

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. 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.

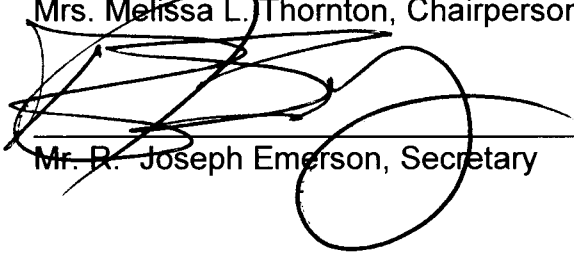
1964

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