

1 Minutes of the regular monthly meeting of the Planning Commission of the  
2 County of Henrico, held in the County Administration Building in the Government  
3 Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. Thursday,  
4 February 12, 2009. Display Notice having been published in the Richmond  
5 Times-Dispatch on January 22, 2009 and January 29, 2009.

6

Members Present: Mrs. Bonnie-Leigh Jones, Chairperson (Tuckahoe)  
Mr. Ernest B. Vanarsdall, C.P.C., Vice Chairman  
(Brookland)  
Mr. E. Ray Jernigan, C.P.C., (Varina)  
Mr. C. W. Archer, C.P.C. (Fairfield)  
Mr. James B. Donati, Jr. (Varina)  
Board of Supervisors Representative  
Mr. R. Joseph Emerson, Jr., Director of Planning,  
Secretary

Members Absent: Mr. Tommy Branin, (Three Chopt)

Also Present: Ms. Jean Moore, Assistant Director of Planning  
Mr. James P. Strauss, CLA, Principal Planner  
Ms. Benjamin Sehl, County Planner  
Mr. Livingston Lewis, County Planner  
Mr. Roy Props, County Planner  
Ms. Jamie Sherry, County Planner  
Ms. Lisa Taylor, County Planner  
Ms. Sylvia Ray, Recording Secretary

7

8 **Mr. James B. Donati, Jr. the Board of Supervisors' representative, abstains**  
9 **on all cases unless otherwise noted.**

10

11 **THE PLANNING COMMISSION RECONVENED AT 7:07 P.M.**

12

13 Mrs. Jones - I'd like to reconvene our meeting for the Planning  
14 Commission. This is our Rezoning meeting. We welcome all of you. Happy to  
15 have you here. With that, I will turn the meeting back over to our secretary, Mr.  
16 Emerson.

17

18 Mr. Emerson - Thank you, Madam Chair. The next item on your  
19 agenda will be the requests for withdrawals and deferrals. Those will be  
20 presented by Mr. Jim Strauss.

21

22 Mr. Strauss - Good evening. Staff is aware of two withdrawals  
23 tonight. The first one is in Brookland, page 1 of your agenda. That's P-2-09. This  
24 is a proposal to delete Condition 13 of the previously approved case P-17-08.  
25 That condition prohibited the serving and consumption of alcoholic beverages  
26 within an outdoor dining area.

27 **P-2-09 HD Group/Wendy Hunter for Noodles and**  
28 **Company:** Request to amend one condition approved with Provisional Use  
29 Permit P-17-08, on part of Parcel 773-736-2198, located at the southeast  
30 intersection of W. Broad Street (U.S. Route 250) and Willow Lawn Drive (Willow  
31 Lawn Shopping Center). The applicant requests to delete Condition 13  
32 prohibiting the serving or consumption of alcoholic beverages within an outdoor  
33 dining area. The existing zoning is B-2 Business District. The Land Use Plan  
34 recommends Commercial Concentration. The site is in the Enterprise Zone.

35

36 Mr. Strauss - It's been withdrawn by the applicant and no action is  
37 required by the Commission.

38

39 Mrs. Jones - Thank you.

40

41 Mr. Vanarsdall - Madam Chair, I would like to just mention that  
42 Noodles is still coming to Willow Lawn; this doesn't affect them. They just  
43 withdrew this provisional use permit. They're working on it every day.

44

45 Mrs. Jones - All right. Thank you, Mr. Vanarsdall.

46

47 Mr. Strauss - The second withdrawal is in the Three Chop District,  
48 page 2 of the agenda. That would be case C-61C-07, Centex Homes. This is a  
49 request to conditionally rezone from A-1 Agricultural District to the RTHC  
50 Residential Townhouse District where condominiums, retail, and office uses were  
51 proposed.

52

53 **Deferred from the October 9, 2008 Meeting.**

54 **C-61C-07 James Theobald for Centex Homes:** Request to  
55 conditionally rezone from A-1 Agricultural District to RTHC Residential  
56 Townhouse District (Conditional) and B-2C Business District (Conditional),  
57 Parcels 738-767-5405, 738-766-9367, 739-766-3768 and 739-766-2504,  
58 containing approximately 32.99 acres (RTHC – 23.30 ac. and B-2C 9.69 ac.),  
59 located on the west line of Pouncey Tract Road (State Route 271) between Kain  
60 Road and Bacova Drive. The applicant proposes condominiums, retail and office  
61 uses. The maximum density allowed in the RTH District is nine (9) units per  
62 acre. The uses will be controlled by zoning ordinance regulations and proffered  
63 conditions. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4  
64 units net density per acre. The majority of the site is in the West Broad Street  
65 Overlay District.

66

67 Mr. Strauss - Again, no action by this Commission is required. The  
68 applicant has withdrawn the case.

69

70 Mrs. Jones - All right.

71

72 Mr. Strauss - Moving on to deferrals, the first deferral is in the  
73 Fairfield District, page 2 of the agenda. That would be case C-5C-09, Brook Run  
74 Somerset, LLC. This is a request to amend proffered conditions accepted with  
75 rezoning case C-33C-04. The deferral is requested to the March 12, 2009  
76 meeting.

77  
78 **C-5C-09 Guy Blundon for Brook Run Somerset, LLC:**  
79 Request to amend proffered conditions accepted with Rezoning Case C-33C-04,  
80 on Parcels 784-749-1627 and 784-748-0982, located on the west line of Brook  
81 Road (U.S. Route 1), approximately 875 feet south of its intersection with Hilliard  
82 Road (State Route 161). The applicant proposes to amend Proffer 2 related to  
83 age restrictions. The applicant proposes to reduce the minimum age restriction  
84 from 62 to 55 and delete Proffer 3 related to enforcement of age restrictions. The  
85 total number of units would remain the same. The existing zoning is R-5C  
86 General Residence District (Conditional). The Land Use Plan recommends  
87 Commercial Concentration and Environmental Protection Area. The site is in the  
88 Enterprise Zone.

89  
90 Mrs. Jones - Is there any opposition to the deferral of C-5C-09,  
91 Guy Blundon for Brook Run Somerset, LLC? No opposition.

92  
93 Mr. Archer - Madam Chair, move that case C-5C-09, Guy Blundon  
94 for Brook Run Somerset, LLC, be deferred until the March 12, 2009 meeting at  
95 the applicant's request.

96  
97 Mr. Vanarsdall - Second.

98  
99 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Vanarsdall. All  
100 in favor say aye. All opposed say no. The ayes have it; the motion passes.

101  
102 At the request of the applicant, the Planning Commission deferred C-5C-09, Guy  
103 Blundon for Brook Run Somerset, LLC, to its meeting on March 12, 2009.

104  
105 Mr. Strauss - The next deferral is in the Three Chopt District, page  
106 2 of the agenda, P-19-08. This is a request for a Provisional Use Permit to allow  
107 outside dining and extended hours of operation for a proposed restaurant in the  
108 Towne Center West Shoppes. The applicant requests a deferral to the March  
109 12, 2009 meeting.

110  
111 **Deferred from the January 15, 2009 Meeting.**

112 **P-19-08 Brian Revere for Towne Center West, LLC:**  
113 Request for a Provisional Use Permit under Sections 24-58.2(d), 24-58.2(a), 24-  
114 120 and 24-122.1 of the County Code in order to allow outside dining and  
115 extended hours of operation for a proposed restaurant in the Towne Center West  
116 Shoppes, on part of Parcel 735-764-7344, located approximately 660 feet north  
117 of W. Broad Street (U. S. Route 250) approximately 1,200 feet west of its

118 intersection with N. Gayton Road. The existing zoning is B-2C Business District  
119 (Conditional). The Land Use Plan recommends Mixed Use Development. The  
120 site is in the West Broad Street Overlay District.

121

122 Mrs. Jones - Do we have any opposition to the deferral of P-19-08,  
123 Brian Revere for Towne Center West, LLC? There's no opposition.

124

125 Mr. Jernigan - Madam Chair, with that, I will move for deferral of P-  
126 19-08, Brian Revere for Towne Center West, LLC, to March 12, 2009, by request  
127 of the applicant.

128

129 Mr. Vanarsdall - Second.

130

131 Mrs. Jones - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall.  
132 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

133

134 At the request of the applicant, the Planning Commission deferred P-19-08, Brian  
135 Revere for Towne Center West, LLC, to its meeting on March 12, 2009.

136

137 Mr. Strauss - The next deferral is in the Three Chopt District also.  
138 It's on page 2 of the agenda, C-6C-09, 8516 Fordson Road, LLC. This is a  
139 request to conditionally rezone from the O-1C Office District and the R-3 One-  
140 Family Residence District to O-2C Office District, an expansion of Pembroke  
141 Office Park proposed. The applicant is requesting a deferral to March 12, 2009  
142 meeting.

143

144 **C-6C-09 James W. Theobald for 8516 Fordson, LLC:**  
145 Request to conditionally rezone from O-1C Office District (Conditional) and R-3  
146 One-Family Residence District to O-2C Office District (Conditional), Parcels 756-  
147 750-3871 and 756-750-5679 and part of Parcel 756-751-2001, containing  
148 approximately 2.272 acres, located at the northeast intersection of N. Parham  
149 and Fordson Roads. The applicant proposes an expansion of Pembroke Office  
150 Park. The use will be controlled by zoning ordinance regulations and proffered  
151 conditions. The Land Use Plan recommends Office and Suburban Residential 1,  
152 1.0 to 2.4 units net density per acre.

153

154 Mrs. Jones - Is there any opposition to the deferral of C-6C-09,  
155 James W. Theobald for 8516 Fordson, LLC? No opposition.

156

157 Mr. Jernigan - Madam Chair, I move for deferral of case C-6C-09,  
158 James W. Theobald for 8516 Fordson, LLC, to March 12, 2009, by request of the  
159 applicant.

160

161 Mr. Vanarsdall - Second.

162

163 Mrs. Jones - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall.  
164 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

165  
166 At the request of the applicant, the Planning Commission deferred C-6C-09,  
167 James W. Theobald for 8516 Fordson, LLC, to its' meeting on March 12, 2009.

168  
169 Mr. Strauss - The last request for a deferral that staff is aware of is  
170 in the Tuckahoe District. That would be page 3 of the agenda, P-20-08, New  
171 Cingular Wireless. This is a request for a provisional use permit in order to  
172 construct a 102-foot high flagpole-style monopole telecommunications tower and  
173 related equipment. The applicant is requesting deferral to the April 9, 2009  
174 meeting.

175  
176 **Deferred from the January 15, 2009 Meeting.**  
177 **P-20-08 Gloria L. Freye for New Cingular Wireless PCS,**  
178 **LLC:** Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120  
179 and 24-122.1 of Chapter 24 of the County Code in order to construct a 102' high  
180 flagpole-style monopole telecommunications tower and related equipment, on  
181 part of Parcel 732-749-5405, located on the east line of Gayton Road  
182 approximately 900 feet north of its intersection with Cambridge Drive. The  
183 existing zoning is B-1 Business District. The Land Use Plan recommends  
184 Commercial Concentration.

185  
186 Mrs. Jones - Is there any opposition to the deferral of P-20-08,  
187 Gloria L. Freye for New Cingular Wireless PCS? Seeing none, I will move that P-  
188 20-08, Gloria L. Freye for New Cingular Wireless PCS, be deferred to the April 9,  
189 2009 meeting by request of the applicant.

190  
191 Mr. Jernigan - Second.

192  
193 Mrs. Jones - Motion by Mrs. Jones, seconded by Mr. Jernigan. All  
194 in favor say aye. All opposed say no. The ayes have it; the motion passes.

195  
196 At the request of the applicant, the Planning Commission deferred P-20-08,  
197 Gloria L. Freye for New Cingular Wireless PCS, to its' meeting on April 9, 2009.

198  
199 Mr. Strauss - That concludes the deferrals that staff is aware of.

200  
201 Mr. Emerson - Madam Chairman, the next item on your agenda  
202 tonight is the Requests for Expedited Items. You have one request for  
203 expedited, and that will be presented by Mr. Jim Strauss.

204  
205 Mr. Strauss - The expedited case is from the Fairfield District, page  
206 1 of the agenda, P-3-09. This is a request for a Provisional Use Permit in order to  
207 extend the hours of operation for a quick service restaurant, Bojangles. The

208 applicant proposes to open daily at 5:30 a.m. instead of 6 a.m. Staff is  
209 recommending approval. There is no known opposition.

210

211 **P-3-09 Brad Mercer for Redco Properties, LLC:** Request  
212 for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of  
213 Chapter 24 of the County Code in order to extend hours of operation for a quick  
214 service restaurant (Bojangles), on Parcel 810-723-7460, located at the southeast  
215 intersection of Nine Mile Road (State Route 33), and S. Laburnum Avenue. The  
216 applicant proposes opening daily at 5:30 a.m. instead of 6:00 a.m. The existing  
217 zoning is M-1C Light Industrial District. The Land Use Plan recommends  
218 Commercial Concentration. The site is in the Enterprise Zone.

219

220 Mrs. Jones - Is there opposition here tonight to case P-3-09, Brad  
221 Mercer for Redco Properties, LLC? No opposition.

222

223 Mr. Archer - Madam Chair, I move that case P-3-09, Brad Mercer  
224 for Redco Properties, LLC, be forwarded to the Board of Supervisors with a  
225 recommendation for approval.

226

227 Mr. Vanarsdall - Second.

228

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

231

232 **REASON:** Acting on a motion by Mr. Archer, seconded by Mr.  
233 Vanarsdall, the Planning Commission voted 4-0 (one absent, one abstention) to  
234 recommend the Board of Supervisors **grant** the request because it is reasonable  
235 in light of the surrounding uses and existing zoning on the property.

236

237 Mr. Emerson - Madam Chairman, that takes us to the regular agenda  
238 with one case left to be heard, which appears on page 3 of your agenda.

239

240 **P-4-09 Kristine L. Riley for West End Farmers' Market,**  
241 **LLC:** Request for a Provisional Use Permit under Sections 24-62.2(g), 24-120  
242 and 24-122.1 of Chapter 24 of the County Code in order to operate a farmers'  
243 market and related parking, on parts of Parcels 732-751-4078, 732-751-0561,  
244 and 731-751-8088, located at the southwest intersection of Ridgefield Parkway  
245 and Gayton Road. The existing zoning is B-3 Business District. The Land Use  
246 Plan recommends Commercial Concentration.

247

248 Mrs. Jones - Thank you. Is there anyone in the audience who is  
249 opposed to case P-4-09, Kristine L. Riley for West End Farmers' Market? All  
250 right. This is our procedure. We'll go ahead and have staff make their report.  
251 We'll explain the process for discussion after that, and you'll certainly have time  
252 to come forward then. Okay? Thank you.

253

254 Mr. Lewis - Thank you, Madam Chair, good evening. The  
255 applicant is requesting to operate a seasonal outdoor farmers' market on part of  
256 a one-acre outparcel at the northeast corner of Gayton Centre Shopping Center.  
257 The proposed use is allowed under the subject site's B-3 zoning with approval of  
258 a Provisional Use Permit. Other properties at the intersection are characterized  
259 by a mixture of commercial, office, semi-public, and residential use.

260  
261 The 2010 Land Use Plan recommends Commercial Concentration, which allows  
262 for a range of commercial and retail uses of varying intensity. This designation is  
263 consistent with the applicant's request.

264  
265 Exhibit A illustrates the anticipated location and dimensions of a 13,200 square  
266 foot market sales area, the maximum size permitted on this property. In an  
267 arrangement similar to this diagram, vendors would set up temporary tables and  
268 tents in a specific portion of the grass field where all sales and temporary outdoor  
269 storage would take place. The sales area would be set back a minimum of 50  
270 feet from adjacent roadways and at least 20 feet from shopping center drive  
271 aisles. In addition, the perimeter of the sales area would be delineated by a row  
272 of 3 foot tall hedges to serve as a partial visual screen and help manage the flow  
273 of pedestrians.

274  
275 Along with this diagram, the applicant has submitted the West End Farmers'  
276 Market Rules & Regulations, dated January 27, 2009. This document provides a  
277 number impact mitigation measures and operational details and has been  
278 incorporated into recommended permit condition #3. Among the topics  
279 addressed in this document are the following: The market would be open to the  
280 public mid-April through mid-December each Wednesday and Saturday morning  
281 from 8:00 a.m. – 12:00 noon; at the end of each market day, the sales area and  
282 its surroundings would be completely cleared of any temporary structures and  
283 debris; a minimum of 75% of the vendors would sell homegrown or homemade  
284 edible products they produce within 100 miles of the market; a maximum of 25%  
285 of the vendors may be artisans selling handmade products resulting from an  
286 applied art. Prohibited activities and items include: the use of generators;  
287 vehicles on the grass at any time; writing or logos on vendor tents; portable  
288 toilets; public address systems; and the sale or use of alcohol.

289  
290 To discuss these and other details of the proposed market, the applicant held a  
291 neighborhood meeting for surrounding property owners and residents on January  
292 29<sup>th</sup>.

293  
294 The operation of an outdoor farmers' market on the subject property would  
295 provide an added service to the community, present an opportunity for local  
296 entrepreneurs, and help enhance the viability of other businesses in the shopping  
297 center. The proposed use is consistent with the 2010 Plan, and staff believes it  
298 would be compatible with surrounding uses given the applicant's market rules in

299 conjunction with the suggested permit conditions in the staff report. For these  
300 reasons, staff supports this request.

301

302 This concludes my presentation, and I will be happy to take any questions.

303

304 Mrs. Jones - Are there any questions from the Commission for Mr.  
305 Lewis?

306

307 Mr. Jernigan - I just have one. You said 25% of what's sold can be  
308 manufactured products?

309

310 Mr. Lewis - Twenty-five percent of the vendors may be artisans  
311 selling handmade artisan works.

312

313 Mr. Vanarsdall - Have you had any opposition from anybody around it?

314

315 Mrs. Jones - Ernie, she'll have to come up to the mike in a minute.  
316 Maybe you can ask her when she's at the mike.

317

318 Mr. Vanarsdall - Yes. Come on up to the mike and state your name. I  
319 just want to know for curiosity.

320

321 Mrs. Riley - Hi, I'm Kristine Riley. I'm going to be the owner and  
322 market manager.

323

324 Mr. Vanarsdall - I wouldn't think that you would have, I just wondered  
325 how the people felt about it. I mean, by no one being here is a good indication.

326

327 Mrs. Riley - Actually, the support from the community has been  
328 tremendous. Everybody is very enthusiastic about having the opportunity to be  
329 able to purchase farm-grown products here in the Far West End. Everybody's  
330 looking forward to it. We've had a few people that have had a few concerns, but  
331 after they found out a little bit more about it, and got some clarification, they were  
332 very supportive.

333

334 Mr. Vanarsdall - I wish you well.

335

336 Mrs. Riley - Thank you.

337

338 Mr. Vanarsdall - They opened one in Lakeside that's doing well. You  
339 know Tom Leonard's store? That's the sort of market type. I went out there and  
340 bought a bunch of jack-o-lanterns or pumpkins. Well, that's good. I hope you do  
341 well, and I think you will.

342

343 Mrs. Riley - Thank you, sir.

344



345 Mrs. Jones - We do have someone who needs to ask some  
346 questions. What I'd like to do at this time—You may wish to stay right there. If  
347 our Secretary would review—When we have opposition, we do have a procedure  
348 that we follow, and if he can go over the time limits involved then you'll know how  
349 much time you have, and then our other folks will have the same amount.

350

351 Mr. Emerson - Yes ma'am, Madam Chair. We do have rules and  
352 regulations that govern public hearings, and they are as follows. The applicant is  
353 allowed ten minutes to present the request, and time may be reserved for  
354 responses to testimony. Opposition is allowed ten minutes to present its  
355 concerns. Commission questions do not count into the time limits of either party.  
356 The Commission may waive the limits for either party at its discretion.

357

358 Mrs. Jones - What I'd like to ask now is that you present your side  
359 of the case, and you may want to consider reserving a minute or two to answer  
360 questions that are raised by others.

361

362 Mrs. Riley - Okay, will do. Good evening. I appreciate the  
363 opportunity to be here today to discuss the market. I'd just like to share a little bit  
364 about myself and why I decided to start the West End Farmers' Market.

365

366 My husband and I moved to Henrico County nine years ago, and we love living in  
367 the County and have enjoyed raising our three kids here. Shortly after moving  
368 here, I started looking into where the community farmers' markets were located,  
369 and I was extremely surprised to find out that the nearest market was 38 minutes  
370 away. Over the past nine years, I've been anxiously awaiting a market on the  
371 West End. I grew up on a produce farm in the southern part of New Jersey, and  
372 my family owned a small house that was surrounded by produce fields on three  
373 sides. My childhood days were spent playing in the fields and eating fruits and  
374 vegetables that we picked fresh that day. The fields were my playgrounds, and it  
375 stirred in me a deep love and appreciation for nature. I grew up with food being a  
376 central part of our upbringing, and consequently, I became extremely passionate  
377 about eating healthy, and it's just become a way of life for me and my family.

378

379 Since moving to the County, I've felt extremely disconnected from the local  
380 farming community, and have missed having access to the farm-fresh products.  
381 After waiting nine years for someone else to do it, I finally decided that I might be  
382 able to start the market myself. This decision eventually led me to the Planning  
383 Department where I learned about this interesting thing called the Provisional  
384 Use Permit. After hearing about the zoning requirements and the lengthy  
385 process involved with applying for the permit, it started to become clear why we  
386 didn't already have a farmers' market on the West End. The process has proved  
387 to be extremely helpful, though, in developing a strong business plan and  
388 preparing for a market that will be safe, clean, attractive, well-managed, and an  
389 asset to the community.

390

391 I'd like to thank Mr. Lewis and Mrs. Jones for their assistance with this process.  
392 I'm very appreciative for their guidance.

393

394 My intention for starting the market was basically just to bring the farmers in the  
395 community together. If approved, the market would be filled with wonderful fresh  
396 merchandise, and have a county fair atmosphere. Local farmers will come with  
397 their own just-picked flowers and produce. You'll be able to buy fresh eggs, meat,  
398 seafood, homemade pies, jams, take-home meals, and fresh bread. All the items  
399 at the market will be a product of Virginia, and grown only by the seller. Our art  
400 vendors have been handpicked due to their distinct and colorful work, excellent  
401 craftsmanship, and affordability. Their merchandise will change each week,  
402 which will, hopefully, offer an element of surprise at the market.

403

404 I've spent my entire professional career as the owner and manager of a small  
405 business, and feel I possess the skills necessary to effectively run the market. I  
406 have a Bachelor of Science in Marketing, and a Bachelor of Arts in Art History.

407

408 The market will be very family-friendly, and will offer something for everyone. We  
409 intend to have games, and face painting, and treats for the children. This would  
410 all be free of charge. And all the vendors will be encouraged to offer samples of  
411 their merchandise for you to taste each week. We'll have a vendor of the week,  
412 and they will be offering some type of live demonstration, or cooking  
413 demonstration, or storytelling, or some other form of interactive entertainment.

414

415 There are a plethora of economic benefits to bringing the market to Henrico  
416 County. Many of the area businesses have contacted me to voice their support  
417 for the project, and they're very optimistic that the increased visibility of the  
418 Tuckahoe District will have a positive impact on their own business. Further,  
419 supporting local farmers is critical to their economic stability, which has been  
420 jeopardized by the rapid pace of development in the County. Governor Tim Kaine  
421 is a huge proponent of Virginia farmers' markets. In fact, last year he proclaimed  
422 August 3 through 9 to be Virginia Farmers' Market Week, and encouraged all  
423 Virginians to eat only locally-grown produce for an entire day. In addition, he  
424 also recently started an initiative which encourages state residents to spend ten  
425 dollars of their weekly grocery budget on Virginia-grown products. We estimate  
426 that this initiative could infuse the Virginia economy with billions of dollars.  
427 Inviting the local farmers to bring their products to the West End Farmers' Market  
428 will help us achieve this goal, and continue to make agriculture the #1 industry in  
429 Virginia.

430

431 In conclusion, the West End Farmers' Market will help many farmers,  
432 restaurants, and small businesses increase their revenue during difficult  
433 economic times. I just really appreciate your consideration of the proposal. I  
434 wanted to introduce Lauren Larson, who is a Henrico County resident, and would  
435 just like to say a few quick words about the challenges that she's faced as a  
436 resident trying to buy local produce.

437

438 Ms. Larsen - Hi, I'm Lauren Larsen. I'm a Henrico County resident.  
439 I live in Wellesley. I just wanted to talk briefly about my experience with the CSA.  
440 I'm not sure if any of you are familiar with a CSA. It's Consumer Supported  
441 Agriculture. My family participated last year. Basically, the CSA is a partnership  
442 between the community members and farmers. We paid an amount of money at  
443 the beginning of the year, and if the farmer had a great growing season, we  
444 would get a lot of vegetables, basically; if they didn't, we wouldn't get as many. It  
445 worked out really well. We really enjoyed all of the wonderful vegetables that we  
446 had; however, the closest pickup location was the 17<sup>th</sup> Street Farmers' Market,  
447 which really wasn't that convenient to drive 25 to 30 minutes each week to get  
448 my fruits and vegetables. So, my husband and I decided not to participate this  
449 year. We really did enjoy supporting local farmers, but just due to the  
450 convenience, it just wasn't going to work for us.

451

452 I was really excited to learn about the proposed West End Farmers' Market for  
453 several reasons. First of all, of course, to get delicious and fresh local foods, but  
454 also I think the education component is really important. I think it's really  
455 important for adults and children to go and meet the people who are growing  
456 their food. You can ask how it was grown, where it was grown—and I think that's  
457 a really important thing, especially for children to realize. Also, I think it's a great  
458 community-building—I guess it's an activity—to go to the farmers' market and  
459 meet people who are also concerned about how and where their food is grown. I  
460 think that that would really be an asset to Henrico County. Judging from how  
461 busy Whole Foods usually is, I think there's definitely a demand for fresh and  
462 wholesome foods.

463

464 In closing, I think that the farmers' market would truly be an asset to Henrico  
465 County. I also wanted to just read a line from *Animal, Vegetable, Miracle* to also  
466 illustrate the environmental impact that locally-grown foods could have on  
467 Henrico County. "If every U. S. citizen ate just one meal, any meal, composed of  
468 locally and organically-raised meats and produce, we would reduce our country's  
469 oil consumption by over 1.1 million barrels of oil every week. That's not gallons,  
470 but barrels. Small changes in buying habits can make big differences."

471

472 Mrs. Jones - Thank you very much. All right. Ma'am, if you'd like to  
473 come on down. We tape these meetings, and so everybody has to talk into the  
474 mike there. If you wouldn't mind when you come down, just state your name for  
475 the record.

476

477 Ms. Booker - Good evening, my name is Doris Booker. I live in the  
478 condominiums that are located on Ridgefield Parkway and Lauderdale. I have  
479 some questions. The first question came to my mind when in the presentation the  
480 young man said that notices were sent out. We didn't get any notice prior to the  
481 notice about this meeting. The managing agent, ACS West, manages Palmer  
482 Place, and we got this notice in reference to the meeting tonight. My first

483 question is in reference to parking. That area, if I have the location clear in my  
484 mind, they're talking about putting the farmers' market or getting permission to  
485 erect a farmers' market is a grassy area. The first question comes to mind, are  
486 you going to be sharing the parking space with CVS and Ollie's, or are you going  
487 to have a separate and distinct parking lot of your own?  
488

489 The second, or third question that comes to mind is how are you going to provide  
490 for toilet facilities for people who come to the market? I'm not sure that I didn't  
491 hear something about a portable. Is that going to be taken away after every  
492 session, if you will?  
493

494 These are questions that I think need to be addressed before this project is  
495 approved. Where are you going to park? Are you sharing the parking lot with the  
496 other businesses that are in that shopping center? Won't your farmers' market  
497 mean more traffic for that area? And how are you going to provide for toilet  
498 facilities? Are you going to take away those portable potties every time you  
499 leave, or are you going to leave them on the property? These are questions that  
500 I'd like addressed.  
501

502 Mrs. Jones - All right. Thank you, Ms. Booker. Those questions do  
503 have answers, and what I'd like to do, if you don't mind, is to ask our staff  
504 member to come up to the podium and answer those for you. Okay?  
505

506 Ms. Booker - Thank you.  
507

508 Mrs. Jones - Mr. Lewis, what might be helpful is do we have a  
509 graphic of the parking lot next to the—  
510

511 Mr. Lewis - That's the best we have right there.  
512

513 Mrs. Jones - All right. Would you mind addressing the points that  
514 Ms. Booker brought up?  
515

516 Mr. Lewis - This is a shopping center with, according to zoning  
517 requirements, 68 excess parking spaces. Those 68 spaces would be dedicated  
518 not by being roped off, but they would be available for parking for vendors and  
519 customers for this market. The square footage of the market is limited to the  
520 13,000-square-foot figure because of only having 68 spaces available.  
521

522 Mrs. Jones - Excuse me. Could you put the cursor over to the area  
523 that we anticipate will be used for the parking?  
524

525 Mr. Lewis - This area right here adjacent to the market sales  
526 area.  
527

528 Mrs. Jones - Which are the extra spaces in the count for the  
529 shopping center.  
530  
531 Mr. Lewis - That's correct.  
532  
533 Mr. Vanarsdall - How many spaces are required?  
534  
535 Mr. Lewis - One space per 200 square feet.  
536  
537 Mr. Vanarsdall - I mean total right there.  
538  
539 Mr. Lewis - How many total? Well, 68 are available. They could  
540 virtually park anywhere in the parking lot; they're not limited to specific spaces.  
541 It's just that in the aggregate, 68 are available given the shopping center  
542 calculations. There is adequate parking.  
543  
544 The question regarding toilets. What I said in my presentation is that the  
545 applicant is committed to not having portable toilets on the site. There was  
546 discussion of potentially a business in the shopping center agreeing to allow  
547 customers and vendors to use their facilities, and I think that discussion has  
548 taken place. The applicant can speak to that.  
549  
550 Mrs. Jones - The notice?  
551  
552 Mr. Lewis - I'm not sure what notice was being referred to. County  
553 notices were sent to the adjacent condominiums on the other side of Ridgefield,  
554 not the entire condominium development, only those adjacent to Ridgefield  
555 Parkway. I'm not sure what unit the citizen lives in, but County notices were sent  
556 to all of those. I'm not sure if she was referring to that or the neighborhood  
557 meeting notices.  
558  
559 Mrs. Jones - Thank you very much. I'll ask the applicant to come  
560 up and just confirm the arrangement of restroom facilities. There will be no port-  
561 a-potties on site.  
562  
563 Mrs. Riley - Mr. Lewis asked me to speak with some of the local  
564 owners of the businesses in the shopping center, and the manager of Ollie's  
565 discount store was very happy to offer her restroom facilities to vendors, as well  
566 as customers of the market. She actually saw it as an opportunity to get  
567 additional foot traffic in her store, and is more than happy to allow that.  
568  
569 Mrs. Jones - As far as sending notices about the community  
570 meeting, just tell us briefly how you did that.  
571  
572 Mrs. Riley - Sure. Mr. Lewis actually provided me with the  
573 addresses of the residents and business owners on the perimeter. I sent those

574 notices, and I'm sure that people received them because we did have some  
575 people attend the community meeting. I did have my phone number on the  
576 notice and received several phone calls from folks that were not able to attend  
577 the meeting but just had a couple questions. I'm not exactly sure if that notice  
578 just went to the owner of the complex and then they did not make that public. I'm  
579 not sure what happened there.

580

581 Mrs. Jones - Thank you.

582

583 Mr. Jernigan - I have a question, Madam Chair. Mrs. Riley, I like  
584 farmers' markets, but I had a situation somewhat similar to this in the Varina  
585 District. When you speak of manufactured products on site, can you give me an  
586 example?

587

588 Mrs. Riley - I'm not sure what you mean my manufactured, but we  
589 are not allowing any products that are bought for resale. All of the farm products  
590 need to be made by the farmers themselves. All of the artisan works will be  
591 handmade by the artist themselves.

592

593 Mr. Jernigan - Okay. So, like paintings or cartoon drawings.

594

595 Mrs. Riley - Yes. An example would be hand-painted canvas,  
596 handmade jewelry. We have a vendor that is a silversmith that will be making  
597 jewelry items. That kind of thing.

598

599 Mr. Jernigan - So, it's nothing that's been purchased prior.

600

601 Mrs. Riley - Absolutely not.

602

603 Mr. Jernigan - There's no packaging.

604

605 Mrs. Riley - No packaging.

606

607 Mr. Jernigan - I guess that's mainly what I'm interested in because  
608 when you have things coming in packages, people aren't always so nice to throw  
609 the packing in the trashcan. The wind picks it up and blows it all through the  
610 neighborhood. That's what I wanted to know. Okay. Thank you so much.

611

612 Mrs. Riley - Thank you.

613

614 Mr. Vanarsdall - I have a question about the toilets. I don't understand  
615 the toilets.

616

617 Mrs. Jones - Could you just go ahead and explain again about the  
618 restroom situation.

619

620 Mrs. Riley - We have no portable toilets on the site.  
621  
622 Mr. Vanarsdall - You said permanent.  
623  
624 Mrs. Riley - No portable toilets on the site, and there won't be any  
625 permanent structures in the form of restrooms on the property. The only  
626 restrooms that will be available are the ones that are in the local stores in the  
627 shopping center. Ollie's, which is the anchor store in the Gayton Center  
628 Shopping Center, has graciously agreed to allow customers and vendors to use  
629 their restrooms during market hours. So, I will be on site during market hours  
630 from the time that the market opens until well after it closes. If anybody has any  
631 questions about where to use the restroom, I can direct them to the restroom at  
632 Ollie's.  
633  
634 Mr. Vanarsdall - Thank you.  
635  
636 Mrs. Jones - Did that address your questions? Okay. Are there  
637 any further questions for the applicant from anyone? You'll have to come on  
638 forward to speak at the mike, if you don't mind. Thank you.  
639  
640 Ms. Dovel - I'm Claire Dovel, and I live at the corner of Ridgefield  
641 and Lauderdale, which is just behind Ollie's. I'm very concerned that we were  
642 not notified of any of these meetings. I didn't even get a notification of tonight's  
643 meeting except through the president of our association. I feel like we have not  
644 had an opportunity to look at it very well. In previous situations, we have been  
645 notified—like when Wawa was going to come in our area—and had an  
646 opportunity to have meetings with them to discuss it. She said she's only had one  
647 or two complaints. Well, if none of us have been notified—There are 60 people in  
648 our one condo association, plus Autumn Run is next to us. Did they get notice of  
649 the meetings?  
650  
651 Mrs. Jones - We can't have conversations that are not conducted  
652 at the mike because these are recorded. The condominium association where  
653 you live is, according to my memory, not adjacent to this parcel. There were  
654 notices sent to adjacent owners. It would be the notice that was sent to your  
655 condominium association, but not to every single condominium. You are a  
656 common community.  
657  
658 Ms. Dovel - Yes. Well, I understand that. But previously, all  
659 individual homeowners received a notice of the meeting before and all.  
660  
661 Mrs. Jones - Do you have specific questions about the project that  
662 you might like to raise at this time?  
663  
664 Ms. Dovel - Well, I go along with Ms. Booker. The parking, I see  
665 that being a problem. And congestion at Gayton and Ridgefield can be right

666 dangerous at times. We've had right many accidents up there on that corner. So,  
667 you know, the increased traffic could create problems.

668

669 Mrs. Jones - Thank you very much. Further questions?  
670 Comments? I did have an interesting time working with Mrs. Riley and with staff  
671 about this case because a farmers' market is not a very, very strictly-defined  
672 entity within our County. Therefore, we always try to take extra effort to make  
673 sure that anything that is going to happen in a farmers' market with the vision that  
674 this one has is not a flea market, does not have the qualities that people would  
675 be concerned about. This is a high-quality project. I think Mrs. Riley's vision is  
676 what makes it that. The parking. I can understand parking and traffic as a  
677 question. In this particular case, there is ample parking already in place because  
678 of the shopping center, and the traffic will not be generated on a regular ongoing  
679 basis; this is a two-morning-a-week project. So, with those caveats, there  
680 doesn't seem to be the problem ongoing for the folks around there with traffic.  
681 Certainly, I think parking at the shopping center is not a problem. If you get the  
682 approvals all the way down the line, hopefully this will be a tremendous plus to  
683 the area, and a very high-quality farmers' market that others can look to to find  
684 projects of their own. We certainly wish you well. There's nothing that comes  
685 through this Planning Commission that we hope is not very, very successful.

686

687 With that, then, I would like to move that P-4-09, Kristine L. Riley for West End  
688 Farmers' Market, LLC be recommended to the Board of Supervisors for approval.

689

690 Mr. Vanarsdall - Second.

691

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

694

695 **REASON:** Acting on a motion by Mrs. Jones seconded by Mr. Vanarsdall, the  
696 Planning Commission voted 4-0 (one absent, one abstention) to recommend the  
697 Board of Supervisors grant the request because it would provide added services  
698 to the community and when properly regulated by the recommended special  
699 conditions, it would not be expected to adversely affect the public safety, health,  
700 or general welfare.

701

702 Mr. Emerson - Madam Chair, that takes us to the next item on the  
703 agenda, which is the approval of the minutes from the Planning Commission  
704 meeting of January 15, 2009.

705

706 Mrs. Jones - Do we have any additions or corrections to the  
707 minutes of January 15, 2009?

708

709 Mr. Archer - Madam Chair, I somewhat hesitate to do this, but on  
710 page 25, line 1101. I think what I said at that point is we get to a point of time



711 that the phenomenon of habituation takes over. I think when I said  
712 “phenomenon,” or “habituation,” there was an “unintelligible” recorded for that.  
713  
714 Mrs. Jones - That’s phenomenon of—  
715  
716 Mr. Archer - Phenomenon of habituation.  
717  
718 Mrs. Jones - Okay.  
719  
720 Mr. Archer - It’s a psychological condition where you get used to  
721 something over time.  
722  
723 Mrs. Jones - I just didn’t have that marked. That must have gotten  
724 by me, Mr. Archer.  
725  
726 Mr. Jernigan - How did you miss that?  
727  
728 Mrs. Jones - I don’t know. Oh, dear.  
729  
730 Mr. Archer - I promise I won’t say that again.  
731  
732 Mrs. Jones - Please. All right. I do have one thing. On page 52,  
733 line 2348. This is a case where I had to abstain because of a representational  
734 conflict, so it wasn’t Mrs. Jones leading the conversation, it was Mr. Vanarsdall.  
735 Anything else? Is there a motion?  
736  
737 Mr. Jernigan - So moved.  
738  
739 Mr. Archer - Seconded.  
740  
741 Mrs. Jones - Motion by Mr. Jernigan, seconded by Mr. Archer to  
742 approve the minutes as corrected. All in favor say aye. All opposed say no. The  
743 ayes have it; the motion passes.  
744  
745 Mr. Emerson - Madam Chair, that takes us up to the final action, but  
746 prior to you doing that, I would like to mention two items. One is you will be  
747 receiving a call from Regina Hill, my administrative assistant, to arrange  
748 meetings with each of you, along with your respective Board member, to discuss  
749 the comments that were made at our public hearing on the Comprehensive Plan.  
750 There also other items that we have received that are specific to your district that  
751 we would like to discuss with you prior to reconvening in a work session on that  
752 item with the Planning Commission. You should be receiving that phone call—  
753 Obviously, tomorrow is Friday. If you don’t hear tomorrow, you’ll be hearing next  
754 week.  
755

756 The other item is a request. Normally all of you are good about this, but if one of  
757 you is not going to be here at a Commission meeting, I would request that you  
758 give Ms. Hill a call, and just leave a message with her so we'll be able to have a  
759 head count at that meetings, and be aware of who's going to be present and not  
760 present.

761

762 Mrs. Jones - All right. Thank you so much, Mr. Secretary. I do  
763 have a question. Could we have a formal approval of the public hearing for  
764 [inaudible.].

765

766 Mr. Emerson - I'm sorry, that was not in there. Yes ma'am, we do  
767 need to do that. It's not on agenda. We do need to do that, yes ma'am. We  
768 need to approve the minutes of January 22<sup>nd</sup>.

769

770 Mrs. Jones - Are there any corrections or additions to the minutes  
771 of January 22, 2009, the public hearing for the Comprehensive Plan?

772

773 Mr. Archer - I did not say, "phenomenon of habituation" at that  
774 meeting.

775

776 Mrs. Jones - Thank you so much. All right.

777

778 Mr. Jernigan - Thank you, Mr. Archer.

779

780 Mr. Vanarsdall - You want a motion?

781

782 Mrs. Jones - I would.

783

784 Mr. Vanarsdall - I move January 22, 2009 public hearing minutes be  
785 approved as written.

786

787 Mr. Archer - Second.

788

789 Mrs. Jones - Motion by Mr. Vanarsdall, seconded by Mr. Archer.  
790 All in favor say aye. All opposed say no. The ayes have it; the motion passes.  
791 The minutes are approved.

792

793 Any other business to come before the Commission?

794

795 Mr. Archer - Being none, Madam Chairman, I move for immediate  
796 adjournment.

797

798 Mr. Jernigan - Second.

799

800 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Jernigan. All  
801 in favor say aye. All opposed say no. The ayes have it; the motion passes.  
802 Meeting adjourned.

803  
804 The meeting adjourned at 7:47 p.m.

805  
806  
807 

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Mr. R. Joseph Emerson, Jr., Secretary

808  
809  
810 

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Mrs. Bonnie-Leigh Jones, Chairperson  
811