

1 **Minutes of the regular monthly meeting of the Planning Commission of Henrico**  
2 **County held in the County Administration Building in the Government Center at**  
3 **Parham and Hungary Spring Roads, beginning at 7:00 p.m., Thursday, February 10,**  
4 **2022. Display Notice having been published in the Richmond *Times-Dispatch* on**  
5 **January 24, 2022, and January 31, 2022.**  
6  
7

8 **Members Present:** Mrs. Melissa L. Thornton, Chairperson (Three Chopt)  
9 Mr. Robert H. Witte, Jr., Vice Chair (Brookland)  
10 Mr. Gregory R. Baka (Tuckahoe)  
11 Mr. C. W. Archer, C.P.C. (Fairfield)  
12 Mr. William M. Mackey, Jr., (Varina)  
13 Mr. R. Joseph Emerson, Jr., AICP, Director of Planning  
14 Secretary  
15 Mr. Daniel J. Schmitt (Brookland)  
16 Board of Supervisors' Representative  
17

18 **Also Present:** Ms. Jean Moore, Assistant Director \*  
19 Mr. Ben Sehl, Senior Principal Planner  
20 Ms. Rosemary D. Deemer, AICP, County Planner  
21 Mr. Livingston Lewis, County Planner  
22 Mr. Seth Humphreys, County Planner  
23 Ms. Lisa Blankinship  
24 Ms. Kristin Smith, County Planner  
25 Mr. Justin Briggs, Henrico County Public Schools \*  
26 Mr. John Cejka, Traffic Engineer, Public Works \*  
27 Mr. Billy Moffett, Police \*  
28

29 \* (Virtually)  
30

31 **Mr. Daniel J. Schmitt, the Board of Supervisors' representative, abstains on all**  
32 **cases unless otherwise noted.**  
33

34 Mrs. Thornton - Is there anybody with us this evening on Webex or in the  
35 audience from the news media? Okay.  
36

37 Ms. Deemer - We have no one on Webex.  
38

39 Mrs. Thornton - All right, thank you. And it appears that we have all the  
40 members present this evening. And I'd also like to recognize that we have Mr. Schmitt  
41 from the Board of Supervisors, the Brookland District, with us this evening. He'll be sitting  
42 on the Board. Welcome. Thank you for joining us.  
43

44 Mr. Schmitt - Thank you.  
45

46 Mrs. Thornton - Just to make a note that he abstains from voting on all cases  
47 unless otherwise noted. And we just wanted to welcome you. Thank you for joining us  
48 for 2022.

49  
50 Mr. Schmitt - Thank you, Madam Chair, appreciate it.

51  
52 Mrs. Thornton - Okay, with that, I turn the meeting over to Mr. Emerson.

53  
54 Mr. Emerson - Thank you, Madam Chair. This evening the Commission did  
55 hold a work session earlier that began at 5:30 and recessed at 6:42. The Commission  
56 discussed reports and supporting documentation that's currently being gathered for the  
57 development of the 2045 Comprehensive Plan and you also had a short discussion  
58 regarding the items at the end of your agenda about forthcoming actions that you'll be  
59 needing to take over the next several meetings. So, with that said, Madam Chair, the first  
60 item on your agenda this evening are the requests for withdrawals and deferrals and  
61 those will be presented by Mr. Ben Sehl.

62  
63 Mr. Sehl - Mr. Emerson, I didn't know if you wanted to note anything  
64 regarding Webex for the participation this evening.

65  
66 Mr. Emerson - You're correct. Madam Chair, I also would like to -- I've gotten  
67 a little complacent here. I guess I'm trying to forget that we still have this exercise.

68  
69 I would like to welcome everybody to the Planning Commission Public Hearing this  
70 evening, February 10, 2022, and advise everybody that Henrico County has implemented  
71 a mask policy for all employees and visitors in County facilities regardless of vaccination  
72 status. So, if you need a mask, we have those available in the lobby. We ask that you  
73 continue to practice all safety protocols for COVID-19 and I thank you in advance for your  
74 cooperation with that.

75  
76 Open comments this evening will be given from the lectern in the back of the room. For  
77 everyone who is watching the livestream on the County website, you can participate  
78 remotely in the public hearings. I would ask that you go to the Planning Commission --  
79 or the Planning Department's main webpage at [Henrico.US/Planning/meetings](https://Henrico.US/Planning/meetings). Scroll  
80 down under the Planning Commission and click on Webex events. Once you have joined  
81 the Webex event, please click on the chat button in the bottom-right corner of the screen.  
82 Staff will send a message asking if anyone would like to sign up to speak on an upcoming  
83 case. To respond, select Kristin Smith from the drop-down menu and send her a  
84 message.

85  
86 The Commission does have guidelines for its public hearings. The applicant is allowed  
87 10 minutes to present the request. Some time may be reserved for responses to  
88 testimony. The opposition is allowed a cumulative 10 minutes to present its concerns.  
89 Commission questions do not count into the time limits. The Commission does reserve  
90 the right to waive the time limits at its discretion. All comments must be directly related  
91 to the case under consideration and commentors must provide their name and address

92 prior to speaking in order for it to be recorded into the record accurately. Thank you again  
93 for your participation this evening and your interest in your community.

94  
95 With that, Madam Chair, now we will move on to the first item on the agenda which are  
96 the request for withdrawals and deferrals, and they will be presented by Mr. Ben Sehl.

97  
98 Mr. Sehl - Thank you, Mr. Emerson and members of the Commission.  
99 The first request for deferral that staff is aware of is on Page 5 of your agenda. This is  
100 PUP2021-00024 Holland Associates.

101  
102 **PUP2021-00024 Joe Marchetti for Holland Associates, LLC:** Request for a  
103 Provisional Use Permit under Sections 24-2306 and 24-3708 of Chapter 24 of the County  
104 Code to allow a multifamily development with office and commercial uses on Parcel 774-  
105 740-9115 located on the east line of Staples Mill Road (U.S. Route 33) approximately  
106 600' south of its intersection with Bethlehem Road. The existing zoning is B-2 Business  
107 District. The 2026 Comprehensive Plan recommends Light Industry. The site is in the  
108 Westwood Redevelopment Overlay District and the Enterprise Zone.

109  
110 In this request, the applicant is asking for a deferral to the March 10, 2022, meeting.

111  
112 Mrs. Thornton - Thank you. Is there anyone present or in Webex who is  
113 opposed to the deferral of PUP2021-00024 Holland Associates, LLC?

114  
115 Ms. Deemer - We have no one on Webex.

116  
117 Mr. Witte - Madam Chair, I move that PUP2021-00024 Holland  
118 Associates be deferred to the March 10, 2022, meeting at the request of the applicant.

119  
120 Mr. Mackey - Second.

121  
122 Mrs. Thornton - That is a motion by Mr. Witte and a second by Mr. Mackey.  
123 All in favor.

124  
125 The Commission - Aye.

126  
127 Mrs. Thornton - All opposed? The motion passes.

128  
129 Mr. Sehl - Madam Chair, the first of four items -- the next four items of  
130 deferral are on page 6 of your agenda. All are somewhat related. They begin with  
131 REZ2021-00058 Crenshaw Realty.

132  
133 **REZ2021-00058 Andrew M. Condlin for Crenshaw Realty:** Request to  
134 conditionally rezone from B-1 Business District to R-6C General Residence District  
135 (Conditional) Parcels 772-736-3855, -4241 and -4766 containing 2.432 acres located on  
136 the west line of Willow Lawn Drive approximately 135' north of its intersection with Grace  
137 Street. The applicant proposes a master-planned development with multifamily dwellings

138 and commercial uses. The R-6 District allows a density of 19.8 units per acre for  
139 multifamily. The uses will be controlled by zoning ordinance regulations and proffered  
140 conditions. The 2026 Comprehensive Plan recommends Environmental Protection Area.  
141 The site is in the Enterprise Zone.

142

143 In this request the applicant is requesting to defer to March 10, 2022.

144

145 Mrs. Thornton - Okay. Is there anybody in the audience or on Webex that is  
146 in opposition for PUP --

147

148 Mr. Sehl - This is REZ2021-00058.

149

150 Mrs. Thornton - Sorry. REZ2021-00058 Crenshaw Realty.

151

152 Ms. Deemer - We have no one on Webex.

153

154 Mr. Witte - All right. Excuse me. Madam Chair, I move that REZ2021-  
155 00058, Crenshaw Realty, be deferred to the March 10, 2022, meeting at the request of  
156 the applicant.

157

158 Mr. Archer - Second.

159

160 Mrs. Thornton - Okay, that is a motion by Mr. Witte, a second by Mr. Archer.  
161 All in favor say aye.

162

163 The Commission - Aye.

164

165 Mrs. Thornton - All opposed? The motion passes.

166

167 Mr. Sehl - Next on your agenda, Madam Chair, is PUP2021-00021.

168

169 **PUP2021-00021 Andrew M. Condlin for Crenshaw Realty:** Request for a  
170 Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the  
171 County Code to allow commercial uses and zoning modifications as part of a master-  
172 planned development on Parcels 772-736-3855, -4241 and -4766 located on the west  
173 line of Willow Lawn Drive approximately 135' north of its intersection with Grace Street.  
174 The existing zoning is B-1 Business District. R-6C General Residence District  
175 (Conditional) zoning is proposed with REZ2021-00058. The 2026 Comprehensive Plan  
176 recommends Environmental Protection Area. The site is in the Enterprise Zone.

177

178 This is the companion request on the same property just noted. This is again Crenshaw  
179 Realty where certain zoning modifications are requested as part of the provisional use  
180 permit for a master-planned community. And, again, the applicant is requesting a deferral  
181 to the March 10, 2022, meeting.

182

183 Mrs. Thornton - Okay, is there anybody in the audience or on Webex that is in  
184 opposition to the deferral of PUP2021-00021 Crenshaw Realty?

185  
186 Ms. Deemer - We have no one on Webex.

187  
188 Mr. Witte - Once again, Madam Chair, I move PUP2021-00021  
189 Crenshaw Realty be deferred to the March 10, 2022, meeting at the request of the  
190 applicant.

191  
192 Mr. Baka - Second.

193  
194 Mrs. Thornton - We have a motion by Mr. Witte, a second by Mr. Baka, all in  
195 favor.

196  
197 The Commission - Aye.

198  
199 Mrs. Thornton - All opposed? Motion passes.

200  
201 Mr. Sehl - Staying on page 6, again, Crenshaw Realty. This is  
202 REZ2021-00059.

203  
204 **REZ2021-00059 Andrew M. Condlin for Crenshaw Realty:** Request to  
205 conditionally rezone from O-2 Office District to R-6C General Residence District  
206 (Conditional) Parcels 772-738-5115 and 772-738-6931 containing 1.764 acres located  
207 on the west line of Byrd Avenue approximately 150' north of its intersection with Old  
208 Richmond Avenue. The applicant proposes a master-planned development with  
209 multifamily dwellings and commercial uses. The R-6 District allows a density of 19.8 units  
210 per acre for multifamily. The uses will be controlled by zoning ordinance regulations and  
211 proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is in  
212 the Enterprise Zone.

213  
214 And the applicant is requesting a deferral to the March 10, 2022, meeting.

215  
216 Mrs. Thornton - Okay. Is there anybody in the audience that -- or on Webex  
217 that is in opposition or opposed to the deferral of REZ2021-00059 Crenshaw Realty?

218  
219 Ms. Deemer - We have no one on Webex.

220  
221 Mrs. Thornton - Okay.

222  
223 Mr. Witte - Madam Chair, I move that REZ2021-00059 Crenshaw Realty  
224 be deferred to the March 10, 2022, meeting at the request of the applicant.

225  
226 Mr. Mackey - Second.

227

228 Mrs. Thornton - Okay. We have a motion by Mr. Witte, a second by Mr.  
229 Mackey. All in favor.

230  
231 The Commission - Aye.

232  
233 Mrs. Thornton - All opposed? Motion passes.

234  
235 Mr. Sehl - Next is PUP2021-00022, again Crenshaw Realty.

236  
237 **PUP2021-00022** **Andrew M. Condlin for Crenshaw Realty:** Request for a  
238 Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the  
239 County Code to allow commercial uses and zoning modifications as part of a master-  
240 planned development on Parcels 772-738-5115 and 772-738-6931 located on the west  
241 line of Byrd Avenue approximately 150' north of its intersection with Old Richmond  
242 Avenue. The existing zoning is O-2 Office District. R-6C General Residence District  
243 (Conditional) zoning is proposed with REZ2021-00059. The 2026 Comprehensive Plan  
244 recommends Office. The site is in the Enterprise Zone.

245  
246 And again, the applicant is requesting a deferral to the March 10, 2022, meeting.

247  
248 Mrs. Thornton - Okay. Is there anybody in the audience or on Webex that is  
249 opposed to the deferral of PUP2021-00022 Crenshaw Realty?

250  
251 Ms. Deemer - We have no one on Webex.

252  
253 Mr. Witte - Madam Chair, I move that PUP2021-00022 Crenshaw Realty  
254 be deferred to the March 10, 2022, meeting at the request of the applicant.

255  
256 Mr. Archer - Second.

257  
258 Mrs. Thornton - We have a motion by Mr. Witte, a second by Mr. Archer. All  
259 in favor say aye.

260  
261 The Commission - Aye.

262  
263 Mrs. Thornton - All opposed? The motion passes.

264  
265 Mr. Sehl - The final deferral request that staff is aware of this evening  
266 begin -- is on page 8 of your agenda in the Varina District. This is REZ2022-00008, this  
267 is John Beckner.

268  
269 **REZ2022-00008** **Jon Beckner:** Request to rezone from B-1 and B-3 Business  
270 District to B-3 Business District Parcel 823-722-8996 containing 0.295 acres located on  
271 the west line of E. Nine Mile Road (State Route 33) approximately 30' north of its  
272 intersection with S. Oak Avenue. The applicant proposes automobile sales. The use will  
273 be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan

274 recommends Commercial Concentration. The site is located in the Airport Safety Overlay  
275 District and in the Enterprise Zone.

276  
277 The applicant is requesting a deferral to the March 10, 2022, meeting.

278  
279 Mrs. Thornton - Okay, is there anybody in the audience or on Webex that  
280 opposes the deferral of REZ2022-00008 John Beckner to the March 10, 2022, meeting?

281  
282 Ms. Deemer - We have no one on Webex.

283  
284 Mr. Mackey - All right, Madam Chair, seeing and hearing there is no  
285 opposition to the deferral, I move that REZ2022-00008 John Beckner be deferred to the  
286 March 10, 2022, meeting at the request of the applicant.

287  
288 Mr. Witte - Second.

289  
290 Mrs. Thornton - Okay, we have a motion by Mr. Mackey, a second by Mr.  
291 Witte. All in favor say aye.

292  
293 The Commission - Aye.

294  
295 Mrs. Thornton - All opposed? The motion passes.

296  
297 Mr. Emerson - Madam Chair that completes the withdrawals and deferrals for  
298 this evening unless the Commission has any they would like to enter. And if they don't,  
299 we will move on to the next item, which are the requests for expedited items that will also  
300 be presented by Mr. Ben Sehl.

301  
302 Mr. Sehl - Madam Chair, we have three expedited items this evening.  
303 The first is on page 1 of your agenda. This is POD2021-00318, Pouncey Place, LLC.

304  
305 **POD2021-00318 One Pouncey – 4545 Pouncey Tract Road (State Route**  
306 **271) Approved Bohler Engineering for Pouncey Place LLC c/o Blackwood**  
307 **Development Company, Inc.:** Request for approval of a plan of development, as  
308 required by Chapter 24, Section 24-2314 of the Henrico County Code, construct a mixed-  
309 use community, consisting of two 4-story multi-family residential buildings with a total of  
310 227 dwelling units, two 1-story detached garage buildings with a total of 12 parking  
311 spaces, and four 1-story commercial use buildings totaling 19,700- square feet of floor  
312 area. An existing 1-story 10,508 square foot commercial building occupied by an  
313 automotive repair business and an animal care business would be retained on the  
314 property. The 9.75-acre site is located at the southeast intersection of Pouncey Tract  
315 Road (State Route 271) and Twin Hickory Lake Drive, on parcel 740-765-2150. The  
316 zoning is R-6C, General Residence District (Conditional) and WBS-O West Broad Street  
317 Overlay District. County water and sewer. (Three Chopt)

318

319 This is a request for approval of a Plan of Development to construct a mixed-use  
320 community including two 4-story multi-family residential buildings with a total of 227  
321 dwelling units and four 1-story commercial buildings, as shown on the screen.

322  
323 Staff is unaware of any opposition to this request, and the opposition has indicated they  
324 are in agreement with the conditions proposed in your agenda and staff has no further  
325 comments beyond that.

326  
327 Mrs. Thornton - Okay, is there anybody in the audience or on Webex that is  
328 opposed to the expedited approval of POD2021-000318 Pouncey Place, LLC?

329  
330 Ms. Deemer - There's no one on Webex.

331  
332 Mrs. Thornton - Okay, well, I move POD2021-00318 Pouncey Place, LLC --  
333 I'm sorry -- with the annotations on the plan from the standard conditions for these  
334 developments of this type and additional conditions 11B through 15 -- through 26 in the  
335 agenda. I move that this is approved.

336  
337 Mr. Baka - Second.

338  
339 Mrs. Thornton - Okay, a motion by Mrs. Thornton, a second by Mr. Baka, all  
340 in favor say aye.

341  
342 The Commission - Aye.

343  
344 Mrs. Thornton - All opposed? The motion passes.

345  
346 The Planning Commission approved the plan of development for POD2021-00318 One  
347 Pouncey, subject to the annotations on the plans, the standard conditions for  
348 developments of this type, and the following additional conditions:

349  
350 11B. Prior to the approval of an electrical permit application and installation of the site  
351 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
352 specifications and mounting heights details shall be revised as annotated on the staff plan  
353 and included with the construction plans for final signature.

354  
355 15. The unit house numbers shall be visible from the parking areas and drives.

356  
357 16. The names of streets, drives, courts, and parking areas shall be approved by the  
358 Richmond Regional Planning District Commission and such names shall be included on  
359 the construction plans prior to their approval. The standard street name signs shall be  
360 installed prior to any occupancy permit approval.

361  
362 17. A plat for the widening of Twin Hickory Lake Drive and Pouncey Place right-of-  
363 way, as shown on the approved plan, shall be submitted to the Director of Real Property  
364 prior to approval of the construction plan, and shall be recorded prior to requesting

365 occupancy permits. The developer shall provide evidence of recordation to the Director  
366 of Public Works.

367  
368 18. A plat for the widening of Pouncey Tract Road (State Route 271) right-of-way, as  
369 shown on the approved plan, shall be submitted to the Director of Real Property prior to  
370 approval of the construction plan, and shall be recorded prior to requesting occupancy  
371 permits. The developer shall provide evidence of recordation to the Director of Public  
372 Works.

373  
374 19. The entrances and drainage facilities on Pouncey Tract Road (State Route 271)  
375 shall be approved by the Virginia Department of Transportation and the County.

376  
377 20. A notice of completion form, certifying that the requirements of the Virginia  
378 Department of Transportation entrances permit have been completed, shall be submitted  
379 to the Director of Public Works prior to any occupancy permits being issued.

380  
381 21. A concrete sidewalk meeting County standards shall be provided along the north  
382 side of Pouncey Place and the south side of Twin Hickory Lake Drive.

383  
384 22. A concrete sidewalk meeting VDOT standards shall be provided along the east  
385 side of Pouncey Tract Road (State Route 271).

386  
387 23. The proffers approved as a part of zoning case REZ2020-00018 and the conditions  
388 of Provisional Use Permit PUP2020-00008 shall be incorporated in this approval.

389  
390 24. A construction staging plan which includes details for traffic control, fire protection,  
391 stockpile locations, construction fencing, and hours of construction shall be submitted for  
392 County review and prior to the approval of any final construction plans.

393  
394 25. Approval of the construction plans by the Department of Public Works does not  
395 establish the curb and gutter elevations along the Henrico County maintained right-of-  
396 way. The elevations will be set by Henrico County.

397  
398 26. Approval of the construction plans by the Department of Public Works does not  
399 establish the curb and gutter elevations along the Virginia Department of Transportation  
400 maintained right-of-way. The elevations will be set by the contractor and approved by the  
401 Virginia Department of Transportation.

402  
403 Mr. Sehl - Madam Chair, the next two items for expedited approval are  
404 in the Fairfield District beginning on page 7 of your agenda. The first is REZ2022-00010  
405 Eric Walker.

406  
407 **REZ2022-00010 Eric Walker:** Request to conditionally rezone from A-1  
408 Agricultural District to R-3AC General Residence District (Conditional) Parcel 779-760-  
409 6327

410 containing 1.05 acres located on the northeast line of Hungary Creek Lane approximately  
411 260' southeast of its intersection with Tweed Road. The applicant proposes a single-  
412 family dwelling. The R-3A District allows for a minimum lot area of 9,500 square feet and  
413 a maximum gross density of 4.6 units per acre. The 2026 Comprehensive Plan  
414 recommends Suburban Residential 2, density should not exceed 3.4 units per acre.

415

416 Staff is unaware of any opposition to this request and recommends approval.

417

418 Mrs. Thornton - Okay. is there anybody in the audience or on Webex that is  
419 opposed to the approval of REZ2022-00010 Eric Walker on the expedited agenda?

420

421 Ms. Deemer - We have no one on Webex.

422

423 Mr. Archer - Madam Chairman since we hear no opposition, I move that  
424 we recommend approval of REZ2022-00010 Eric Walker with the proffers in the staff  
425 report dated December 16, 2021.

426

427 Mr. Baka - Second.

428

429 Mrs. Thornton - We have a motion by Mr. Archer, a second by Mr. Baka, all in  
430 favor say aye.

431

432 The Commission - Aye.

433

434 Mrs. Thornton - All opposed? Motion passes.

435

436 **REASON:** Acting on a motion by Mr. Archer, seconded by Mr. Baka the  
437 Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors  
438 grant the request because it represents a logical continuation of the one-family residential  
439 development in the area.

440

441 Mr. Sehl - Madam Chair, the final request for expedited approval is on  
442 page 8 of your agenda. Also, in the Fairfield District. This is PUP2022-0003 Skyway  
443 Towers, LLC.

444

445 **PUP2022-00003 William Shewmake for Skyway Towers, LLC:** Request for  
446 a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the  
447 County Code to allow for a freestanding wireless communication tower on part of Parcel  
448 812-725-4066 located on the southeast line of Cedar Fork Road approximately 1000'  
449 northeast of its intersection with Nine Mile Road (State Route 33). The existing zoning is  
450 R-4AC One-Family Residence District (Conditional). The 2026 Comprehensive Plan  
451 recommends Suburban Residential 2, density should not exceed 3.4 units per acre. The  
452 site is in the Airport Safety Overlay District.

453

454 Staff is unaware of any opposition to this request, and the applicant has indicated  
455 agreement with the conditions listed in the staff report and, therefore, staff is  
456 recommending approval.

457  
458 Mrs. Thornton - Okay, is there anybody present or on Webex that is opposed  
459 to the approval on the expedited agenda of PUP2022-00003 Skyway Towers, LLC?  
460

461 Ms. Deemer - We have no one on Webex.

462  
463 Mr. Archer - Madam Chair, since we hear no opposition, then I recommend  
464 approval of PUP2022-00003 Skyway Towers, LLC with the recommended conditions  
465 listed in the staff report.

466  
467 Mr. Mackey - Second.

468  
469 Mrs. Thornton - We have a motion by Mr. Archer, a second by Mr. Mackey, all  
470 in favor say aye.

471  
472 The Commission - Aye.

473  
474 Mrs. Thornton - All opposed say nay. Okay, motion passes.

475  
476 **REASON:** Acting on a motion by Mr. Archer, seconded by Mr. Mackey,  
477 the Planning Commission voted 5-0 (one abstention) to recommend the Board of  
478 Supervisors **grant** the request because it would provide added services to the community  
479 and when properly developed and regulated by the recommended special conditions, it  
480 would not be detrimental to the public health, safety, welfare and values in the area.

481  
482 Mr. Emerson - Madam Chair, that completes the expedited items for this  
483 evening. We now move into your regular agenda to page 5 for PUP2022-00002 T.  
484 Preston Lloyd Jr. for Spy Rock Real Estate Group.

485  
486 **PUP2022-00002 T. Preston Lloyd, Jr. for Spy Rock Real Estate Group:**  
487 Request for a Provisional Use Permit under Sections 24-2306 and 24-3708 of Chapter  
488 24 of the County Code to allow a multifamily residential development with commercial  
489 uses on Parcel 778-735-0109 located on the east line of Dabney Road approximately  
490 500' north of its intersection with Westwood Avenue. The existing zoning is M-1 Light  
491 Industrial District. The 2026 Comprehensive Plan recommends Heavy Industry. The site  
492 is in the Westwood Redevelopment Overlay District. The staff report will be presented by  
493 Ms. Lisa Blankinship.

494  
495 Ms. Blankinship - Good evening.

496  
497 The Commission - Good evening.

498

499 Ms. Blankinship - This is a request for a provisional use permit to allow the  
500 redevelopment of an industrial site with the multi-family residential building, parking  
501 garage, and commercial space to be located on the ground floor. The M-1 Zoned site is  
502 located on the east line of Dabney Road approximately 500 feet north of its intersection  
503 with West -- excuse me -- Westwood Avenue and is part of the Westwood Redevelopment  
504 Overlay District which allows multi-family subject to the approval of a PUP and a  
505 masterplan.

506  
507 The applicant proposes to develop a new 5-story building that would include a parking  
508 garage with 307 spaces, 3,500-square-feet of commercial space, and 245 multi-family  
509 residential units. Amenities would include interior and exterior courtyards, commercial  
510 space, pet spa, and rooftop amenities with gathering space for residents.

511  
512 The applicant has submitted a revised concept plan, seen here, that has been handed  
513 out to you this evening. This concept plan addresses the Division of Fire and the  
514 Department of Public Works concerns identified in the staff report.

515  
516 Overall, the proposed masterplan development would be in keeping with the findings of  
517 the Westwood Area Study and the goals and objectives of the Westwood Revitalization  
518 Reinvestment Opportunity Area. And because the applicant has addressed Fire and  
519 Public Works concerns, staff supports this request subject to the conditions in the staff  
520 report. This concludes my presentation. I'll be happy to answer any questions.

521  
522 Mrs. Thornton - Okay, thank you. First, is there anybody here to speak for or  
523 against the case? Okay.

524  
525 Mr. Witte - Webex?

526  
527 Mrs. Thornton - How about Webex?

528  
529 Ms. Deemer - We have no one on Webex.

530  
531 Mrs. Thornton - Okay.

532  
533 Mr. Witte - You want to mention the rules?

534  
535 Mr. Emerson - I went over them at the beginning but, yes sir, I can do that  
536 again.

537  
538 Mrs. Thornton - He read them at the beginning.

539  
540 Mr. Witte - Okay, my bad.

541  
542 Mrs. Thornton - That's okay.

543  
544 Mr. Witte - All right. Well, let's hear from the gentleman in the audience.

545  
546 Mrs. Thornton - In the back, please. And if you could state your name and  
547 address, that would be great. Thank you.

548  
549 Mr. Witte - Don't go too far, Ms. Blankinship.

550  
551 Mr. Raidabaugh - I'm Dan Raidabaugh. I own the property at 1506 Tomlynn  
552 Street which will back up to the proposed development. And one thing, Mr. Witte, you,  
553 and I had a lengthy conversation about access to the rear of the property, particularly by  
554 emergency vehicles, fire, rescue and what not. That was a concern of ours. We've met  
555 with the folks from Spy Rock who've said we will have access to the property to the rear.  
556 We -- when I bought the property in 1985 the back of that property was not accessible  
557 simply because it was a bunch of overgrowth.

558  
559 The owners of the Dabney Road property and I got together in 1987, cleared the whole  
560 area, made it accessible for their property as well as my property and we've had that  
561 access for 35 years, since 1987. We talked with the folks at Spy Rock who said that we  
562 would have access there, so I just wanted to go on record to say that that was a  
563 conversation we had with them, and I was concerned about the emergency vehicle  
564 access. And you say that has been addressed? It is acceptable to the County?

565  
566 Mr. Witte - Yes, sir. Fire Department has signed off on it.

567  
568 Mr. Raidabaugh - Okay, that's all I had, and I just wanted to make sure that was  
569 access to the rear for their property and mine in particular.

570  
571 Mr. Witte - We will verify it with their representative in just a minute.

572  
573 Mr. Raidabaugh - Okay, thank you.

574  
575 Mr. Witte - Anybody else opposed? Any concerns? You have the floor.

576  
577 Mr. Lloyd - Madam Chair, members of the Commission, Mr. Secretary,  
578 Preston Lloyd with Williams Mullen on behalf of Spy Rock Real Estate Group. I'm joined  
579 by Andrew Basham in the audience, co-founder and principal of Spy Rock.

580  
581 Pleased to have the opportunity to present this case. The County has invested a lot in  
582 the planning and, specifically, the foresight of what Westwood can transition and possibly  
583 become. And this is one of the first projects that would really realize that vision. And so,  
584 it's been our pleasure to work with staff. In working through the details of how that might  
585 happen. And, as might be suspected, whenever there's a transition in the use of a  
586 neighborhood, there needs to be cared to make sure that existing uses aren't  
587 inappropriately disadvantaged. And so, as was referenced by the gentleman before me,  
588 the rear access was discussed.

589

590 And, as you can see on the site plan that you have before you, or the conceptual plan,  
591 there is a pad that is shown at plan south at the bottom of the page that would reflect the  
592 access that the gentleman described, and it would allow for vehicular travel all the way  
593 around the side of the building coming in at the north, which is on the right of the plan,  
594 traveling around the building, and then being able to access some refuse receptacles that  
595 are located there.

596  
597 And so, we believe this is an improvement. It also reflects comments from fire that were  
598 received that led to some improvements to the plan to allow full access all the way around  
599 the building by appropriate equipment. And also, from the Department of Public Works  
600 just to improve the relative access.

601  
602 The streetscape will be improved, and we've provided an illustrative exhibit as part of our  
603 application package that would show how the streetscape along Dabney would be  
604 improved. Because in its current form, it's really not suitable for the kind of residential  
605 transition that the County has set forth. And we've been pleased to have the feedback  
606 from the Planning Department and others to try and realize that.

607  
608 So, I won't embellish upon the details that staff already presented to you other than to say  
609 we're happy to answer any questions that you may have about the case. And we're  
610 pleased that it's being considered. Thank you.

611  
612 Mr. Witte - All right. Thank you. I'm pleased that you worked it out with  
613 Fire and got rid of that 150-foot turnaround. Public safety is a priority. I have some  
614 concerns about the M-1 Zoning that's presently there with 24-hour operation. Even  
615 though it's zoned that, it's going to be used as residential which is not necessarily a 24-  
616 hour operation. So, we've had several discussions and I believe you've agreed to meet  
617 and discuss maybe having some specific uses not available. Is that correct?

618  
619 Mr. Lloyd - That is correct, sir. As you know and as the Commission is  
620 aware, the Overlay District allows for multi-family to be approved by Provisional Use  
621 Permit subject to conditions which --

622  
623 Mr. Witte - Exactly.

624  
625 Mr. Lloyd - It wouldn't otherwise restrict uses that would otherwise be  
626 available in the underlying zoning district those commercial uses would continue to be by-  
627 right uses. And given the transition and the potential incompatibility between residential  
628 and the kinds of retail and restaurant uses that both the applicant of this project and others  
629 at the County want to see fostered, we share Mr. Witte's priority in making sure that those  
630 uses are carefully considered.

631  
632 And so, we'd be happy to sit down between now and the Board meeting to make sure  
633 that if there are uses, specific uses, that are not appropriate at this location, to be part of  
634 that commercial component, the 3,500 square feet that's included in the application  
635 request. That those be excluded according to those conditions.

636  
637 Mr. Witte - Yeah. Well thank you. I think that this is not only a priority for  
638 residents that will occupy this building, but it's setting a precedent for future development  
639 in the area. And I don't believe the residents would be happy with a 24-hour shooting  
640 range under their apartments. So, we do still have some work to do, but I'm very pleased  
641 with the time and effort that's been put in by staff and you to come up to this solution  
642 we've got right now. I have no further questions.

643  
644 Mrs. Thornton - Anybody from the Commission have any questions for staff or  
645 Mr. Lloyd?

646  
647 Mr. Mackey - No, ma'am.

648  
649 Mrs. Thornton - Okay.

650  
651 Mr. Witte - Thought maybe I might have one more. Let me see. Nope.  
652 Covered.

653  
654 Mrs. Thornton - Done?

655  
656 Mr. Witte - Yeah. All right. With that, Madam Chair, I recommend  
657 approve -- excuse me. Recommend approval of the Provisional Use Permit, PUP2022-  
658 00002 Spy Rock Real Estate Group, with the revised conditions dated February 10, 2022,  
659 and the condition that they meet to solve the issue with the 24 hours.

660  
661 Mr. Mackey - Second.

662  
663 Mrs. Thornton - Okay, we have a motion by Mr. Witte, a second by Mr.  
664 Mackey. All in favor.

665  
666 The Commission - Aye.

667  
668 Mrs. Thornton - All opposed? Motion passes.

669  
670 **REASON:** Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the  
671 Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors  
672 **grant** the request because it would provide added residential services to the community  
673 and the conditions should minimize the potential impacts on surrounding land uses.

674  
675 Mr. Emerson - Madam Chair, we now move on to the next item on your  
676 agenda which also appears on page 5. It's REZ2022-00007 Nathalie Croft for Eagle  
677 Construction of Virginia, LLC.

678  
679 **REZ2022-00007 Nathalie Croft for Eagle Construction of VA, LLC:**  
680 Request to conditionally rezone from A-1 Agricultural District to R-2C One-Family  
681 Residence District (Conditional) Parcel 769-774-5336 containing 7.59 acres located on

682 the south line of Mill Road approximately 200' east of its intersection with Wyatt Farm  
683 Drive. The applicant proposes a residential development of single-family dwellings. The  
684 R-2 District allows a minimum lot area of 18,000 square feet and a maximum gross  
685 density of 2.42 units per acre. The use will be controlled by zoning ordinance regulations  
686 and proffered conditions. The 2026 Comprehensive Plan recommends Suburban  
687 Residential 1, density should not exceed 2.4 units per acre.

688  
689 The applicant proposes a residential development of single-family dwellings. The 2026  
690 Comprehensive Plan recommends Suburban Residential 1. Density should not exceed  
691 2.4 units per acre. The staff report will be presented by Mr. Michael Morris.

692  
693 Mrs. Thornton - Okay, thank you. Is there anyone in the audience or on  
694 Webex that is in opposition or approval of the case REZ2022-00007 Nathalie Croft for  
695 Eagle Construction?

696  
697 Ms. Deemer- We have no one on Webex.

698  
699 Mrs. Thornton - No one in the audience. Hello.

700  
701 Mr. Morris - Thank you, Madam Chair, members of the Commission. This  
702 is a request to rezone 7.59 acres from A-1 Agricultural District to R-2C One-Family  
703 Residence District Conditional to allow for the development of up to 11 detached single-  
704 family residences.

705  
706 Property is located on Mill Road approximately 200 feet east of its intersection with Wyatt  
707 Farm Drive and is bordered to the north and east by large acreage residential zoned R-2  
708 One-Family Residence.

709  
710 To the south and east is the Hunton Estates Subdivision zoned R-1AC and to the west is  
711 the Hunton Fields Subdivision zoned R-2. You received revised proffers and a concept  
712 plan this evening dated February 10 and February 8, 2022. I should note, time limits will  
713 need to be waived. The proffered conceptual layout shows 11 lots facing an internal road  
714 which would connect at Mill Road and terminate in a cul-de-sac.

715  
716 A BMP is shown in the southeast corner of the subject property adjacent to wetlands  
717 shown to the rear of lots 3, 4, and 5. The applicant has also identified transitional buffers  
718 along the property's perimeter with the transitional buffer 25 located along the southern  
719 property line and the transitional buffer 10 along the western and eastern boundaries in  
720 areas absent wetlands.

721  
722 The proffered 25-foot planted buffer shown along the Mill Road Frontage would include  
723 an entrance feature and split-rail fence. The applicant has also proffered elevations  
724 shown here that illustrate two-story construction with a proffered mixture of brick, brick  
725 veneer, stone veneer, or cementitious siding. Proffers also set density at no more than  
726 11 units, dedicate right-of-way, and commit to construction of a sidewalk along Mill Road,  
727 establish a minimum finished floor area of 3000 square feet for the majority of the lots,

728 restrict to certain types of fences, limit construction hours, restrict direct access to Mill  
729 Road from individual lots among others, among others.

730  
731 The applicant held a community meeting on January 26 at Glenn Allen Library with both  
732 in-person and virtual options. Items discussed at the meeting include a density, lot and  
733 home size, placement of the BMP and lack of associated landscaping. Proffers in the  
734 Concept Plan handed out this evening were developed by the applicant in response to  
735 these concerns.

736  
737 The Comprehensive Plan designates the property as Suburban Residential 1 with a  
738 recommended density of no more than 2.4 units per acre. Characteristics of this  
739 designation include curvilinear streets and interconnectivity at roadways and sidewalks.  
740 While this request does not offer that interconnectivity to surrounding subdivisions due to  
741 existing development patterns, it is consistent with other recommendations of the  
742 comprehensive plan and the intent of the SR-1 designation.

743  
744 In addition, assurances provided with this case are consistent with similar developments  
745 in this area and should mitigate impacts on adjacent communities. For these reasons,  
746 staff supports this request. This concludes my presentation, and I am more than happy  
747 to try and answer any questions you may have at this time.

748  
749 Mrs. Thornton - Anybody have any questions?

750  
751 Mr. Witte - Not right yet. Do we have any opposition?

752  
753 Mrs. Thornton - We had no one in the audience or on Webex.

754  
755 Mr. Witte - No opposition. Okay, well, I believe I'd like to hear from the  
756 applicant for just a couple of quick comments.

757  
758 Ms. Croft - Hello. My name is Nathalie Croft. I'm with Eagle  
759 Construction.

760  
761 Mr. Witte - Thank you. I appreciate all the time and effort that went into  
762 this. I know we've been back and forth in several times and several meetings. I do have  
763 one concern that I want you to consider with the architecture.

764  
765 Ms. Croft - Okay.

766  
767 Mr. Witte - Number 7. The new conditions. I believe it says that the  
768 elevations will have front facades of all dwellings excluding windows and doors shall be  
769 brick or brick veneer. I believe we touched on the street side having the façade or brick  
770 which would involve two more -- two more houses, the ones on Mill Road. Do you have  
771 any opposition to that? Or do we need to discuss that more?

773 Ms. Croft - I don't -- I don't believe we have any opposition to that. That  
774 was purely my oversight. When I was concentrating on the front of the homes, I neglected  
775 to understand the front that faced Mill Road. I don't think there's any opposition to that.

776  
777 Mr. Witte - Okay, and there still will be an option for people to get all brick  
778 homes if they desire.

779  
780 Ms. Croft - Yes, sir.

781  
782 Mr. Witte - All right. I think that's all I have for right now. But I understand  
783 that there are some residents in the area that would like to speak. Is that correct? Is  
784 there anybody here that wants to speak? Thank you, Ms. Croft.

785  
786 Ms. Croft - Thank you.

787  
788 Mrs. Thornton - Sir, I'm sorry, I didn't see you raise your hand.

789  
790 Mr. Clark - Well, I didn't, because I don't want to say that I'm in opposition.  
791 But I just wanted to put something on the record based on communication I've had with  
792 Mr. Morris previously.

793  
794 Ms. Croft - Okay, or in favor. You know, you can just stand up and speak.  
795 I'm sorry.

796  
797 Mr. Clark - Okay, so my name is Randall Clark. I live at 11704 Kimbolton  
798 Place, which is one of the Hunton Estates Properties adjacent to the area that we're  
799 discussing. And, really, I just -- you kind of just kind of want to voice concerns. One,  
800 there's currently a nice tree barrier between that property and Hunton Estates. Some of  
801 which, I understand, is protected wetlands. That offers a nice sound and site barrier for  
802 the residents of Hunton Estates. So, I would just like to see best efforts made to keep  
803 that tree barrier present at the perimeter of the property. Certainly not in the center of the  
804 property.

805  
806 And, secondly, I would just say that that end of Hunton Estates and that whole cul-de-sac  
807 is a very wet area currently. And many of us, me included, have French drains that have  
808 to have been installed to take water off the property and channel water towards the storm  
809 sewers. And so, I just have concern that I certainly wouldn't want to see any increase of  
810 water come our way with grading or property or development of that 7 1/2-acre parcel.  
811 But, with those two things in mind, I'm supportive of it. Just want to put those two concerns  
812 on the record as this goes forward.

813  
814 Mr. Witte - All right. Thank you, sir.

815  
816 Mr. Clark - Thank you.

817  
818 Mr. Witte - Ms. Croft, can you address those?

819

820 Ms. Croft - I'm happy to. Thank you. Again, Nathalie Croft for Eagle  
821 Construction. The wetlands that are shown, you can sort of make them out here on the  
822 aerial. Thank you, Mr. Morris. We have proffered that those, well, and that -- the wetland  
823 area will remain undisturbed so that should alleviate any worry that the trees would come  
824 down in that area.

825  
826 With regard to the drainage, the BMP is located in the low portion of our site, which would  
827 actually likely improve the drainage in the area by pulling the water to that BMP and  
828 alleviating sort of the standing drainage issues in the area. Our engineer is here. He can  
829 explain it much more eloquently than I can if you'd like further explanation.

830  
831 Mr. Witte - I think that would be helpful.

832  
833 Ms. Croft - Okay.

834  
835 Mr. Caskie - Good evening.

836  
837 The Commission - Good evening.

838  
839 Mr. Casiey - I'm Dan Caskie with Bay. Haven't seen you guys in a long  
840 time. So good to see everybody. The -- yeah. So, this site does drain to that back corner,  
841 and we are putting a BMP there. And we will be intercepting a majority of the water that's  
842 coming -- that's just kind of sheet flowing to, you know, towards those wetlands right now  
843 as well as some drainage that's coming down Mill Road.

844  
845 So, you know, so I think the -- there's no question that the drainage will get improved --  
846 will be improved once we're -- once we're finished.

847  
848 Mr. Witte - Do you have concerns that water will flow -- additional water  
849 will flow to the Hunton Estates Properties or is that a primary concern like it is to the  
850 neighbors and myself?

851  
852 Mr. Caskey - Additional water?

853  
854 Mr. Witte - Right.

855  
856 Mr. Caskie - No, sir. I don't -- I don't -- I don't have a concern about that.  
857 Right now, the water from Mill Road, in addition to quite a bit of our site, Mill Road is --  
858 the ditch comes down I guess to the, you know, towards Hunton Estates. And then it --  
859 then it just releases in towards those wetlands. So, the water is kind of piling up down  
860 there.

861  
862 Mr. Witte - So, in essence, this should improve that by stopping a lot of  
863 water coming from Mill Road down.

864

865 Mr. Caskie - Absolutely.  
866  
867 Mr. Witte - Stopping a lot of water coming from Mill Road down --  
868  
869 Mr. Caskie - Yes, sir.  
870  
871 Mr. Witte - -- will be detoured.  
872  
873 Mr. Caskie - Yeah. That's correct. It will -- we'll pick it up and we'll put it in  
874 pipes, put it into the BMP, and then it's going to be piped into -- there's an inlet at the back  
875 of the -- at the back corner of one of the Hunton Estates Lots. It's a public -- it's a public  
876 easement there, so we'll be piping into that.  
877  
878 Mr. Witte - All right.  
879  
880 Mr. Caskie - So, yes, sir.  
881  
882 Mr. Witte - I think we have somebody else stood up.  
883  
884 Mr. Dwyer - I'm Tim Dwyer. I'm at 3408. It's actually where they were  
885 talking about 3408 Seth Warner Place. All right. And I guess what I would like to know  
886 is, is that -- where that BMP is, it's going to directly probably help the drainage in my  
887 property and the property next to me. I'm also worried about where all that water's going  
888 to go. It's got to go somewhere. So, are you putting more down further into the wetlands  
889 that are going to impact other areas in the neighborhood?  
890  
891 Mr. Witte - I think Mr. Caskey can address that.  
892  
893 Mr. Caskie - No. What'll happen is, it'll go into the BMP and then there'll  
894 be a riser in the BMP, and it'll be piped from there to that inlet that's at the back corner  
895 right behind there -- right behind you all's house. Yeah.  
896  
897 Mr. Witte - So no added to the wetlands.  
898  
899 Mr. Caskie - No, sir. No. No, we're not -- we're not going to dump it into  
900 the wetlands.  
901  
902 Mr. Witte - All right. Any other questions? Concerns? Anybody just want  
903 to get their name on the agenda? Okay, well thank you. There a lot of effort has been  
904 put in this by all involved parties. Staff, myself, Eagle, the residents of several areas, our  
905 County Board member, Mr. Schmitt. It's been an interesting situation. But I believe this  
906 is going to be an asset to the area. Another jewel in our crown in that part of the Brookland  
907 District.  
908  
909 So, with that, I believe I have to waive time limits. Is that right, Mr. Secretary?  
910

911 Mr. Emerson - Yes, sir. You do.  
912  
913 Mr. Witte - Madam Chair, I move we grant a waiver of time limits and  
914 accept the proffers dated February 10, 2022, for REZ2022-00007 Eagle Construction.  
915  
916 Mr. Mackey - Second.  
917  
918 Mrs. Thornton - We have a motion by Mr. Witte, a second by Mr. Mackey. All  
919 in favor say aye.  
920  
921 The Commission - Aye.  
922  
923 Mrs. Thornton - All opposed? Motion passes.  
924  
925 Mr. Witte - All right. With that, Madam Chair, I move that we recommend  
926 approval of REZ2022-00007 Eagle Construction of Virginia, LLC with the revised proffers  
927 dated February 10, 2022.  
928  
929 Mr. Archer - Second.  
930  
931 Mrs. Thornton - We have a motion by Mr. Witte, a second by Mr. Archer, all in  
932 favor say aye.  
933  
934 The Commission - Aye.  
935  
936 Mrs. Thornton - All opposed? The motion passes.  
937  
938 **REASON:** Acting on a motion by Mr. Witte, seconded by Mr. Archer, the  
939 Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors  
940 **grant** the request because it conforms with the recommendation of the comprehensive  
941 plan and continues a similar level of single family residential zoning exist in the area.  
942  
943 Mr. Emerson - Thank you. Mr. Witte, that was with the caveat that the  
944 additions be made to the proffers prior to the Board hearing as you requested.  
945  
946 Mr. Witte - Yes, thank you.  
947  
948 Mr. Emerson - Madam Chair, we now move on to the next item on your  
949 agenda, which appears at the top of page 7 in the -- we do have two companion cases in  
950 this instance. You have REZ2022-00003, Andrew M. Condlin for SKM, LLC.  
951  
952 **REZ2022-00003 Andrew M. Condlin for SKM, LLC:** Request to conditionally  
953 rezone from A-1 Agricultural District and B-2C Business District (Conditional) to R-6C  
954 General Residence District (Conditional) part of Parcel 733-765-4819 containing 6.229  
955 acres located at the northwest intersection of W. Broad Street (U.S. Route 250) and N.  
956 Gayton Road. The applicant proposes a multifamily residential development. The R-6

957 District allows a maximum gross density of 19.8 units per acre for multifamily. The use  
958 will be controlled by zoning ordinance regulations and proffered conditions. The 2026  
959 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area.  
960 The site is in the West Broad Street Overlay District.

961  
962 And a companion to that case, PUP2021-00025 again Mr. Condlin, for SKM.

963  
964 **PUP2021-00025                    Andrew M. Condlin for SKM, LLC:** Request for a Provisional  
965 Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to  
966 allow commercial uses and zoning modifications as part of a master-planned  
967 development on part of parcel 733-765-4819 located at the northwest intersection of W.  
968 Broad Street (U.S. Route 250) and N. Gayton Road. The existing zoning is A-1  
969 Agricultural District and B-2C Business District (Conditional). R-6C General Residence  
970 District (Conditional) zoning is proposed with REZ2022-00003. The 2026 Comprehensive  
971 Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in  
972 the West Broad Street Overlay District.

973  
974 Again, the staff reports will both be presented by Mr. Humphreys and the descriptions  
975 remain the same.

976  
977 Mrs. Thornton -                    Okay, is there anybody here in the audience for or against  
978 REZ2022-00003 Andrew M. Condlin for SKM, LLC. Is anybody here or on Webex?

979  
980 Ms. Deemer -                    There's no one on Webex.

981  
982 Mrs. Thornton -                    Okay, thank you.

983  
984 Mr. Humphreys -                    All right. Thank you, Mrs. Thornton, members of the  
985 Commission, Mr. Secretary. As stated, the presentation will combine REZ2022-00003  
986 and its companion PUP, PUP2021-00025 which would allow increased flexibility under  
987 the R-6 standards for building setbacks, height, density, and parking requirements.

988  
989 Together these cases would allow for the construction of a master planned community to  
990 include up to 102 condominium units built in the two-over-two style and additional  
991 commercial uses. The property is situated along the South -- south-side of Old Three  
992 Chopt Road. It is largely wooded and generally slopes from east to west where there is  
993 a large environmental feature along the western property line.

994  
995 Portions of the properties that were recently rezoned to B-2C have been included in this  
996 request, as you can see here. The applicant proposes to shift the zoning line to better  
997 site the residential structures with the overall development.

998  
999 A multi-family development to include up to 325 units has been approved on the opposite  
1000 side of Old Three Chopt Road. Here this R-6C site. To the north, between the proposal  
1001 and Interstate 64.

1002

1003 To the west lies a large environmental feature and the West Broad Marketplace,  
1004 commercial development with the Wegman's Grocery Store and several smaller retail  
1005 stores occupying the closest developed property to the west. That's the most recent  
1006 Concept Plan. The applicant has revised proffered exhibits, including the Conceptual  
1007 Plan and multiple elevations, which we'll show in just a minute.  
1008

1009 The proffered conceptual plan shows the generally triangular site between Old Three  
1010 Chopt Road and the parking area for the commercial development to the south. A central  
1011 north-south road would connect West Broad Street, seen here on the South, and the main  
1012 entrance to the apartment structures to the north.  
1013

1014 An access road adjacent to the western environmental feature connects the signalized  
1015 access point here which also accesses Green Gate across West Broad Street back to  
1016 Old Three Chopt Road. The proffered elevations – there are a few of these -- represent  
1017 multiple views of the residential product and the adjacent commercial development which  
1018 would also be partially located on this property. I'll just run through these real quick.  
1019

1020 I will note, this one is new. Some of the others have shown different architecture for the  
1021 corners to help accent those and provide focal points such as the development to the  
1022 north. These ones today show what happens in between the units and the areas that --  
1023 where the over -- where the larger buildings are separated.  
1024

1025 Okay, these elevations show building materials consistent with other portions of the  
1026 development and building height consistent with the apartment community to the north.  
1027 The elevations depict sidewalks consistent with the proffer's, 4-foot sidewalks, adjacent  
1028 to the residential buildings and pedestrian connectivity to the adjacent property to the  
1029 west and north.  
1030

1031 To give -- to gain the flexibility needed to accomplish the conceptual layout and the  
1032 products shown in the elevations, the applicant has submitted a request for a provisional  
1033 use permit, PUP2021-00025. In addition to an increase in the allowed density the  
1034 applicant is requesting alterations in setbacks, height, and parking requirements.  
1035

1036 While the staff agrees the purpose of the PUP is to help the development assume a more  
1037 urban form utilizing reduced setbacks and increased height and increased density. The  
1038 applicant should still be more specific with how the space between the residential  
1039 structures and the relationship between the commercial and residential portions of the  
1040 development is accomplished. They've started to show that here on the elevations that  
1041 we just received at about 4:30 or 4:00 today. So that's why we're still looking at that.  
1042

1043 The applicant has submitted revised proffers dated January 10th. Today the revised  
1044 proffers and exhibits have been given to you this evening and would require a waiver of  
1045 time limits. The revised proffers still address all of the topics described in the staff report  
1046 with the addition -- and they additionally cover a clarification regarding shared parking  
1047 between residential and commercial uses, a limit on the width of residential structures to

1048 6 units wide, the provision of street trees, pedestrian lighting, and specific amenities as  
1049 shown on the conceptual plan and elevations, and a limit on construction hours.

1050  
1051 The 2026 Comprehensive Plan recommends Urban Mixed Use, Environmental Protection  
1052 Area uses for this site indicating a residential and nonresidential uses as part of a larger  
1053 Mixed-Use Development could be appropriate.

1054  
1055 Overall, the proposed uses are generally acceptable as part of a larger Mixed-Use  
1056 Development. While the applicant has strived to integrate this request in a general  
1057 manner with the other portions of the area -- recent development in the area to the north  
1058 or the south, staff believes additional details such as they've provided between residential  
1059 structures and also looking at the relationship of the residential and commercial uses  
1060 could be further enhanced. Should the applicant address these concerns, staff could fully  
1061 support the rezoning request.

1062  
1063 Additionally, if the Planning Commission recommends approval of the rezoning request,  
1064 staff recommends approval of the Provisional Use Permit with the conditions as they  
1065 appear in the staff report. This concludes my presentation. I'd be happy to take any  
1066 questions.

1067  
1068 Mrs. Thornton - Do you have any questions? I don't at this time. I would like  
1069 to hear from the applicant.

1070  
1071 Mr. Condlin - Evening, Madam Chair, members of the Commission, Mr.  
1072 Secretary. Andy Condlin from Roth Jackson here on behalf of SKM, LLC. I believe we  
1073 have those slides up. I don't know if you want to advance them yourself, staff, or if you  
1074 want -- I don't know if Fred can clean them up. Mrs. Thornton, I have hard copies of this  
1075 plan. I don't know if you'd rather have those as well for the Commission. I can give those  
1076 to Mr. Humphreys. Okay.

1077  
1078 Mrs. Thornton - Sure.

1079  
1080 Mr. Condlin - Mr. Schmitt, I only made seven copies, unfortunately. Not  
1081 saying I forgot about you, but I forgot about you.

1082  
1083 Mr. Schmitt - No worries. No worries.

1084  
1085 Mr. Mackey - You can borrow mine.

1086  
1087 Mr. Condlin - You'll have to share with Mr. Mackey, if you don't mind.

1088  
1089 Mr. Mackey - Absolutely.

1090  
1091 Unknown Speaker - You got it.

1092  
1093 Mr. Schmitt - Thank you, sir.

1094  
1095 Mr. Condlin - While they're pulling that up, I'll point out that -- and thank you  
1096 for, Mr. Humphreys, for providing the opportunity to work with him on this. I'm not sure,  
1097 you know, if that's --

1098  
1099 Mr. Sehl - You can do it, Andy.

1100  
1101 Mr. Condlin - Okay, well that's fine. You can leave it right there for a  
1102 second. This property is a third part of a trilogy of cases that have been before you over  
1103 the course of the last few months with the commercial on the front on Broad Street. We  
1104 wanted to bring these together. But we're working with the Edward Rose, the R-6C  
1105 property, in the back to be able to provide for our access through the property itself. Both  
1106 on the western edge as well as the central access point that Mr. Humphreys had pointed  
1107 out.

1108  
1109 One of the things that we were talking about was that transition. If we could stay right  
1110 there, Seth, on that second -- on the second page of the handouts that we provided to  
1111 you. You can start to see, for example, the knee wall and the fencing that's defining the  
1112 area necessary from -- even though an urban area, still trying to create some privacy and  
1113 define those residential.

1114  
1115 Seth, if you could actually jump forward to slide 8, which is gone -- and the next one right  
1116 there. And you can see the detail that were provided. Those -- that commercial parking  
1117 -- or that parking is part of the commercial parking area as well as to be shared with the  
1118 residents in the residential area for this area. And we've tried to define and better secure  
1119 that privacy of the residential area by providing the knee wall with a fence to shield lights  
1120 with landscaping. Again, trying to address those items that the staff had -- was concerned  
1121 about in the staff report. And through that through this conceptual plan and the renderings  
1122 that we've provided for. Also, if you go forward one slide, Seth, if you don't mind.

1123  
1124 Also, providing for a lot of landscaping around the corners and the edges. And, as Mr.  
1125 Humphreys has pointed out, trying to define better the architectural features of those  
1126 corners, you can go forward to that next spot there.

1127  
1128 Go one more, Mr. Humphreys, if you don't mind. And in this -- what we try to define as  
1129 we broke up the buildings trying to define that space in between the buildings themselves  
1130 and the units, again, trying to take advantage of some of that more common area and  
1131 create some of that not only just urban, but more pedestrian areas from that standpoint  
1132 as we -- as we move forward with that.

1133  
1134 And, finally, I'd like to point out from a standpoint that certainly from this shot, but also  
1135 throughout, we're carrying the theme throughout the entirety of the project not only with  
1136 those secure -- securing the residential spaces, but also these more common areas, and  
1137 creating some benches and some pedestrian areas and -- for that purpose. So, with that,  
1138 I'll be happy to answer any questions.

1139

1140 We've gone through a lot of changes on this case to integrate it with the commercial. But  
1141 as well as with the apartments in the rear, to create -- even though not an Urban Mixed  
1142 Use, but to try to create that theme from Old Three Chopt Road all the way to Broad Street  
1143 for that Urban Mixed-Use environment. So, with that, I'll be happy to answer any  
1144 questions that you may have.

1145  
1146 Mrs. Thornton - Anybody have any questions? Okay, thank you, Mr. Condlin.

1147  
1148 Mr. Condlin - Okay, thank you.

1149  
1150 Mrs. Thornton - We actually just met last night to tweak a few things, so that's  
1151 why I don't have any questions. We've tweaked them. So, I appreciate it. Staff, thank  
1152 you for your detailed report and working with us. And I know that we need to continue on  
1153 and wrap up a few of these things that are still outstanding out there. Thank you, Mr.  
1154 Condlin, for Main Street and working hard to change our elevations and print out some  
1155 new pictures for us so we could see what you were, you know, portraying.

1156  
1157 So, we really appreciate that. I think we're moving in the right direction. I think we might  
1158 have a few little tweaks left, but I appreciate the efforts from everybody. The architects,  
1159 engineer, staff, and Main Street for working so hard on this one.

1160  
1161 So, with that, I move that we grant a waiver of time limits and accept the proffers dated  
1162 February 10, 2022, for the REZ2022-00003 SKM, LLC.

1163  
1164 Mr. Witte - Second.

1165  
1166 Mrs. Thornton - We have a motion by Mrs. Thornton, a second by Mr. Witte,  
1167 all in favor say aye.

1168  
1169 The Commission - Aye.

1170  
1171 Mrs. Thornton - All opposed? Motion passes.

1172  
1173 Mrs. Thornton - Okay, I move that we recommend approval of REZ2022-  
1174 00003 SKM, LLC with the revised proffers dated February 10, 2022, with the  
1175 understanding of -- understanding the applicant will revise the proffer of -- proffered  
1176 elevations and concepts discussed this evening prior to the Board of Supervisor's  
1177 meeting.

1178  
1179 Mr. Baka - Second.

1180  
1181 Mrs. Thornton - Okay, we have a motion by Mrs. Thornton, a second by Mr.  
1182 Baka. All in favor.

1183  
1184 The Commission - Aye.

1185

1186 Mrs. Thornton - All opposed? Motion passes.

1187  
1188 **REASON:** Acting on a motion by Mrs. Thornton, seconded by Mr. Baka  
1189 the Planning Commission voted 5-0 (one abstention) to recommend the Board of  
1190 Supervisors **grant** the request because it continues a form of zoning consistent with the  
1191 area, conforms with the objectives and intent of the County's Comprehensive Plan, and  
1192 the proffered conditions will assure a level of development otherwise not possible.

1193  
1194 Mr. Witte - Just a comment.

1195  
1196 Mrs. Thornton - Yes.

1197  
1198 Mr. Witte - I wanted to let Mr. Condlin know, I noticed that there was  
1199 plenty of vacant parking on all these elevations. Good power of suggestion.

1200  
1201  
1202 Mrs. Thornton - Okay, is there anybody here or on Webex that wants to speak  
1203 for or against PUP2021-00025 SKM, LLC?

1204  
1205 Ms. Deemer - We have no one on Webex.

1206  
1207 Mrs. Thornton - Okay, with that, I recommend approval of Provisional Use  
1208 Permit PUP2021-00025 SKM, LLC with the recommended conditions listed in the staff  
1209 report.

1210  
1211 Mr. Witte - Second.

1212  
1213 Mrs. Thornton - We have a motion by Mrs. Thornton, a second by Mr. Witte.  
1214 All in favor.

1215  
1216 The Commission - Aye.

1217  
1218 Mrs. Thornton - All opposed? Motion passes.

1219  
1220 **REASON:** Acting on a motion by Mrs. Thornton, seconded by Mr. Witte  
1221 the Planning Commission voted 5-0 (one abstention) to recommend the Board of  
1222 Supervisors **grant** the request because it would allow greater flexibility for the proposed  
1223 use and when property developed and regulated by the recommended special conditions,  
1224 it would not be detrimental to the public health, safety, welfare, and values in the area.

1225  
1226 Mr. Emerson - Madam Chair, we now move on to the next case on your  
1227 agenda, which also appears on Page 7. These, again, are companion cases and will be  
1228 presented together. REZ2022-00006 Warrem Almeida.

1229  
1230 **REZ2022-00006** **Warrem Almeida:** Request to rezone from O-1 Office District  
1231 and O-2C Office District (Conditional) to O-2 Office District Parcel 753-741-2016

1232 containing 0.437 acres located on the west line of N. Parham Road approximately 210'  
1233 south of its intersection with Patterson Avenue (State Route 6). The applicant proposes  
1234 a beauty salon and office uses. The uses will be controlled by zoning ordinance  
1235 regulations. The 2026 Comprehensive Plan recommends Office.

1236  
1237 There's a companion Provisional Use Permit, PUP2022-00004 again, Mr. Almeida.

1238  
1239 **PUP2022-00004**                    **Warrem Almeida:** Request for a Provisional Use Permit  
1240 under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow a  
1241 personal service establishment (beauty salon) on part of Parcel 753-741-2016 located on  
1242 the west line of N. Parham Road approximately 210' south of its intersection with  
1243 Patterson Avenue (State Route 6). The existing zoning is O-1 Office District and O-2C  
1244 Office District (Conditional). O-2 Office District zoning is proposed with REZ2022-00006.  
1245 The 2026 Comprehensive Plan recommends Office.

1246  
1247 The description remains the same, and the staff report will be presented by Mr. Livingston  
1248 Lewis.

1249  
1250 Mrs. Thornton -                    Okay, good evening. Is anybody here for REZ2022-00006  
1251 Warrem Almeida or PUP2022-00004 Warrem Almeida? For or against the case online  
1252 or in here. Okay.

1253  
1254 Ms. Deemer -                    We have no one on Webex.

1255  
1256 Mrs. Thornton -                    Okay, thank you.

1257  
1258 Mr. Lewis -                    Thank you, Madam Chair, members of the Commission, Mr.  
1259 Secretary. This is a request to conditionally rezone 0.437 acres from O-1 and O-2C to  
1260 O-2 Office District for a beauty salon to operate in part of an existing office building.

1261  
1262 The site just southwest of the Parham and Patterson intersection is surrounded by a  
1263 mixture of business, office, and residential zoning. The 2026 Plan also recommends the  
1264 site for Office, a designation which includes small-scale individual, professional,  
1265 administrative, medical, and similar uses.

1266  
1267 The lower floor of the building is leased by several businesses, two of which will be  
1268 relocating. As shown on this floor plan exhibit, the applicant wishes to allow a beauty  
1269 salon to operate in approximately 830 –square feet of the lower level. The zoning code  
1270 considers this type of use as a personal services establishment similar to barber shops,  
1271 massage therapists, travel agents, and similar appointment-based businesses.

1272  
1273 In the O-2 District, these establishments also require approval of a provisional use permit  
1274 which is included here as companion case PUP2022-00004. The PUP includes a list of  
1275 recommended conditions to further regulate the site regarding hours of operation,  
1276 signage, and other details. As you will notice, on the version handed out this evening,  
1277 Condition number 4, has been revised to prohibit electronic changeable message signs.

1278

1279

In addition to being regulated by the zoning code and PUP conditions, the salon and its employees would also be certified and inspected by the State Board of Barbers and Cosmetology.

1280

1281

1282

1283

1284

1285

1286

1287

1288

An online community meeting was held on February 1, 2022, for the applicant to discuss these requests with surrounding property owners. Over 20 invitations were mailed, but no recipients participated in the meeting. A beauty salon would be generally consistent with the intensity of development envisioned with the 2026 Plan's Office designation and other uses currently operating on the site.

1289

1290

1291

1292

1293

1294

Furthermore, because the request does not propose any building additions, exterior alterations, or other changes to the site and additional conditions would be applied by the companion PUP case. The proposed use is also anticipated to be compatible with adjacent properties. For these reasons, staff supports the request. This concludes my presentation. I'm happy to answer any questions.

1295

1296

Mrs. Thornton - Does anybody have any questions for Mr. Lewis?

1297

1298

1299

Mr. Witte - I have a question about the elevation of the rooms. How does one get from the left side to the right side without going through that bathroom right in the middle?

1300

1301

1302

1303

Mr. Lewis - You mean from this portion of the building to this portion of the building? I don't --

1304

1305

1306

Mr. Witte - There's a bathroom right in the middle with a door. One door and an open area to the Warrem office.

1307

1308

1309

Mr. Baka - There's two access points to the building and you can only access half the building from one access and about half from the other. Is that correct?

1310

1311

1312

1313

Mr. Lewis - Yes.

Mrs. Thornton - So the -- to the front, and then there's one on the --

1314

1315

Mr. Baka - So it is a wall between the two.

1316

1317

1318

1319

1320

Mr. Lewis - Mr. Witte, this portion right here, I'm going to outline it with the cursor. This portion here all the way around back to the bathroom is a self-contained portion of the downstairs portion of the building. This other portion of the lower level are other tenants. So, you don't -- they don't mix.

1321

1322

1323

Mr. Baka - From another access point.

Mr. Lewis - Right.

1324  
1325 Mr. Witte - It looks to me like there's four means of ingress and egress.  
1326 One in the stairway, one in the -- back there says exit -- entrance or exit in the front and  
1327 one on the -- by the reception. But all right.

1328  
1329 Mr. Lewis - If there are some -- if there are some different details internal  
1330 to the building -- I haven't been in the building, but the applicant is here and they may be  
1331 able to shed some light on what's possible in terms of, you know, walking around the  
1332 interior of the building.

1333  
1334 Mr. Baka - May I add, is it customary if there's two buildings that the Fire  
1335 -- local Fire Department may not be familiar with perhaps have a courtesy visit and just  
1336 ask the Fire Department to come. Was that part of your concern to have the Fire  
1337 Department perhaps come by and see how to access the interior of the building should  
1338 there ever be -- should there ever be an emergency to do so?

1339  
1340 Mr. Witte - I don't know what the layout looks like, but I can see where it  
1341 could be an issue.

1342  
1343 Mr. Baka - Okay because you might think --

1344  
1345 Mr. Witte - I can also see where it would be an inconvenience to  
1346 somebody in that bathroom with no door to Warrem's office or the wax room.

1347  
1348 Mrs. Thornton - It's a different --

1349  
1350 Mr. Baka - Yeah. I mean, that's a suggestion I would have. Because, as  
1351 Mr. Witte points out, and it is a great question actually, and one I didn't really realize would  
1352 be a pertinent question. But in case of emergency, if someone shows up in a crisis, I  
1353 would tend to think I'm going to enter the building in the easiest place or location. If a  
1354 truck parks on that side of the building, or a fire truck, I would enter from right there. And  
1355 you would not know, necessarily, that you can't get to the other side of the building until  
1356 you reach that brick wall, so to speak.

1357  
1358 So, I think you have a really good point, and I was just curious, maybe I could ask the  
1359 Almeida's about - has it ever done a courtesy review by or a walk through by Fire just to  
1360 say --

1361  
1362 Mr. Emerson - Certainly they can if you ask.

1363  
1364 Mr. Baka - If it's an unusual layout.

1365  
1366 Mr. Emerson - Absolutely.

1367  
1368 Mr. Baka - Okay, Mr. Witte, I'll be glad to ask the applicant that in a  
1369 minute.

1370  
1371 Mr. Witte - Thank you.  
1372  
1373 Mr. Baka - Okay, other questions?  
1374  
1375 Mr. Mackey - No, sir.  
1376  
1377 Mr. Baka - Actually, I don't have other questions of staff, but thank you  
1378 for your work on the case.  
1379  
1380 Mr. Emerson - I think, Mr. Baka, It will require a Change of Use when they  
1381 make application for the alterations to the building. So, it'll go through a building inspection  
1382 process that Fire will see the building permit.  
1383  
1384 Mr. Baka - It will see it.  
1385  
1386 Mr. Emerson - Yes, sir.  
1387  
1388 Mr. Baka - Okay, that's helpful.  
1389  
1390 Mr. Witte - I'm good.  
1391  
1392 Mr. Baka - Madam Chair, am I correct there is no one else on Webex and  
1393 no one in opposition?  
1394  
1395 Mrs. Thornton - Right. I didn't --  
1396  
1397 Mr. Baka - Okay.  
1398  
1399 Mrs. Thornton - For either case.  
1400  
1401 Mr. Baka - Okay, hearing that and I know the applicants are here. Thank  
1402 you to the Almeida's for being here and as Mr. Emerson, our Planning Director, pointed  
1403 out, that when a building permit goes through the application process, the local Fire  
1404 Department will have the opportunity just to make any comments. And if they do need to  
1405 comment or perhaps request a courtesy review of the building just so they're a little more  
1406 familiar with it, just for safety purposes, not that help would ever be needed, but just for  
1407 safety purposes then they'll get in touch with you at that time.  
1408  
1409 So, with that, we're -- in regard -- I have no further questions and I want to thank the staff  
1410 and the applicant for putting together the virtual community meeting on February 1st.  
1411 While we invited a number of people, no one showed. And there was a concern from one  
1412 of the neighbors, but we weren't able to identify the true nature of their concern. This is  
1413 a good case that allows for a rezoning to O-2, and with the Provisional Use Permit to  
1414 allow the desired use in this area that's master planned for Office under the General Land  
1415 Use Plan 2026.

1416  
1417 With that in mind, Madam Chair, I move that we recommend approval of REZ2022-00006  
1418 Warrem Almeida.

1419  
1420 Mr. Archer - Second.

1421  
1422 Mrs. Thornton - We have a motion by Mr. Baka and a second by Mr. Archer.  
1423 All in favor say aye.

1424  
1425 The Commission - Aye.

1426  
1427 Mrs. Thornton - All opposed? Motion granted.

1428  
1429 **REASON:** Acting on a motion by Mr. Baka, seconded by Mr. Archer the  
1430 Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors  
1431 **grant** the request because it continues a form of zoning consistent with the area and it  
1432 conforms to the recommendations of the Land Use Plan.

1433  
1434 Mr. Baka - And then, secondly, Madam Chair, I recommend approval of  
1435 Provisional Use Permit PUP2022-00004 Warrem Almeida with the revised conditions  
1436 dated February 10, 2022.

1437  
1438 Mr. Witte - Second.

1439  
1440 Mrs. Thornton - We have a motion by Mr. Baka, a second by Mr. Witte. All in  
1441 favor.

1442  
1443 The Commission - Aye.

1444  
1445 Mrs. Thornton - All opposed? Motion passes.

1446  
1447 **REASON:** Acting on a motion by Mr. Baka, seconded by Mr. Witte the  
1448 Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors  
1449 **grant** the request because it would provide added services to the community and it would  
1450 not be expected to adversely affect public safety, health or general welfare.

1451  
1452 Mr. Emerson - Madam Chair, we move on to the next case on the agenda,  
1453 which appears on Page 8 and that will be REZ2022-00009 John W. Montgomery Jr. for  
1454 Godsey Properties, Incorporated. The staff report will be presented by Ms. Lisa  
1455 Blankinship.

1456  
1457 **REZ2022-00009 John W. Montgomery, Jr. for Godsey Properties, Inc.:**  
1458 Request to conditionally rezone from R-5 General Residence District, RTH Residential  
1459 Townhouse District, and M-1C Light Industrial District (Conditional) to R-2AC One-Family  
1460 Residence District (Conditional) (4.18 acres) and R-5C General Residence District  
1461 (Conditional) (50.02 acres) Parcels 838-713-1395 and 838-713-4773 containing 54.2

1462 acres located on the east line of Old Memorial Drive and its intersection with Betner Road.  
1463 The applicant proposes a residential development of single-family dwellings and  
1464 condominiums. The R-2A District allows for a minimum lot area of 13,500 square feet and  
1465 a maximum gross density of 3.23 units per acre. The R-5 District allows for a minimum  
1466 lot area of 12,000 square feet and a maximum gross density of 14.5 units per acre for  
1467 multifamily. The uses will be controlled by zoning ordinance regulations and proffered  
1468 conditions. The 2026 Comprehensive Plan recommends Urban Residential, density  
1469 should range from 3.4 to 6.8 units per acre, and Light Industry. The site is in the Airport  
1470 Safety Overlay District. The staff report will be presented by Ms. Lisa Blankinship.

1471  
1472 Mrs. Thornton - Thank you. Is there anybody in the audience or on Webex  
1473 that is opposition or in favor of REZ2022-00009 John W. Montgomery Jr. for Godsey  
1474 Properties, Inc?

1475  
1476 Ms. Deemer - We have no one on Webex.

1477  
1478 Mrs. Thornton - Okay, thank you.

1479  
1480 Ms. Blankinship - Good evening, again. This is a request to conditionally rezone  
1481 approximately 54 acres from R-5, RTH, and M-1C to R-2AC and R-5C to allow for a  
1482 residential development of no more than 496 units consisting of 12 detached homes and  
1483 484 condominium units. The site is located on the east line of Old Memorial Drive at its  
1484 intersection with Betner Road. The 2026 Comprehensive Plan reflects the existing zoning  
1485 with the majority of the site designated Light Industry and the remainder designated Urban  
1486 Residential.

1487  
1488 While not entirely consistent with the Light Industry designation, this request could be  
1489 appropriate given the recently approved residential development to the west and general  
1490 residential character of surrounding properties. The recent development includes  
1491 landmark to the west which includes new transportation infrastructure that will connect  
1492 Old Memorial Drive to Dry Bridge.

1493  
1494 To address staff's concerns, the applicant has submitted revised proffers dated February  
1495 4, 2022, a revised concept plan, and revised elevations that have been provided to you  
1496 this evening. The revised Concept Plan, seen here, provides for an 8-foot tall, wooded  
1497 privacy fence along the portion of the southern property line, providing an enhanced buffer  
1498 for the adjacent property owner. And that fencing is along here.

1499  
1500 The revised elevations illustrate an additional condominium-style referenced as  
1501 farmhouse and seen here. The lower right. The revised proffers also provide the  
1502 following, further detail commitments regarding trails, pedestrian paths, and road  
1503 improvements, landscaping to include the installation of street trees along the frontage of  
1504 the condominiums, lighting for pedestrian paths, parking areas, and street lighting  
1505 consistent with the approved landmark development, front elevations of condominium  
1506 units would be constructed with brick or stone consistent with the elevations and interior

1507 walls between condominiums would be constructed to provide a minimum sound-  
1508 transmission co-efficient of 54.

1509  
1510 While the applicant has addressed many concerns noted in the staff report, staff is  
1511 generally supportive of the proposed use. The applicant is encouraged to consider future  
1512 connectivity to adjacent parcels to the south in this location here. Revising the proposed  
1513 site plan to allow access to these parcels could allow for better integration with Landmark  
1514 through the possible extension of that project's spine road across Old Memorial Drive. If  
1515 the applicant could address this concern, staff could be more supportive of this request.

1516  
1517 And this concludes my presentation. I'll be happy to answer any questions.

1518  
1519 Mrs. Thornton - Thank you.

1520  
1521 Mr. Mackey - I don't have any questions for staff.

1522  
1523 Mrs. Thornton - Okay, do you all have any questions for Lisa? Okay.

1524  
1525 Mr. Mackey - Like to hear from the applicant, please.

1526  
1527 Mr. Montgomery - Good evening, Madam Chair, Commissioners, Mr. Schmitt,  
1528 Mr. Emerson. Thank you for the opportunity to present tonight. And I want to thank the  
1529 staff and particularly Ms. Blankinship for her assistance as we work through the various  
1530 issues. We did have a number of -- we had an actual in-person community meeting  
1531 followed up with a virtual community meeting, which led to some of the issues that Ms.  
1532 Blankinship has addressed or mentioned in her remarks. Which we have now addressed.

1533  
1534 I believe the one remaining item is the access and perhaps future access to the property  
1535 to the south. Of course, we don't own that property in -- or control it. But what we have  
1536 done as a result of that request and that suggestion is we've looked at opportunities in  
1537 order to leave space between the units so that there could be a road extended into that  
1538 area.

1539  
1540 And we're not -- I don't have anything to proffer to you tonight other than between now  
1541 and the Board of Supervisor's meeting we will be able to address that. I believe Ms.  
1542 Blankinship and I have spoken about it. There's really only one logical area -- place for it  
1543 to be. But we do need to move some of the units so it will address that as well. But we're  
1544 prepared to do that, Mr. Mackey. I think that's a request that is important and a condition  
1545 that we can meet.

1546  
1547 Mr. Mackey - I appreciate you going on record and saying that, because we  
1548 do really want to try to get that connectivity with the other portion now to the South. I  
1549 know you're working hard to try to get that done. Do we know if the property is for sale?

1550

1551 Mr. Montgomery - Well there's a -- there -- people say everything's for sale. I  
1552 understand. But I've never had anybody take me up on that when I -- when they ask me  
1553 that question and I give them that answer.  
1554

1555 Mr. Mackey - I understand.  
1556

1557 Mr. Montgomery - We presently have not been able to reach an agreement on  
1558 that property.  
1559

1560 Mr. Mackey - Understand. Understand.  
1561

1562 Mr. Montgomery - So, and the owner the property was at one of the meetings  
1563 and, as a result of her -- of her concerns and her -- what she shared with us, we've  
1564 improved the privacy there with the fence that was mentioned during Ms. Blankinship's  
1565 presentation. So, we are familiar with the owner, and she's familiar with us, and there  
1566 may be a -- I'm -- where that would make sense for everyone.  
1567

1568 Mr. Mackey - All right. I know you had done a lot of work. Unfortunately, I  
1569 wasn't able to -- I had a prior engagement, I wasn't able to make the in-person meeting,  
1570 community meeting, but Ms. Blankinship brought me up to speed on that and you also  
1571 addressed a lot of the things when we had the virtual meeting and that was very helpful.  
1572 I really appreciate you all having the second meeting. We were able to talk about a lot of  
1573 stuff during that meeting. I think we've had a lot of progress during that meeting.  
1574

1575 Mr. Montgomery - And I agree. And I -- we were glad to do that, so I'm glad it  
1576 worked out that way.  
1577

1578 Mr. Mackey - Absolutely, okay. Okay, yes, so we addressed the sound  
1579 mitigation with the interior and exterior walls and the buffers. Or just for the other -- for  
1580 my colleagues, I think you told me the build out on this project would be about 5 to 7  
1581 years?  
1582

1583 Mr. Montgomery - That's correct.  
1584

1585 Mr. Mackey - Okay, all right. I appreciate what you all did with the hours of  
1586 construction.  
1587

1588 Mr. Montgomery - Absolutely.  
1589

1590 Mr. Mackey - -- the most Saturdays. That was -- that's always a plus.  
1591 Appreciate that. That was all I had. Anybody else?  
1592

1593 Mrs. Thornton - I just had a quick question about your elevations.  
1594

1595 Mr. Montgomery - Yes, ma'am.  
1596

1597 Mrs. Thornton - Are those what you're thinking of doing? Like the house, the  
1598 single-family residence.

1599  
1600 Mr. Montgomery - So I can speak to those. This -- and that's -- that gives me a  
1601 chance to actually add a little background to it as well. I think --

1602  
1603 Mrs. Thornton - Okay.

1604  
1605 Mr. Montgomery - The property is currently owned by the Henrico County  
1606 Vocational and Technical Education Foundation which is the -- those who -- I hope you're  
1607 all aware of it, but if you're not, it's the group that works closely with the schools and with  
1608 the career and technical education portion of the schools so that students get hands-on  
1609 opportunities to practice trades.

1610  
1611 The applicant is part of our purchase agreement will reserve those single-family lots for  
1612 the students in the -- in the foundation to build. And so, these are examples of homes  
1613 that have been built, I don't know, in the last three years or two years or last five years  
1614 Mr. Parker tells me. So, these are -- these are examples of what would be. This is not  
1615 identical to what would be presented, but I think it's a very fair and accurate  
1616 representation. And I have -- and he's nodding his head so I -- he agrees with me as well.

1617  
1618 Mrs. Thornton - Yeah. So, I think that is an amazing thing that Mr. Parker got  
1619 going a couple year, you know, five years ago or so. I think it's a wonderful thing. I just  
1620 wanted to see if maybe we could tie in, since it's all one community, kind of keep the  
1621 materials kind of the same, you know, just so it all is -- yeah.

1622  
1623 Mr. Mackey - Yeah. Go ahead.

1624  
1625 Mr. Montgomery - Yeah, so, we obviously -- I think that's a very important  
1626 community-building factor. And so, we will be doing that as we go forward. The -- we've  
1627 committed to brick and stone portions along the front, particularly the single-family, and  
1628 then the other is inconsistent with our -- not inconsistent, but consistent with our elevations  
1629 there. So, there will be -- they will be tied in together. Moreover, there's -- where those  
1630 single-family homes are depicted on the concept plan, they're across the street from  
1631 existing single-family homes and their other single-family homes in the area. So not only  
1632 will they be -- not only will they be consistent with our development, but we'll be working  
1633 hard to make sure that they are consistent with the existing neighborhoods as well. So.  
1634 Or the existing homes as well.

1635  
1636 Mrs. Thornton - Great. Thank you.

1637  
1638 Mr. Mackey - Yeah. Those are more like the styles, but not like he said --  
1639 not the materials and everything. But I think it's going to be a nice project. But that was  
1640 a great question. Thank you.

1641  
1642 Mr. Montgomery - Thank you.

1643  
1644 Mrs. Thornton - Thank you all.  
1645  
1646 Mr. Montgomery - I'd be glad to answer any others. Thank you again.  
1647  
1648 Mr. Mackey - Thank you. All right. Again, I'd like to thank Ms. Blankinship  
1649 and all of staff and Mr. Montgomery and Mr. Parker. I think they've done a lot to make  
1650 sure that we get this across the finish line. It's going to be a really great project. Especially  
1651 the opportunity for the vocational students to get to help build on those 12 homes. I mean,  
1652 that's -- I mean, that's something that that's amazing that, you know, that they get that  
1653 opportunity. And we appreciate that.  
1654  
1655 I appreciate everything that all the work that's gone into this. I think it's going to be a nice  
1656 project that ties into the -- you may remember the other project was called Drawbridge  
1657 and then they changed the name to Landmark, so this will be kind of tying in with that.  
1658 So, I think it will be two very nice communities. And I appreciate what you all have done  
1659 on it.  
1660  
1661 And, having said that, Madam Chair, I move that we -- I recommend approval of  
1662 REZ2022-00009 Godsey Properties, Incorporated with the revised proffers dated  
1663 February 4, 2022.  
1664  
1665 Mrs. Thornton - Second. We have a motion by Mr. Mackey, a second by Mrs.  
1666 Thornton. All in favor.  
1667  
1668 The Commission - Aye.  
1669  
1670 Mrs. Thornton - All opposed? The motion passes.  
1671  
1672 **REASON:** Acting on a motion by Mr. Mackey, seconded by Mrs.  
1673 Thornton the Planning Commission voted 5-0 (one abstention) to recommend the Board  
1674 of Supervisors grant the request because it would permit development of the land for  
1675 residential use in an appropriate manner and the proffered conditions will assure a level  
1676 of development otherwise not possible.  
1677  
1678 Mr. Emerson - Madam Chair, your next case this evening also appears on  
1679 page 8. It is REZ2021-00057 Oliver Investments Fund, LLC. The staff report will be  
1680 presented by Ms. Rosemary Deemer.  
1681  
1682 **REZ2021-00057 Oliver Investments Fund, LLC:** Request to conditionally  
1683 rezone from R-3 and R-4 One-Family Residence Districts to R-5C General Residence  
1684 District (Conditional) Parcels 822-722-1753, -1872, -2780 and -4258 containing 2.273  
1685 acres located at the southeast intersection of S. Kalmia Avenue and E. Beal Street. The  
1686 applicant proposes a multifamily development. The R-5 District allows a density of 14.5  
1687 units per acre for multifamily. The use will be controlled by zoning ordinance regulations  
1688 and proffered conditions. The 2026 Comprehensive Plan recommends Suburban

1689 Residential 2, density should not exceed 3.4 units per acre and Environmental Protection  
1690 Area. The site is in the Airport Safety Overlay District.

1691  
1692 Mrs. Thornton - Okay, is there anybody in the audience or on Webex that is in  
1693 favor or in opposition of REZ2021-00057 Oliver Investments Fund, LLC?

1694  
1695 Ms. Smith - We have no one on Webex.

1696  
1697 Mrs. Thornton - Okay, and no one in the audience.

1698  
1699 Ms. Deemer - Good evening. As Mr. Emerson said, this request is to  
1700 conditionally rezone 2.273 acres from R-3 and R-4 One-Family Residence Districts to R-  
1701 5C General Residence District (Conditional) to allow for the construction of no more than  
1702 34 townhouse-style apartments.

1703  
1704 The property is located at the southeast intersection of South Kalmia Avenue and East  
1705 Beal Street. Since the publication of the staff report, the applicant has submitted revised  
1706 proffers dated February 8, 2022.

1707  
1708 Zoning in the immediate area varies, however all surrounding land uses are residential in  
1709 nature. Properties on both sides of Kalmia are zoned R-4, immediately adjacent to the  
1710 south is R-3 zoning, surrounded by R-5 and RTHC.

1711  
1712 Part of the Highland Springs Subdivision recorded in 1895, the property has been zoned  
1713 Residential as far back as 1933. Maps from 1953 show the two properties fronting Kalmia  
1714 as R-4, while the remaining parcels were zoned R-3.

1715  
1716 In October 1965 the Board of Supervisors approved case C-006-64 rezoning the 7.6  
1717 acres immediately to the south to R-5 General Residence District. The applicant has  
1718 proffered a concept plan which shows the project as an extension of the Highland Woods  
1719 apartment complex.

1720  
1721 The 34 units would be split between six buildings with primary access from South Kalmia  
1722 Avenue. Units would be three stories in height with -- all with garages. Residents of the  
1723 apartments and townhomes will have access to all amenities on both properties.

1724  
1725 The 2026 Comprehensive Plan designates the site as Suburban Residential 2 and  
1726 Environmental Protection Area. Although the proposed density at 14.26 dwelling units  
1727 per acre is higher than the Comp Plan recommendation, the use could be acceptable  
1728 based upon the existing residential uses in the immediate area. The applicant has also  
1729 proffered that any portion of the 100-year floodplain will be designated as a preservation  
1730 area on the final Plan of Development.

1731  
1732 A virtual meeting was held on Thursday, January 27, 2022, which was attended by 5  
1733 nearby residents. Concerns focused on the cost to rent, timing of construction, and  
1734 fencing.

1735  
1736 The applicant has submitted revised proffers, which address the concerns identified in  
1737 the staff report. And, with that, staff can support this request. I'd be happy to answer any  
1738 questions.

1739  
1740 Mrs. Thornton - Thank you.

1741  
1742 Mr. Witte - No questions for staff. I'd like to hear from the applicant.

1743  
1744 Mrs. Thornton - Okay.

1745  
1746 Mr. Kronenthal - I just wanted to make sure it was time for me to come up here.

1747  
1748 Mrs. Thornton - Oh, I'm sorry. I thought you were going to speak from over  
1749 there.

1750  
1751 Mr. Kronenthal - Oh, no. Lord, no. Madam Chair, members of the Planning  
1752 Commission, my name is Mark Kronenthal. I'm with Roth Jackson. And I represent Oliver  
1753 Investment Funds. We do have a presentation. I wonder if I could -- I just wanted to  
1754 show a couple images in addition to what we have in the excellent staff report.

1755  
1756 Mr. Sehl - Do you remember where that one is, Rosemary? One  
1757 second, Mr. Chair -- or Madam Chair. Let me make sure I've got that one here.

1758  
1759 Mr. Kronenthal - And so, while we're looking, I'd -- I would like to add the --  
1760 these are market rate, high quality, townhomes. This is really a first for this area. And,  
1761 candidly, the product and the project is derived because the residents of the existing  
1762 adjacent apartments really want to stay in the neighborhood as they -- as they're able to  
1763 afford a little bit of a nicer unit. And so, it was -- it was the relationship of the applicant  
1764 with the -- with the residents that led the applicant acquiring these parcels. And I did want  
1765 to show you -- I wonder if I -- can I borrow the clicker from you?

1766  
1767 Mr. Sehl - Mr. Kronenthal, it doesn't appear the presentation has been  
1768 loaded there Mr. Kronenthal, but I'm happy to select some of the slides that are in there  
1769 that should contain all of those elements.

1770  
1771 Mr. Kronenthal - Great. Okay, so I -- the -- I was going to show -- it's all right.  
1772 I was going to show you some of the -- basically the ruined condition of the four houses  
1773 that are -- that are on the property. And I know Mr. Mackey is familiar with them. They've  
1774 been a problem for a long time. There were some single-family houses there that the  
1775 applicant acquired over time and has terminated the leases with the people there who  
1776 they were causing a lot of law-enforcement calls.

1777  
1778 So, this is really exciting for the applicant and for the neighbors in that we're able to also  
1779 reconstruct and connect. It's not a direct connection, but there is a connection to Beal  
1780 Street through the entire development. I wonder, Ben, if I could impose upon you to go  
1781 the largest. Maybe zoom out of the color. Yeah. This is --

1782  
1783 Mr. Sehl - Looks like maybe Mr. James might be pulling the presentation  
1784 up here now.  
1785  
1786 Mr. Kronenthal - Oh. Great. There we go.  
1787  
1788 Mr. Mackey - Mr. Kronenthal, while we wait, just one quick question. I just  
1789 thought about it a little while ago. Since you already have a relationship with the people  
1790 that live in the apartments, would they kind of get, like, a first dibs at the townhome?  
1791  
1792 Mr. Kronenthal - Yeah, absolutely. Yeah, okay. There -- this is -- we like --  
1793 that's a great relationship with the folks. Folks are really excited about the opportunity  
1794 that the amenities, so that's what I'd -- I'd like to show you the amenities because, you  
1795 know, Mr. Mackey, we really took to heart your comment on --  
1796  
1797 Mr. Sehl - I can -- I can just forward through it.  
1798  
1799 Mr. Kronenthal - Right, yeah. Let's maybe go to that. And there you can see  
1800 the -- that's the -- these are now empty, so the cars are gone. These photographs were  
1801 taken last summer. I don't know if you can go forward, Ms. Deemer. There you go. You  
1802 can see a little bit of the existing conditions. I know that's -- this is the worst one. I'm so  
1803 -- that always gets to go away.  
1804  
1805 This is zooming in on the property in particular. You can see the dark roofs along -- that  
1806 is the new townhouse. And then the lighter roof is a portion of the existing townhomes.  
1807 And then you can see the -- a walking trail, you can see a community green that'll have  
1808 some pergola, amenities there. Could you go to the next slide, please, ma'am? These  
1809 are the elevations. We, at Mr. Mackey's request, we eliminated vinyl as a siding option  
1810 from these -- so this'll be brick and cementitious siding. The all -- however, the fence will  
1811 be vinyl. Discussing, you know, we discussed that with Mr. Mackey and the community.  
1812  
1813 Next, please. And that just is another elevation. Here is a little bit of a zoom out -- I  
1814 wonder if I could impose upon one more. I think it's the one that we've got that shows  
1815 kind of the exciting elements. Yes. All right. So, in the -- we have also proffered that a  
1816 playground and pool improvements will be added to the existing pool location that is  
1817 among the existing apartments. And so that is -- that is a part of the proffer of this case  
1818 that's before you. And we think that's really important. We agree with you, Mr. Mackey,  
1819 that it's important that both the folks from the apartments and the townhouses will really  
1820 enjoy this enhancement of amenities.  
1821  
1822 So, we're, you know, we're really glad to be in the neighborhood. You know, Mr. Oliver  
1823 regrets that he is unable to be here. He's unwell today. But he's gone door to door on  
1824 this application in the neighborhood around to really make sure folks understand and are  
1825 comfortable with the enhancements and that we're here to stay. That we're happy to  
1826 answer any questions.  
1827

1828 Mr. Mackey - All right. I really don't have any questions. My only question  
1829 would have been -- but you had already answered it -- would have been about the  
1830 applicants getting, you know, like first dibs on the townhouses. I really appreciate you  
1831 changing the privacy fence from wood to vinyl. I think that's very nice. And I just  
1832 appreciate all the work that you and Ms. Deemer have done on this project to, you know,  
1833 to get it to where it is now. I appreciate it.  
1834  
1835 Mrs. Thornton - I had one quick question. Sorry.  
1836  
1837 Mr. Mackey - Go ahead. No, that's no problem. That's what we're here for.  
1838  
1839 Mrs. Thornton - The elevation -- the elevation -- is it shadow or are you actually  
1840 going to have a covering for the front door?  
1841  
1842 Mr. Kronenthal - Oh, yes. There will be a covering for that.  
1843  
1844 Mrs. Thornton - Okay, good.  
1845  
1846 Mr. Kronenthal - And we've -- and we've mentioned that also in the -- in the  
1847 proffer.  
1848  
1849 Mrs. Thornton - Okay, good. Sorry.  
1850  
1851 Mr. Kronenthal - We're really excited. This is about the quality of the materials  
1852 and the applicant's been very careful about doing a beautiful project.  
1853  
1854 Mrs. Thornton - Yes, I think so, too.  
1855  
1856 Mr. Mackey - Yeah. I think -- I mean, we get swamped in Varina with  
1857 requests for townhouses. This is one of the situations where I think it fits very well, you  
1858 know, you know. It's, like he says, it's more of an extension. You know. And I think it's -  
1859 - it'll definitely be an upgrade and an improvement to that area where those houses were.  
1860 I'm -- I frequent through there quite often going to the old ball fields and everything with  
1861 my son. So, I know how, you know, how rough it was back through there and everything.  
1862 So glad to see that getting cleaned up. Really appreciate that. That's all I had. All right.  
1863 No other comments, questions? All right.  
1864  
1865 Mrs. Thornton - Okay.  
1866  
1867 Mr. Mackey - All right. Well, Madam Chair, I move that we recommend  
1868 approval of REZ2021-00057 Oliver investments Fund, LLC with the revised proffers dated  
1869 February 8, 2022.  
1870  
1871 Mr. Witte - Second.  
1872

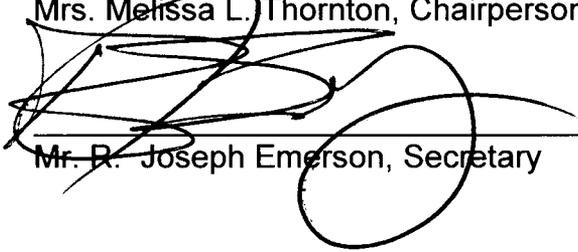
1873 Mrs. Thornton - We have a motion by Mr. Mackey, a second by Mr. Witte, all  
1874 in favor?  
1875  
1876 The Commission - Aye.  
1877  
1878 Mrs. Thornton - All opposed? Motion passes.  
1879  
1880 **REASON:** Acting on a motion by Mr. Mackey, seconded by Witte the  
1881 Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors  
1882 **grant** the request because it conforms to a Comprehensive Plan objective encouraging  
1883 the sensitive infill of vacant or underutilized parcels in more developed areas of the county  
1884 and would not be expected to adversely impact the pattern of zoning and land use in the  
1885 area.  
1886  
1887  
1888 Mr. Emerson - Madam Chairwoman, we now move on to the next items on  
1889 your agenda which appear on Page 9. And we did discuss these items earlier during your  
1890 work session. The first discussion item on your agenda -- and you have a letter from me  
1891 as well in regard to these items, resolution PCR 122. And this is a resolution that would  
1892 initiate consideration of the Zoning Ordinance Amendment regarding solar arrays.  
1893  
1894 As you know at the Boards recent retreat, they did request that the Commission consider  
1895 amending the zoning code to require a provisional use permit for solar arrays and some  
1896 other solar facilities that are now covered by siding agreements as well by the Code of  
1897 Virginia. And this resolution, PCR 122 would set that amendment process in motion.  
1898  
1899 Mrs. Thornton - Okay, do we need to make a motion on that or --  
1900  
1901 Mr. Emerson - Yes, ma'am. A motion to approve would be appropriate.  
1902  
1903 Mrs. Thornton - Okay.  
1904  
1905 Mr. Emerson - Certainly we'll answer any questions that you may have.  
1906  
1907 Mr. Witte - So moved.  
1908  
1909 Mrs. Thornton - So moved?  
1910  
1911 Mr. Mackey - So moved.  
1912  
1913 Mrs. Thornton - Okay, and second. We have a motion by Mr. Witte and a  
1914 second by Mr. Mackey. All in favor.  
1915  
1916 The Commission - Aye.  
1917  
1918 Mrs. Thornton - All opposed? Motion passes.

1919  
1920 Mr. Emerson - Madam Chairman, the next item on -- in regard to the -- to the  
1921 solar array is to schedule this for a public hearing at your -- at your March 10, 2022  
1922 Planning Commission meeting. And, of course, this would appear on your regular agenda  
1923 after 7:00 p.m.  
1924  
1925 Mrs. Thornton - Okay, I move to set a discussion, public hearing, for March  
1926 10, 2022, for the Zoning Ordinance amendment for the solar.  
1927  
1928 Mr. Mackey - How about 5:00 for the work session.  
1929  
1930 Mrs. Thornton - We'll do --  
1931  
1932 Mr. Emerson - Well, this is the public hearing or you're jumping an item ahead  
1933 on me here. That's --  
1934  
1935 Mrs. Thornton - This is the solar one.  
1936  
1937 Mr. Mackey - Okay.  
1938  
1939 Mr. Emerson - This is just scheduling the public hearing on the -- on the  
1940 Zoning Code amendment for March the 10th.  
1941  
1942 Mr. Baka - 7:00 a.m.?  
1943  
1944 Mrs. Thornton - No. This will just be -- yeah, 7:00 p.m. Public hearing. a.m.?  
1945  
1946 Mr. Baka - Second.  
1947  
1948 Mrs. Thornton - Thank you, Mr. Baka. Motioned by Mrs. Thornton, a second  
1949 by Mr. Baka. All in favor.  
1950  
1951 The Commission - Aye.  
1952  
1953 Mrs. Thornton - All opposed? Motion passes.  
1954  
1955 Mr. Emerson - Now we're to the 5:00 p.m. session. The next item is the  
1956 Commission will discuss scheduling work session. We do want to continue our discussion  
1957 regarding the Comprehensive Plan update. The 2045 plan, as we discussed this evening.  
1958 And on the 10th, we hope to be able to update you on results from our surveys, our  
1959 community surveys, as well as provide you with detailed information regarding the March  
1960 23rd public participation meeting that we have scheduled. So, we would suggest that you  
1961 come in at 5:00 because the next item on your agenda is to schedule a public hearing for  
1962 the Capital Improvements Plan at 6:00 p.m. on March the 10th. So, we would recommend  
1963 from staff level that you come in at 5:00 p.m. for your regular work session.

1964

1965 Mr. Baka - Need a motion for that?  
1966  
1967 Mr. Emerson - You can either do this by motion or by consensus. So, if  
1968 you're comfortable with that and everybody agrees --  
1969  
1970 Mrs. Thornton - Do we all agree 5:00 p.m. on March the 10th?  
1971  
1972 Mr. Baka - I agree.  
1973  
1974 Mr. Mackey - The consensus is in.  
1975  
1976 Mr. Baka - Yes, consensus.  
1977  
1978 Mr. Emerson - Thank you. I just like to do these in public, so the public knows  
1979 what you are doing.  
1980  
1981 The next item, Madam Chair, is to schedule your public hearing for the Annual Capital  
1982 Improvement Program and this is the Fiscal Year 2022 through '23 through Fiscal Year  
1983 2031-32 Capital Improvement Program. This is something you do yearly. And we  
1984 normally do that at 6:00 p.m. prior to beginning your regular meeting at 7:00 p.m. The  
1985 request is that you schedule it for March the 10th at 6:00 p.m.  
1986  
1987 Mrs. Thornton - I'd say we schedule the discussion for a Public Hearing on  
1988 March 10, 2022, at 6:00 p.m. to consider the FY202 -- 2022-23 through FY2031-32  
1989 Capital Improvement Program. All in favor.  
1990  
1991 The Commission - Aye.  
1992  
1993 Mr. Baka - Second.  
1994  
1995 Mrs. Thornton - All opposed? Oh, yeah. Sorry. Motioned by Mrs. Thornton,  
1996 a second by Mr. Baka. All in favor.  
1997  
1998 The Commission - Aye.  
1999  
2000 Mrs. Thornton - All opposed? Motion passes.  
2001  
2002  
2003 Mr. Emerson - Madam Chairman, the next item on your agenda and the final  
2004 item prior to adjournment is -- would be the consideration of your minutes from your  
2005 January 13th meeting. We do not have an errata sheet this evening. But of course, as  
2006 always, if you have any corrections or changes we need to make, we certainly will be  
2007 happy to do so.  
2008  
2009 Mrs. Thornton - Does anybody have any changes to the minutes that were --  
2010 that you didn't get in?

2011  
2012 Mr. Mackey - Nope. I'm good.  
2013  
2014 Mrs. Thornton - Do we have a --  
2015  
2016 Mr. Mackey - Move that the minutes be accepted as presented.  
2017  
2018 Mr. Archer - Second.  
2019  
2020 Mrs. Thornton - We have a motion by Mr. Mackey and a second by Mr. Archer.  
2021 All in favor.  
2022  
2023 The Commission - Aye.  
2024  
2025 Mrs. Thornton - All opposed? Motion passes.  
2026  
2027 Mr. Emerson - Madam Chairman, I have nothing further for the Commission  
2028 this evening.  
2029  
2030 Mrs. Thornton - Okay, well, I say that we adjourn this meeting at 8:42.  
2031  
2032  
2033  
2034  
2035  
2036  
2037  
2038  
2039  
2040  
2041  
2042  
2043

  
\_\_\_\_\_  
Mrs. Melissa L. Thornton, Chairperson  
  
\_\_\_\_\_  
Mr. R. Joseph Emerson, Secretary