  
2144 this site. As residential townhomes and zero-lot-line single-family homes require  
2145 subsequent plan of development approval, these lots will return for additional review and  
2146 Planning Commission approval in greater detail at a later date.

2147  
2148 With this, staff recommends conditional approval subject to the annotations on the plan,  
2149 the standard conditions for residential townhomes for sale subdivisions, and zero-lot-line  
2150 subdivisions, and conditions 15 modified and 16 through 18 listed in the staff report. I can  
2151 now answer any questions of staff. Ivan Wu and John Murray of Timmons Group are here  
2152 representing their applicant. And Greg Shelton of HHHunt is also available if you have any  
2153 questions of the applicant.

2154  
2155 Mr. Archer - Thank you, Ms. Crady. Any questions from the Commission?  
2156 Ms. Crady and I have been over this a couple of days ago, and I'm familiar with the  
2157 changes that have been made in the revised plan. But if anyone else has questions, feel  
2158 free. All right. Thank you, Ms. Crady. I don't think I need to hear from the applicant.

2159  
2160 With that, I will move for approval of SUB2016-00160, River Mill (November 2016 plan).  
2161 The revised plan that we received this morning. No time limits need to be waived, I don't  
2162 think.

2163  
2164 Ms. Crady - No. We received that plan last Thursday.

2165  
2166 Mr. Archer - Okay. Approval subject to the annotations on the plan,  
2167 standard conditions for residential townhouses for sale subdivisions, and zero-lot-line  
2168 subdivisions, and the additional conditions 15 through 18.

2169  
2170 Mr. Witte - Second.

2171

2172 Mr. Archer - Motion by Mr. Archer and seconded by Mr. Witte. All in favor  
2173 say aye. All opposed say no. The ayes have it; the motion passes.

2174  
2175 The Planning Commission granted conditional approval to SUB2016-00160, River Mill  
2176 (November 2016 plan), subject to the standard conditions attached to these minutes for  
2177 residential townhouses for sale subdivisions, and zero-lot-line subdivisions, the  
2178 annotations on the plans, and the following additional conditions:

- 2179  
2180 15. **MODIFIED** – Prior to a request for final approval for any R-5A lot, the developer shall  
2181 provide a buildable area plan showing information for all lots within the subdivision.  
2182 Such plan shall be a part of the construction plans submitted for review and for  
2183 signature. The buildable area plan shall be a minimum of 1" to 50' scale or larger and  
2184 shall show the buildable area for the principal structure, all setback dimensions, the  
2185 minimum lot width (perpendicular to the center line of the lot at the front building line),  
2186 and if applicable, any Special Flood Hazard Areas (floodplains) and the area of each  
2187 lot exclusive of floodplain, wetlands, easements, buffers and Chesapeake Bay Act  
2188 Areas.
- 2189 16. Each R-5A lot shall contain at least 5,625 sq. ft., exclusive of the floodplain areas.
- 2190 17. The proffers approved as part of zoning case REZ2016-00002 shall be incorporated  
2191 in this approval.
- 2192 18. The developer shall provide signage, the wording and location as deemed  
2193 appropriate by the Director of Public Works, which addresses the possible future  
2194 extension of the stub street.

2195  
2196 The vote was as follows:

2197  
2198 Mr. Archer - Yes  
2199 Mr. Baka - Yes  
2200 Mr. Leabough - Yes  
2201 Mrs. Marshall - Absent  
2202 Mr. Witte - Yes

2203  
2204 Mr. Emerson - Mr. Chairman, we now move to page 21 of your agenda and  
2205 page 4 of your amended agenda for POD2016-00421, Reichbauer Studio PLC, for Villa  
2206 Park Residential, LLC. The staff report will be presented by Mr. Greg Garrison.

2207  
2208 **LANDSCAPE PLAN**

2209  
POD2016-00421                      **Reichbauer Studio, PLC for Villa Park Residential, LLC:**  
Stone Ridge – 1381 East      Request for approval of a landscape plan, as required by  
Parham Road                      Chapter 24, Sections 24-106 and 24-106.2 of the Henrico  
County Code. The 5.69 -acre site is located on the south  
west corner of the intersection of East Parham Road and  
Villa Park Drive, on parcel 782-756-6353. The zoning is  
RTHC, Residential Townhouse District (Conditional) and R-

5, General Residential District. County water and sewer.  
**(Fairfield)**

2210  
2211 Mr. Archer - Okay, thank you. Is there anyone present who is opposed to  
2212 POD2016-00421, Stone Ridge? Okay. I knew you all were sitting there for something.  
2213  
2214 Mr. Witte - Save the best for last, right?  
2215  
2216 Mr. Archer - We'll get to you. Mr. Garrison, good morning, sir. Go right  
2217 ahead.  
2218  
2219 Mr. Garrison - Good morning. The applicant is requesting approval of a  
2220 landscape plan for Stone Ridge Townhouses. As of the preparation of the agenda, staff  
2221 had not received a lighting plan, which is required prior to approval of a landscape plan to  
2222 ensure that no conflicts exist between the lighting and landscaping. As of last week, the  
2223 applicant has submitted the lighting plan, and there do not appear to be any conflicts.  
2224  
2225 Although the initial submittal was adequate, the revised plan in your addendum now  
2226 provides the location and style of fence that the applicant wishes to install. I have details  
2227 right here.  
2228  
2229 The landscape plan and fence plan still meet the proffered conditions from REZ2014-  
2230 00019, with the provision of a 20-foot landscape buffer along Parham Road, landscaping  
2231 around the BMP, and entrance feature, foundation plantings, and trees along the sides of  
2232 the townhouses.  
2233  
2234 Staff can recommend approval subject to the annotations on the plans and the standard  
2235 conditions for landscape plans.  
2236  
2237 Staff and Darin Smouse with StyleCraft are available to answer any questions you may  
2238 have.  
2239  
2240 Mr. Archer - All right, thank you, sir. Are there questions from the  
2241 Commission for Mr. Garrison? All right, thank you, sir. Stand by. We do have opposition.  
2242 Are you all aware of the ten-minute rule that the secretary expressed earlier? Please state  
2243 your name and address for the record.  
2244  
2245 Ms. Ferrance - My name is Terry Ferrance. F-e-r-r-a-n-c-e. I am the onsite  
2246 manager for Stonewall Manor Condominiums that back up to this development. And we  
2247 were asking that the Commission require them to put in a buffer between our units and  
2248 their units. As you know, they've cut down all the trees, so the very thick buffer that was  
2249 between our units and them is gone. The people that live on Presidential Drive now see  
2250 all the traffic all the way out to Route 1. They are asking that there be a fence and some  
2251 trees put in that buffer to buffer them from the noise, the lights of the new development,  
2252 just the overall annoyances that come with 40-some new units in their backyard. Thank  
2253 you.

2254  
2255 Mr. Archer - Okay, thank you, ma'am. Yes sir.  
2256  
2257 Mr. Timberlake - Thank you, Mr. Chairman. My name is William Timberlake. I  
2258 own the property at 1528 Cross Keys Court. I'm also on the board for Stonewall Manor.  
2259 The board basically is not opposed to this other than the fact that there are no trees and  
2260 no structures. We were not opposed to this if the developer would agree to meet with us—  
2261 and our board does meet the first Monday of the month—to come up with a plan to  
2262 basically hide these things, as she as said. We have one member here who also lives  
2263 there.  
2264  
2265 The trees are gone, and we can into their backyards. The noise is terrible. So we would  
2266 ask that if you approve it, you'll require them to meet with us. And we can meet with them  
2267 the first Monday of the month and come up with a plan to either put trees in there or a  
2268 fence to hide this. Thank you.  
2269  
2270 Mr. Archer - Thank you, sir. Questions? Thank you. Anyone else?  
2271  
2272 Mr. Wilson Good morning.  
2273  
2274 Mr. Archer - Good morning.  
2275  
2276 Mr. Wilson My name is Glen Wilson. I live at 1557 Presidential Drive. It  
2277 butts right up to this area. When they came in, they cut down every tree on their side of  
2278 the property line. As a result, some of the trees on our side died, and they had to take  
2279 those out.  
2280  
2281 Actually, we do meet on Tuesday instead of Monday.  
2282  
2283 Mr. Witte - The first Tuesday.  
2284  
2285 Mr. Wilson First Tuesday. We would like to meet with these people and  
2286 talk to them, if they're agreeable. We have no objections to this, we just want some say in  
2287 what it is. Thank you.  
2288  
2289 Mr. Archer - You're welcome, sir. Mr. Garrison, you have something you  
2290 want to say.  
2291  
2292 Mr. Garrison - Yes. I should have probably mentioned in my presentation that  
2293 there is a proffered 10-foot buffer here along Stonewall Manor. As part of the rezoning  
2294 case, they are required to plant that, and they are showing green giant arborvitae spaced  
2295 about 15 feet apart, which is fairly tight spacing for that species of evergreen tree.  
2296  
2297 Mr. Archer - Okay.  
2298  
2299 Mr. Witte - I have a question about the fence.

2300  
2301 Mr. Archer - Go ahead.  
2302  
2303 Mr. Witte - The fence that was shown during the presentation appeared to  
2304 be treated lumber. My concern with that type of fence is that within a couple of years it  
2305 starts to deteriorate. And I didn't hear anything about any type of maintenance commitment  
2306 or the option to put in a more durable, longer-lasting fence. I wanted to know if that was a  
2307 possibility.  
2308  
2309 Mr. Archer - All right, anyone else? Good morning, sir. If you would state  
2310 your name for the record, I'd appreciate it.  
2311  
2312 Mr. Smouse - Mr. Chairman, Commissioners, I'm Darin Smouse, I'm here on  
2313 behalf of the applicant with Villa Park Residential, the developer, and StyleCraft Homes.  
2314  
2315 The fence that's proposed is higher-than-typically-standard, pressure-treated. It's 6x6  
2316 posts, capped, with tighter spacing. And we talked with Mr. Garrison about the quality and  
2317 level of that fence. In fact, those two styles were the two styles that were requested, one  
2318 or the other by staff. We were agreeable to show both as options. Our group is still looking  
2319 at which one they prefer, but one of those two would be installed.  
2320  
2321 This community does have an established homeowners association. It is a townhome  
2322 community, so it will have an ongoing association that will be responsible for common area  
2323 maintenance. And part of that maintenance will be the long-term maintenance of the fence  
2324 and any other types of items that are in the community—the grounds maintenance, the  
2325 plantings, the irrigation systems, the exterior of the townhome buildings, etc.  
2326  
2327 Mr. Witte - Will this fence also protect Presidential Drive?  
2328  
2329 Mr. Smouse - If you look on the overall site plan, this fence borders Parham  
2330 and Villa Park Drive. It's meant as an additional buffer and barrier. If you look at where it's  
2331 positioned, it goes past building H at the far northern tip of the drawing. It comes down  
2332 Parham, wraps around to Villa Park and all the way past that building at the entryway.  
2333  
2334 Mr. Witte - So you're saying no, it doesn't protect Presidential.  
2335  
2336 Mr. Leabough - Protect it from what?  
2337  
2338 Mr. Smouse - I'm not sure how that's—the traffic really adjacent to this  
2339 property is along Parham and Villa Park Drive.  
2340  
2341 Mr. Witte - So the only protection for the residents on the other side of  
2342 Presidential is the planted buffer.  
2343  
2344 Mr. Smouse - Yes. But I'm not sure what they're exposed to. I'm not sure  
2345 what they're impacted by.

2346  
2347 Mr. Witte - All the trees were taken down, and that did give them a degree  
2348 of privacy. And now it's not there.  
2349  
2350 Mr. Smouse - Well we do have a buffer, as Mr. Garrison noted. We have a  
2351 proffered buffer that's being reinstalled in there between ourselves and the existing  
2352 buildings.  
2353  
2354 Mr. Witte - Okay. So back to my point. Are you opposed to putting a fence  
2355 in that area?  
2356  
2357 Mr. Smouse - We had not considered one along that boundary. The buffer in  
2358 that area has been part of the plan for quite a while now. It's been through zoning and  
2359 subsequent plans. We added this one because of the exposure out to Parham and Villa  
2360 Park. I think we felt that we had vetted this concern previously, and that's why the buffer  
2361 is in between us and the existing buildings. The clearing plans were very clear. We haven't  
2362 cleared more than what was intended. And we're planting back the buffer between  
2363 ourselves and the neighbors.  
2364  
2365 Mr. Witte - Once again, are you opposed to putting a fence in that area?  
2366  
2367 Mr. Smouse - I'm not prepared to commit to it at this time.  
2368  
2369 Mr. Archer - Mr. Witte, if I can just interject here.  
2370  
2371 Mr. Witte - Please.  
2372  
2373 Mr. Archer - Traditionally, we try to make it a policy not to divide  
2374 neighborhoods with fences. We'd rather do it with buffers.  
2375  
2376 Mr. Witte - I understand that. My only concern—  
2377  
2378 Mr. Archer - No, I understand what you're saying. Yes. But the other thing  
2379 that I had, sir, the neighborhood association meets on Tuesdays, the first Tuesday. Not  
2380 Monday.  
2381  
2382 Mr. Smouse - That's part of the zoning case. You may recall that they will be  
2383 sharing the facilities.  
2384  
2385 Mr. Archer - I do recall, yes.  
2386  
2387 Mr. Smouse - Right. There's a walkway. It doesn't show up on this plan, but  
2388 I believe on the construction plans there was a walkway that comes from here maybe  
2389 through here. So there will need to be access.  
2390

2391 Mr. Archer - Right. I did attend the very first neighborhood meeting. And as  
2392 I recall, the adjacent neighborhood did not object to this development. In fact, I believe  
2393 there was going to be some pool sharing, was there not, between the two?  
2394

2395 Mr. Smouse - Right. Just to be clear, there is no road directly adjacent to what  
2396 we're talking about. There is only the buffer and a sidewalk or pathway there and then the  
2397 next buildings. I'm sorry; I wasn't clear. The fence is focused out on the roadway at Parham  
2398 and Villa Park.  
2399

2400 Mr. Witte - Thank you.  
2401

2402 Mr. Archer - And sir, are you willing to meet on Tuesday with the  
2403 association?  
2404

2405 Mr. Smouse - We've met with the association. In fact, it came as a little bit of  
2406 a surprise this morning. We've had ongoing dialogue. We've got some other things we're—  
2407 for example, we're extending the off-site sewer line over in that portion and have had  
2408 ongoing dialogue with the association about that. So I hadn't heard this level of concern. I  
2409 was at the board meeting I think a month, month and a half ago about the off-site sewer  
2410 line.  
2411

2412 I'm a little bit new to this property. I know some of the history, but I was of the impression  
2413 that—  
2414

2415 Mr. Leabough - You want to get closer to the mike.  
2416

2417 Mr. Smouse - I'm sorry. But because of the planting and the buffering already  
2418 in the plan and it being a plan that's been down the road quite a ways now, I was of the  
2419 impression that that had been vetted and the concerns had been met.  
2420

2421 Again, it is 15-foot spacing with arborvitae. Granted, they go in new, but they mature fairly  
2422 quickly. That's a pretty dense hedge when it's done. The rest of the adjacent community  
2423 is the same type of typical density, mature growth. But of course that community's been  
2424 there quite a bit longer. But I think this would blend together well. In fact, that's really what's  
2425 intended. We're building townhomes. Those are larger structures as well. So it's intended  
2426 to really flow into the existing community.  
2427

2428 Mr. Archer - Okay. Sir, as you're aware, that adjacent community is a  
2429 rather—I shouldn't use the word "old," I would say seasoned community that has been  
2430 there for a long time. Very well maintained. In fact, if I'm not mistaken, that was one of the  
2431 first efforts of the late Mr. Robert Atack, was to build and market that community. And the  
2432 meeting's Tuesday, not Monday.  
2433

2434 Mr. Smouse - Yes sir.  
2435

2436 Mr. Archer - Okay.

2437  
2438 Mr. Smouse - We're always open to meeting with the association. I believe  
2439 we have the same intentions for our community as well, to be a good neighbor and addition  
2440 to that same high level of maintenance and long life of the community.  
2441  
2442 Mr. Archer - Okay. Well I was delighted when that first meeting was held  
2443 that the adjacent neighborhood was cordial and willing to go along. And you all have  
2444 developed a pretty good relationship, I believe.  
2445  
2446 Mr. Smouse - We have worked at that, and I'm going to continue to do that.  
2447  
2448 Mr. Archer - Okay.  
2449  
2450 Mr. Smouse - Thank you, sir.  
2451  
2452 Mr. Archer - Any other questions from the Commission? Ma'am, did you  
2453 want to say something? You'll have to come up. Briefly, please.  
2454  
2455 Ms. Ferrance - We were unaware of these plans. And we have asked several  
2456 times and were told that the County is who makes this decision. That's why we're here  
2457 today. But my concern is it looks like the buffer stops before our last buildings. If you look  
2458 on the plan there, the buffer doesn't go all the way to the end of Presidential or touch  
2459 where Cedar Mountain meets either. Is that buffer going to continue?  
2460  
2461 Mr. Archer - I'll have to ask the applicant that. Sir?  
2462  
2463 Mr. Garrison - It actually does continue, yes. This is an overall, and he can't  
2464 get the detail on this scale. If you look at L2.3, which is indicated up here, you go to that  
2465 sheet, and you can zoom in, he is proposing additional plant material. It just doesn't show  
2466 up at the scale of that overall. These are Mary Nell hollies, Loropetalum, and more Mary  
2467 Nell, which is an evergreen species.  
2468  
2469 Mr. Baka - Are they smaller plants because of the pipe?  
2470  
2471 Mr. Garrison - Right. This is a sanitary sewer easement. It's a fairly  
2472 substantial sanitary sewer easement. DPU has strong requirements that no substantial  
2473 plants be in their easements. The Mary Nell will get 12 to 15 feet tall. The Loropetalum  
2474 gets about 10 feet tall if left untrimmed.  
2475  
2476 Mr. Baka - So to clarify, the sanitary sewer pipe is directly the reason why  
2477 you do not have arborvitaes continuing.  
2478  
2479 Mr. Garrison - Right. It's a slightly smaller species. Still meets the spirit and  
2480 intent, though, of the buffer.  
2481  
2482 Mr. Leabough - It's also adjacent to the side of the unit, not the rear.

2483  
2484 Mr. Smouse - Correct, correct.  
2485  
2486 Mr. Archer - Okay, any other questions? I've always been curious about  
2487 who named trees.  
2488  
2489 Mr. Leabough - I think Mr. Thornton did.  
2490  
2491 Mr. Archer - How do you become a Mary Nell holly?  
2492  
2493 Mr. Witte - That's a good question.  
2494  
2495 Mr. Archer - But anyway, with that I'm glad to see that the cordiality between  
2496 these communities will extend. With that, I will move for approval of this landscape plan  
2497 subject to the standard conditions for landscape plans, the revised plan that was received  
2498 on—what date was that, Mr. Garrison?  
2499  
2500 Mr. Garrison - The lighting plan?  
2501  
2502 Mr. Archer - Yes. We don't need to waive the time limits.  
2503  
2504 Mr. Garrison - No sir, no sir.  
2505  
2506 Mr. Archer - Okay. Well that's it. I recommend approval.  
2507  
2508 Mr. Witte - Second.  
2509  
2510 Mr. Archer - Motion by Mr. Archer and seconded by Mr. Witte. All in favor  
2511 say aye. All opposed say no. The ayes have it; the motion passes.  
2512  
2513 The Planning Commission approved the landscape plan for POD2016-00421, Stone  
2514 Ridge, subject to the standard conditions attached to these minutes for landscape plans.  
2515  
2516 The vote was as follows:  
2517  
2518 Mr. Archer - Yes  
2519 Mr. Baka - Yes  
2520 Mr. Leabough - Yes  
2521 Mrs. Marshall - Absent  
2522 Mr. Witte - Yes  
2523  
2524 Mr. Emerson - Mr. Chairman, next on your agenda is the consideration of  
2525 approval of your minutes from the October 26, 2016 meeting. We have no errata sheet,  
2526 so if you have any comments and/or corrections, certainly we'll entertain those as well.  
2527  
2528 APPROVAL OF MINUTES: October 26, 2016

2529

2530 Mr. Archer - Okay. Anybody note any errors in the minutes?

2531

2532 Mr. Leabough - Mr. Chair, I move approval of the minutes.

2533

2534 Mr. Archer - I second. Motion by Mr. Leabough and seconded by Mr. Archer

2535 that the minutes be approved. All in favor say aye. All opposed say no.

2536

2537 Mr. Archer - I abstain; I wasn't on the Commission. You have three votes.

2538

2539 Mr. Archer - All right. Fair enough. The ayes have it; the motion passes.

2540

2541 The Planning Commission approved the October 26, 2016 minutes as submitted.

2542

2543 Mr. Emerson - Mr. Chairman, I'll just remind the Commission again we do

2544 have a joint work session scheduled with the Board of Supervisors on November 22nd.

2545 While we were sitting here, I did get confirmation of the time that will begin. That will be at

2546 5 p.m. on the 22nd.

2547

2548 Mr. Leabough - That's next Tuesday.

2549

2550 Mr. Emerson - Yes sir, it is next Tuesday. We're anticipating this will be at

2551 least an hour-and-a-half session, if not longer. So if we could begin right at 5:00, that would

2552 be helpful. That will be in the Manager's conference room on the third floor.

2553

2554 Mr. Archer - Okay.

2555

2556 Mr. Leabough - We're not going to have it in the Planning Commission's

2557 conference room?

2558

2559 Mr. Emerson - No.

2560

2561 Mr. Archer - And we will eat, I suppose.

2562

2563 Mr. Emerson - Yes sir. I believe dinner will be served. It normally is.

2564

2565 Mr. Archer - All right.

2566

2567 Mr. Leabough - I might be a couple of minutes late. I have a meeting that lasts

2568 until five.

2569

2570 Mr. Archer - Don't worry. We'll eat your lunch.

2571

2572 Mr. Leabough - As long you save my dinner, I'm good.

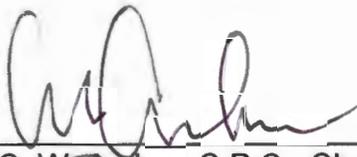
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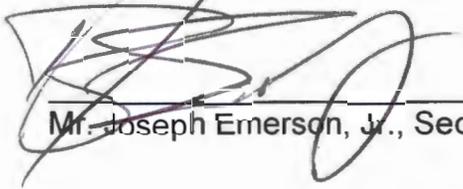
2574 Mr. Emerson - Other than that, I have nothing further for the Commission.

2575  
2576 Mr. Archer - All right. If there is nothing further to bring before the  
2577 Commission, do we have a motion to adjourn?

2578  
2579 Mr. Witte - I so move.

2580  
2581 Mr. Archer - Second. I declare the meeting adjourned at 11:31 a.m.

2582  
2583  
2584  
2585  
2586  
2587   
2588 Mr. C. W. Archer, C.P.C., Chairman

2589  
2590   
2591 Mr. Joseph Emerson, Jr., Secretary