

1 Minutes of the regular monthly meeting of the Planning Commission of the
2 County of Henrico, held in the County Administration Building in the Government
3 Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. Thursday,
4 July 10, 2008. Display Notice having been published in the Richmond Times-
5 Dispatch on June 19, 2008 and June 26, 2008.

6

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

Also Present: Ms. Jean Moore, Assistant Director of Planning
Mr. Seth Humphreys, County Planner
Mr. Livingston Lewis, County Planner
Mr. Roy Props, County Planner
Mr. Benjamin Sehl, County Planner
Ms. Audrey Anderson, County Planner
Ms. Gretchen Goodman, Police Division
Mr. Mike Jennings, Public Works
Ms. Sylvia Ray, Recording Secretary

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8 **Mr. Richard W. Glover, the Board of Supervisors' representative, abstains**
9 **on all cases unless otherwise noted.**

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11 Mr. Jernigan - All right, I'd like to call the meeting to order. On
12 behalf of the Planning Commission and the Planning staff, we would like to
13 welcome you tonight to our July 10, 2008 meeting for Zoning.

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15 Mr. Branin - Thank you, Mr. Chairman.

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17 Mr. Archer - Good evening, Mr. Chairman.

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19 Mr. Branin - I'd like to welcome you as well.

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21 Mr. Jernigan - I'd like to welcome Mr. Glover, our attending member
22 from the Board of Supervisors.

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24 Mr. Glover - Thank you. Good to be here, above the grass.

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26 Mr. Jernigan - That's good. With that, I'll turn the meeting over to
27 Mr. Emerson, our secretary.

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Mr. Emerson - Thank you, Mr. Chairman. As usual, at the beginning of the agenda, we have the requests for withdrawals and deferrals. Those will be presented by Ms. Jean Moore.

Mr. Jernigan - Good evening, Ms. Moore.

Ms. Moore - Good evening. Thank you, Mr. Chairman. We do have one withdrawal on the agenda. It's on page 3. It is Case C-53C-07. The applicant is The Terry Companies Six, LLC. This was a site located on the north line of Airport Drive, the east and south line of N. Washington Street, and the southern terminus of Delbert Drive. It was a request to conditionally rezone from A-1 to RTHC for semi-detached condominiums. This has been withdrawn by the applicant; therefore, no action is required by the Commission tonight.

Deferred from the June 12, 2008 Meeting

C-53C-07 Andrew M. Condlin for The Terry Companies Six, LLC: Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcels 829-725-8000, 829-726-7956, 829-725-2031, 829-725-9496, 829-726-6419, 830-724-1497, 829-725-6657, 829-725-2590 and 828-724-9181. The 46.8-acre site is located between the north line of N. Airport Drive, the east and south lines of N. Washington Street, and the southern terminus of Delbert Drive. The applicant proposes a maximum of one hundred fifty-four (154) semi-detached condominium units, a density of 3.29 units per acre. The RTH District allows a maximum gross density of 9 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. The site is in the Airport Safety Overlay District

Mr. Jernigan - You said initially it was a deferral, now it's a withdrawal.

Ms. Moore - I'm sorry, withdrawal.

Mr. Jernigan - Okay, thank you.

Ms. Moore - Moving on to your requests for deferrals, the first is on page 1 of your agenda. It is C-44C-07. The applicant is Parham Road Properties and Majestic Properties, LLC. The site is located along the north line of East Parham Road and the south line of Hungary Road to their intersections with Cleveland Street. The request is to conditionally rezone from R-4 One-Family, to O-2C Office District (Conditional) where office uses and a bank are proposed. The deferral is requested to the October 9, 2008 meeting.

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Deferred from the May 15, 2008 Meeting

C-44C-07 Parham Road Properties and Majestic Properties, LLC: Request to conditionally rezone from R-4 One-Family Residence District to O-2C Office District (Conditional), Parcels 783-756-0592, 782-756-9598, -7785, -9285, 782-757-4814 and -5414 and part of Parcel 782-757-3717, containing approximately 2.925 acres, located along the north line of E. Parham Road and the south line of Hungary Road to their intersections with Cleveland Street. The applicants propose office uses and a bank. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office and Commercial Concentration.

Mr. Jernigan - Is there any opposition to the deferral of case C-44C-07, Parham Road Properties and Majestic Properties, LLC? There is no opposition.

Mr. Archer - Mr. Chairman, I move for deferral of C-44C-07, Parham Road Properties and Majestic Properties, LLC, to the October 9, 2008 meeting, at the applicant's request.

Mr. Vanarsdall - Second.

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

Ms. Moore - Next in the Three Chopt District on page 1 is case P-10-07, Richmond Strikers Soccer Club, Inc. It's located on the east line of Pouncey Tract Road approximately 900 feet south of Shady Grove Road. The request is for a provisional use permit to construct a 144' high telecommunication tower. The deferral is requested to the August 14, 2008 meeting.

Deferred from the June 12, 2008 Meeting

P-10-07 Scott Turner for Richmond Strikers Soccer Club, Inc.: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to construct a 144' high telecommunications tower on part of Parcel 740-768-1098, located on the east line of Pouncey Tract Road (State Route 271) approximately 900 feet south of Shady Grove Road. The existing zoning is A-1 Agricultural District. The Land Use Plan recommends Open Space/Recreation and Environmental Protection Area.

Mr. Jernigan - Is there any opposition to the deferral of case P-10-07, Scott Turner for Richmond Strikers Soccer Club?

Mrs. Lantzy - [Inaudible.]

120 Mr. Jernigan - Okay, we do have opposition to deferral. Well, let's
121 handle it now. Come on down and see what we have here. Would you state your
122 name for the record, please?

123
124 Mrs. Lantzy - Good evening. I'm Patricia Lantzy. My address is
125 10801 Harvest Glen Lane, Glen Allen, Virginia. I am one of the abutting
126 homeowners to this property where this is proposed. I'm here on my own behalf,
127 my husband's behalf, and on behalf of various neighbors who have already gone
128 on record with the Commission. I won't go into detail for our reasons for
129 opposition to the project, but I do want to register our ongoing objection to these
130 continuous deferrals. We would like to get this settled once and for all. This has
131 been on the books for over a year, and it's just gone on and on and on and on
132 and on. Thank you.

133
134 Mr. Jernigan - Thank you, ma'am. All right, Mr. Branin, do you want
135 to make a motion? I do see that the case has been deferred quite a few times,
136 but I'm sure that he has worked on this. As a matter of fact, I've discussed this
137 case with Mr. Branin.

138
139 Mr. Branin - Mrs. Lantzy, I do agree, it has gone on a long time.
140 We have not come to a conclusion whether it's going to go away completely or if
141 they're going to submit—they are still looking at some different options. It is their
142 right. We have asked them to move this along. I know they have some meetings
143 in the next couple of weeks. So, hopefully, something—Something will be done
144 by the next hearing. Okay? I apologize. I'd like to get it off my plate as well. But,
145 we haven't had as many neighborhood meetings.

146
147 Mrs. Lantzy - [Off mike.] [Inaudible.]

148
149 Mr. Branin - They are working on it. Mr. Chairman, I'd like to move
150 that P-10-07, Scott Turner for Richmond Strikers Soccer Club, be deferred to the
151 August 14, 2008 meeting, per the applicant's request.

152
153 Mrs. Jones - Second.

154
155 Mr. Jernigan - Motion by Mr. Branin, seconded by Mrs. Jones. All in
156 favor say aye. All opposed say no. The ayes have it; the motion passes.

157
158 At the request of the applicant, the Planning Commission deferred P-10-07, Scott
159 Turner for Richmond Strikers Soccer Club, to its meeting on August 14, 2008.

160
161 Ms. Moore - The next request is on page 2 of your agenda, and is
162 case C-61C-07, Centex Homes. The site is located on the west line of Pouncey
163 Tract Road between Kain Road and Bacova Drive. It's a request to conditionally
164 rezone from A-1 to RTHC Residential Townhouse District and B-2C Business

165 District, where condominiums, retail, and office uses are proposed. The deferral
166 is requested to the October 9, 2008 meeting.

167
168 Deferred from the May 15, 2008 Meeting

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

181
182 Mr. Jernigan - Is there opposition to the deferral of case C-61C-07,
183 James Theobald for Centex Homes? There is no opposition.

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185 Mr. Branin - Mr. Chairman, I'd like to move that C-61C-07, James
186 Theobald for Centex Homes, be deferred to the October 9, 2008 meeting, per the
187 applicant's request.

188
189 Mrs. Jones - Second.

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

193
194 At the request of the applicant, the Planning Commission deferred C-61C-07,
195 James Theobald for Centex Homes, to its meeting on October 9, 2008.

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197 Ms. Moore - Also on page 2 in the Brookland District is case C-
198 64C-06, Wistar Creek, LLC. The site is located on the south line of Wistar Road
199 approximately 142 feet west of Walkenhut Drive. The request is to conditionally
200 rezone from R-3 to RTHC Residential Townhouse District, where a maximum of
201 100 dwelling units are proposed. The deferral is requested to the August 14,
202 2008 meeting.

203
204 Deferred from the May 15, 2008 Meeting

205 **C-64C-06 Jennifer D. Mullen for Wistar Creek, LLC:** Request
206 to conditionally rezone from R-3 One-Family Residence District to RTHC
207 Residential Townhouse District (Conditional), Parcels 767-750-8298, 767-751-
208 8651, 768-750-0490, 768-751-0638, 768-751-2435, 768-751-4119, and 768-751-
209 1362 containing 24.46 acres, located on the south line of Wistar Road
210 approximately 142 feet west of Walkenhut Drive. The applicant proposes a

211 residential townhouse development with a maximum of 100 dwelling units, an
212 equivalent density of 4.08 units per acre. The RTH District allows a maximum
213 gross density of 9 units per acre. The use will be controlled by zoning ordinance
214 regulations and proffered conditions. The Land Use Plan recommends Suburban
215 Residential 2, 2.4 to 3.4 units net density per acre, and Office.

216

217 Mr. Jernigan - Is there any opposition to the deferral of case C-64C-
218 06, Jennifer D. Mullen for Wistar Creek, LLC? There is no opposition.

219

220 Mr. Vanarsdall - With that, Mr. Chairman, I recommend that we honor
221 the deferral of C-64C-06, Jennifer D. Mullen for Wistar Creek, LLC, to August 14,
222 2008, at the applicant's request.

223

224 Mr. Archer - Second.

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

228

229 At the request of the applicant, the Planning Commission deferred C-64C-06,
230 Jennifer D. Mullen for Wistar Creek, LLC., to its meeting on August 14, 2008.

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232 Ms. Moore - The last request we have received is on page 3 of
233 your agenda in the Varina District. It is P-7-08. The applicant is Diamond
234 Communications, LLC. The site is located on the north line of Midview Road
235 approximately 1,075 feet east of New Market Road, or State Route 5. The
236 request is for a provisional use permit to construct a 150-foot-high monopole
237 telecommunication tower and related equipment. The deferral is requested to the
238 August 14, 2008 meeting.

239

240 Deferred from the June 12, 2008 Meeting

241 **P-7-08 Gregory S. Tully for Diamond Communications,**
242 **LLC:** Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120
243 and 24-122.1 of Chapter 24 of the County Code in order to construct a 150' high
244 monopole telecommunications tower and related equipment, on part of Parcel
245 804-702-0772, located on the north line of Midview Road approximately 1,075
246 feet east of New Market Road (State Route 5). The existing zoning is R-3 One-
247 Family Residence District. The Land Use Plan recommends Suburban
248 Residential 1, 1.0 to 2.4 units net density per acre.

249

250 Mr. Jernigan - Is there any opposition to the deferral of case P-7-08,
251 Gregory S. Tully for Diamond Communications? There is no opposition. With
252 that, I will move for deferral of case P-7-08, Gregory S. Tully for Diamond
253 Communications, to August 14, 2008, by request of the applicant.

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255 Mr. Branin - Second.

256

257 Mr. Jernigan - Motion by Mr. Jernigan, seconded by Mr. Branin. All
258 in favor say aye. All opposed say no. The ayes have it; the motion passes.

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260 At the request of the applicant, the Planning Commission deferred P-7-08,
261 Gregory S. Tully for Diamond Communications, to its meeting on August 14,
262 2008.

263

264 Mr. Emerson - Mr. Chairman, that concludes your requests for
265 withdrawals and deferrals, unless the Commission has anything they wish to add
266 at this point. If not, the next item on your agenda is request for Expedited Items.
267 You do have one item on the expedited agenda tonight. Ms. Jean Moore will
268 present that.

269

270 Ms. Moore - This is on page 2 of your agenda in the Three Chopt
271 District. It is case C-23C-08. The applicant is HCA Health Services of Virginia,
272 Incorporated for Henrico Doctors Hospital. The site is located approximately 600
273 feet south of Forest Avenue, and 350 feet west of Skipwith Road. This is a
274 request to amend proffered conditions accepted with C-59C-03 related to
275 building height. Specifically, Proffer 2 would be amended to allow a greater
276 height, going up to 58 and possibly 86 feet, but in no case closer than 90 feet
277 from the adjacent property line.

278

279 **C-23C-08 Ralph L. Axselle, Jr. for HCA Health Services of**
280 **VA, Inc.:** Request to amend proffered condition accepted with Rezoning Case C-
281 59C-03, on part of Parcel 761-745-3004, located approximately 600 feet south of
282 Forest Avenue and 350 feet west of Skipwith Road. The applicant proposes to
283 amend Proffer 2 related to building height. The existing zoning is O-3C Office
284 District (Conditional). The Land Use Plan recommends Government.

285

286 Mr. Jernigan - Is there any opposition to case C-23C-08, Ralph L.
287 Axselle, Jr. for HCA Health Services of Virginia, Inc.? There is no opposition.

288

289 Mr. Branin - Mr. Chairman, I'd like to move that C-23C-08, Ralph
290 L. Axselle, Jr. for HCA Health Services of Virginia, Inc., move forward to the
291 Board of Supervisors on the expedited agenda with a recommendation for
292 approval.

293

294 Mrs. Jones - Second.

295

296 Mr. Jernigan - We have a motion by Mr. Branin, and seconded by
297 Mrs. Jones. All in favor say aye. All opposed say no. The ayes have it; motion
298 passes.

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300 **REASON:** Acting on a motion by Mr. Branin, seconded by Mrs.
301 Jones, the Planning Commission voted 5-0 (one abstention) to recommend the
302 Board of Supervisors grant the request because the amendment continues to

303 assure a quality form of development with maximum protection afforded the
304 adjacent properties, and does not reduce the original intended purpose of the
305 proffers.

306
307 Mr. Glover - Mr. Chairman?

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309 Mr. Jernigan - Yes sir.

310
311 Mr. Glover - I just want to make sure that your record shows that I
312 will abstain from voting on zoning cases, since they will come to the Board of
313 Supervisors for a final decision.

314
315 Mr. Jernigan - So noted, Mr. Glover. Thank you.

316
317 Mr. Emerson - Mr. Chairman, that brings us to your regular agenda,
318 which leaves three cases to be heard.

319
320 **P-12-08 Stephen R. Romine/Jessica Wright for Cellco**
321 **Partnership (Verizon Wireless):** Request for a Provisional Use Permit under
322 Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in
323 order to extend the height of an existing 154' high telecommunications tower to a
324 total height of 166' to provide additional co-location opportunities, on part of
325 Parcel 784-749-6682, located on the south line of Hilliard Road (State Route
326 161) approximately 360 feet west of its intersection with Brook Road (U. S. Route
327 1). The existing zoning is B-3 Business District. The Land Use Plan
328 recommends Open Space/Recreation.

329
330 Mr. Jernigan - Is there any opposition to case P-12-08, Stephen R.
331 Romine/Jessica Wright for Cellco Partnership (Verizon Wireless)? There is no
332 opposition. Good evening, Mr. Props.

333
334 Mr. Props - Good evening, sir.

335
336 Mr. Jernigan - How are you?

337
338 Mr. Props - Doing fine. Mr. Chairman, members of the
339 Commission, Verizon Wireless is requesting to extend an existing 154-foot-high
340 lattice telecommunications tower to a total height of 166 feet for additional co-
341 location on property located at 1207 Hilliard Road and behind the Richmond
342 Lakeside Moose Lodge No. 1714. The site is currently zoned B-3, Business
343 requiring a Provisional Use Permit for towers exceeding 50 feet in height.

344
345 The 2010 Land Use Plan recommends Open Space/Recreation. General
346 business uses along Brook Road, Belmont Golf Course, a civic association, the
347 Brook Run Independent Living facility, and a power sub-station represent primary
348 land uses in the immediate area. When approved in 1998, the existing 154-foot

349 tower did not meet the required 110% "R" District setback and was permitted if
350 the adjacent independent living facility floodplain was rezoned to something other
351 than an R-District, or if they were granted relief from the setback requirement.
352 The Board of Zoning Appeals granted a setback variance permitting tower
353 construction up to 199 feet. The proposed extension is within the limits approved
354 by variance.

355

356 The requested extension is consistent with the co-location requirements of the
357 2010 Wireless Communication Technology Element. The applicant will comply
358 with a staff recommendation and notified all adjoining property owners. No
359 responses have been received.

360

361 In view of compliance with a previously granted Provisional Use Permit, an
362 approved Variance, the addition of a co-location opportunity, and overall
363 compatibility with surrounding land uses, staff supports this request with the
364 recommended conditions submitted in the staff report.

365

366 This concludes my presentation and I would be happy to answer any questions.

367

368 Mr. Jernigan - Any questions for Mr. Props from the Commission?

369

370 Mr. Archer - No, Mr. Chairman, but I'd like to hear from the
371 applicant for just a second, please.

372

373 Mr. Jernigan - Thank you, Mr. Props. Would the applicant come
374 down, please? State your name for the record, please.

375

376 Mr. Romine - Good evening Chairman Jernigan, members of the
377 Planning Commission. My name is Steve Romine. I'm a local attorney with an
378 office at Riverfront Plaza, East Tower, Richmond, Virginia. I'm here tonight on
379 behalf of Verizon Wireless.

380

381 I don't want to be repetitive or redundant with what Mr. Props said, so I'll be real
382 brief on my general presentation, and then I want to address a couple of the
383 conditions.

384

385 As outlined this evening to you, the request is for a 12-foot extension of an
386 existing 154-foot lattice tower at 1207 Hilliard Road. Verizon Wireless prides itself
387 on being the most reliable wireless carrier in the marketplace. What it means by
388 reliability is that it reacts in response to customer complaints, and it wants to
389 make sure that it's providing the best service possible, including when there are
390 gaps in coverage like we have here, which necessitates us to come forward to try
391 to fill that gap.

392

393 Over 77% of the U. S. population today uses wireless phones. Approximately
394 50% of that population uses it as their primary phone. Therefore, in order to have

395 reliability, it has to be able to be used when and where you need it. Verizon has
396 backup generators, and a lot of provisions set forth in the way they provide
397 service that makes it very reliable.

398

399 Some jurisdictions, including Henrico, probably approaching 50 to 60% of all 911
400 calls are made from wireless phones today as well. So, the public safety aspects
401 of having good coverage is important. You've heard numbers of these
402 applications before. So, you know where there are no tall structures where we
403 can hang our antennas, we have to come ask for, tonight, a provisional use
404 provision or application to increase the existing height to be able to get the
405 coverage here.

406

407 This site—and I have a little bit of a PowerPoint here, if I can operate it. Okay,
408 it's up. Let me skip through the first slide. The first slide is just a site vicinity map
409 near the corner of Hilliard Road and Brook Road. I'll skip that slide. Here is the
410 overall site layout. Very well screened behind the Moose Lodge that's been there
411 for at least 10 years. This particular lattice tower has been very successful, in as
412 much as there are six existing users on there. The height we need to be able to
413 propagate our signal is not available on the current structure. That's why we're
414 asking for an extension.

415

416 Many residents along Brook Road and Hilliard experience gaps where they're
417 getting dropped calls. This will tie into two or three other sites Verizon has in
418 service. Then it'll skip down to our propagation map. Here is the propagation map
419 before this tower is turned on, and it's actually in between the Laurel site and the
420 Azalea site below it. You see the Dumbarton site to the left. When I click the
421 next slide, you'll see that gap between Laurel and Azalea is filled in with what we
422 call Wentworth, which is this site. It turns the poor and unreliable coverage into
423 good coverage if we're able to locate our antennas here and turn that on.

424

425 We have searched the area for other facilities that we could utilize. There were
426 no other tall structures that would meet our requirements, and also, obviously,
427 one of the County guidelines is to encourage co-location where possible. In
428 addition, there was a power line that we had researched. Those towers are only
429 87 feet tall, and so they were just inadequate on height to provide any amount of
430 coverage for our needs.

431

432 We believe this application, as Mr. Props has indicated, meets the objectives of
433 the County guidelines, and it reduces the proliferation of towers.

434

435 If you look at the conditions recommended, there is one condition which I wanted
436 to discuss briefly, and that was Condition #5. I think the intention here is to say
437 that the tower itself is available for future co-location, but, obviously, when we
438 add 12 feet on it, you're not going to get another antenna on that 12-foot section.
439 I want to make sure that's clarified to you, that when it says it will provide and
440 allow co-location for two additional carriers. We will not be providing that in our

441 12-foot extension. Now, the tower has been approved up to 199; we're at 154.
442 We're going to 166 to take care of ours. Obviously, other carriers could come
443 back on successive PUP applications and ask for additional extensions up to
444 199. I think that's what Mr. Props was indicating in that condition, that further
445 applications could come to increase it even more. I just wanted to make sure that
446 we're up front with you, that you knew that our 12-foot extension wasn't
447 accommodating two additional carriers.

448

449 The last condition, #6. I just want to point out, because I talked to Mrs. Jones
450 yesterday, and Mr. Archer briefly, and I think people believe that it could be
451 enhanced with some landscaping. Condition #6 clearly provides, up to the
452 Planning Department's oversight and provision, that we provide landscaping.
453 We're more than glad to do that. It's constrained a little bit on one side with the
454 BMP, and I think there is some open space in some other areas, but we're more
455 than glad to do what we can to make the facility nicer looking. We don't own it.
456 We're leasing from a host—I think it's Crown. So, we'll do what we can to do
457 that. Clearly, the landscaping is not an issue.

458

459 So, those are really the points I wanted to make. For these reasons, we would
460 respectfully request that you recommend approval of P-12-08. I'll stand by for
461 questions.

462

463 Mr. Archer - Thank you, Mr. Romine. You covered all the things I
464 was going to ask you, particularly having to do with plantings that would screen
465 the equipment. You said there are six users on there now?

466

467 Mr. Romine - That's my understanding. Can I flip backwards on
468 this?

469

470 Mr. Archer - You don't have to, I'll take your word for it.

471

472 Mr. Romine - I don't know how to go backwards on this. Do I click
473 the right side? Oh, here we go, here we go. There it is right there. If you see,
474 there are six. It's Sprint, Nextel, T-Mobile, TTMI, Clear Channel, and I think a
475 group called Edge. Those are the six carriers. It goes to 154, and then we're
476 going to drop our antenna above it.

477

478 Mr. Archer - That's commendable on a tower of that height.

479

480 Mr. Romine - Yes, that really is.

481

482 Mr. Archer - I know Mr. Vanarsdall knows, but years ago when we
483 started building these towers, people were so un-enamored with the way they
484 looked, we were capping them at 90 feet. We were looking at maybe two a
485 month, or three or more. When somebody realized that by making them taller we
486 could co-locate more people on one tower, it began to make sense. So, it's

487 commendable that you have six. My main concern was that you were in
488 agreement with Condition #6, and that you'll follow through on that.

489
490 Mr. Romine - Yes, absolutely. I wanted to clarify #5, just so you
491 knew that we couldn't get any more there.

492
493 Mr. Archer - I kind of wondered about that when I first read it. Mr.
494 Chairman, I don't have any more questions.

495
496 Mr. Jernigan - I think the way that's worded, it says the applicant
497 shall allow the co-location, so I don't think it means he has to put two, it means
498 he can put two.

499
500 Mr. Romine - It's really not up to us; we don't own the tower.

501
502 Mr. Archer - I don't have anything else, Mr. Chairman.

503
504 Mr. Jernigan - Okay. Any other questions for Mr. Romine from the
505 Commission? Okay, thank you.

506
507 Mr. Archer - Thank you, sir. Mr. Chairman, with that, I will move for
508 approval of P-12-08, Stephen R. Romine/Jessica Wright for Cellco Partnership
509 (Verizon Wireless), and move that it be sent to the Board with recommendation
510 of approval.

511
512 Mr. Vanarsdall - Second.

513
514 Mr. Jernigan - Motion by Mr. Archer, seconded by Mr. Vanarsdall. All
515 in favor say aye. All opposed say no. The ayes have it; the motion passes.

516
517 **REASON:** Acting on a motion by Mr. Archer, seconded by Mr.
518 Vanarsdall, the Planning Commission voted 5-0 (one abstention) to recommend
519 the Board of Supervisors grant the request because it would not be expected to
520 adversely affect public safety, health or general welfare and it would provide
521 added services to the community.

522
523 **C-24C-08 William G. Homiller for Sam's Real Estate**
524 **Business Trust:** Request to conditionally rezone from B-2 Business District to B-
525 3C Business District (Conditional), part of Parcel 757-758-0701, containing
526 approximately 0.14 acre, located on the north line of W. Broad Street (U. S.
527 Route 250) approximately 775 feet east of Old Springfield Road. The applicant
528 proposes a car wash. The use will be controlled by zoning ordinance regulations
529 and proffered conditions. The Land Use Plan recommends Commercial
530 Concentration.

531

532 Mr. Jernigan - All right. Is there any opposition to case C-24C-08,
533 William G. Homiller for Sam's Real Estate Business Trust? There is no
534 opposition. Good evening, Mr. Sehl.

535

536 Mr. Sehl - Good evening, Mr. Chairman.

537

538 Mr. Jernigan - You may proceed.

539

540 Mr. Sehl - This request would rezone fourteen hundredths of an
541 acre located directly adjacent to the existing Sam's Club fueling station, from B-2
542 to B-3C. The applicant proposes a car wash. The B-2 district permits a single
543 car wash bay as a conditional use, but limits it to 800 feet in size. The applicant
544 proposes to construct an approximately 2,300-square-foot car wash, which
545 necessitates the requested rezoning. Adjacent properties are zoned B-2, M-1C
546 and R-3.

547

548 The 2010 Land Use Plan recommends Commercial Concentration uses for the
549 property. The requested zoning would be consistent with this designation.

550

551 The applicant has submitted revised proffers, dated July 8, 2008, which have
552 been distributed to you this evening. The revised proffers address the concerns
553 outlined in the staff report. Specifically, the proffers address the following: the
554 proposed car wash would be consistent with this conceptual elevation, which
555 contains materials consistent with those used on the existing Sam's Club retail
556 operation and fueling station; hours of operation would be limited to 7:00 a.m. to
557 9:00 p.m.; no outdoor speakers, storage, vending, or vacuums would be
558 permitted on the property, and building height would be limited to 20 feet.

559

560 Additionally, the revised proffers address items such as permitted uses, signage,
561 mechanical equipment, and dumpster screening.

562

563 In conclusion, with the revised proffers distributed to you this evening, this
564 request is consistent with the land use recommendations in the Comprehensive
565 Plan. The revised proffers, in conjunction with existing protections already in
566 existence on the property, should mitigate any potential negative impacts on
567 adjacent properties. Staff supports this request. I would be happy to answer any
568 questions you might have.

569

570 Mr. Jernigan - Are there any questions for Mr. Sehl from the
571 Commission?

572

573 Mr. Branin - I have one.

574

575 Mr. Vanarsdall - I don't have any, but I just want to make a comment to
576 Ben. I want to thank Ben for working on this. The question came up was this for

577 members or is this for the public. It's like everything else, it's for members of
578 Sam's Club.

579
580 Mr. Sehl - Yes sir. Thank you. Yes, the applicant has indicated
581 that. The applicant is here, too, if you'd like him to expound upon that.

582
583 Mr. Branin - Mr. Sehl?

584
585 Mr. Sehl - Yes sir.

586
587 Mr. Branin - Do you know if the applicant will be recycling water, or
588 will he be using fresh water with every clean?

589
590 Mr. Sehl - I believe the applicant's engineer is here as well, and
591 our Department of Public Utilities often weighs in on that at the Plan of
592 Development stage as well.

593
594 Mr. Branin - You don't know the answer?

595
596 Mr. Sehl - Not specifically, no sir.

597
598 Mr. Branin - Mr. Chairman, can I hear from the applicant?

599
600 Mr. Jernigan - Sure. Would the applicant come down, please. Good
601 evening, gentlemen, would you state your names for the record, please?

602
603 Mr. Homiller - My name is Will Homiller. I'm the attorney for the
604 applicant. With me is Brian Dofflemyer, with Core States Engineering, who is the
605 engineer for the project.

606
607 Mr. Dofflemyer - To answer your question, yes, there are three
608 reclamation tanks that are 1500 gallons, so about 80% of the water used in the
609 carwash will be recycled.

610
611 Mr. Branin - Okay, thank you. Mr. Chairman, I have no further
612 questions.

613
614 Mr. Jernigan - Okay. Any other questions? All right, thank you,
615 gentlemen.

616
617 Mr. Vanarsdall - I don't have any questions.

618
619 Mr. Jernigan - All right. Mr. Vanarsdall, you have the floor.

620
621 Mr. Vanarsdall - [Mike not working properly.] All right. It seems to be a
622 good use for this land. The hours are going to be the same as the gas pumps,

623 which is not much later than the store hours. Everything will be inside with no
624 vacuums outside. It's not on?

625

626 Mr. Vanarsdall - I don't think I said enough to start over, but I will. The
627 hours are the same as the gas pumps, and shortly after the store closes, and you
628 do have to be a member. There will be no noise coming from vacuums. All the
629 equipment will be inside. It won't be like a carwash like Car Pool where when
630 they finish the car, it comes out and they clean it up and so forth. It's in
631 accordance with the Land Use Plan, and in accordance with the goals,
632 objectives, and policies. Therefore, I recommend to the Board of Supervisors to
633 approve C-24C-08, William G. Homiller for Sam's Real Estate Business Trust.

634

635 Mr. Archer - Second.

636

637 Mr. Jernigan - Motion by Mr. Vanarsdall, second by Mr. Archer. All in
638 favor say aye. All opposed say no. The ayes have it; the motion passes.

639

640 **REASON:** Acting on a motion by Mr. Vanarsdall, seconded by
641 Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend
642 the Board of Supervisors grant the request because it conforms to the
643 recommendations of the Land Use Plan, would not adversely affect the adjoining
644 area if properly developed as proposed, and the proffered conditions provide
645 appropriate quality assurances not otherwise available.

646

647 Mr. Vanarsdall - Thank you, Mr. Homiller, for your cooperation.

648

649 Deferred from the June 12, 2006 Meeting

650

C-9C-08 Lisa Murphy for Secure Hands Holdings, LLC:

651 Request to conditionally rezone from R-4 One-Family Residence District to R-6C
652 General Residence District (Conditional), Parcels 809-722-2386, -4093, -5489, -
653 5792, 809-723-2108, -4307, -5011, -6216, and -5911 containing 6.0308 acres,
654 located on the east line of East Richmond Road approximately 216 feet north of
655 Nine Mile Road (State Route 33) and on the north line of Nine Mile Road
656 approximately 290 feet east of East Richmond Road. The applicant proposes an
657 assisted living facility. The use will be controlled by zoning ordinance regulations
658 and proffered conditions. The Land Use Plan recommends Office. The site is in
659 the Airport Safety Overlay District and Nine Mile Road Special Strategy Area.

660

661 Mrs. Jones - Mr. Chairman and Mr. Secretary, I just need to note
662 for the record that I will not be discussing or voting on this case due to a
663 representational conflict.

664

665 Mr. Jernigan - I've so noted, Mrs. Jones.

666

667 Mrs. Jones - Thank you.

668

669 Mr. Jernigan - All right. Is there any opposition to case C-9C-08, Lisa
670 Murphy for Secure Hands Holdings, LLC? Mr. Cooper, how are you tonight.
671 Okay, we do have opposition. Mr. Lewis, you may proceed.

672
673 Mr. Lewis - Thank you, Mr. Chairman, good evening.

674
675 Mr. Vanarsdall - Good evening, Mr. Lewis.

676
677 Mr. Lewis - Good evening, Mr. Vanarsdall.

678
679 This is a request to rezone 6.03 acres from R-4 to R-6C to allow development of
680 an assisted living facility near the northeast corner of Nine Mile Road and E.
681 Richmond Road. Commercial uses are located to the south, and residential uses
682 surround the site to the east, north, and west. The 2010 Plan recommends Office
683 for the site.

684
685 As illustrated on this proffered conceptual plan, the applicant wishes to construct
686 a 72,000 square foot building accessed from both Nine Mile Road and E.
687 Richmond Road. These proffered elevations submitted by the applicant show a
688 two-story structure with exterior walls constructed primarily of brick. In addition to
689 developing in conformance with a conceptual plan and building elevations, the
690 applicant's revised proffers dated June 18, 2008 provide for a number of
691 additional development assurances.

692
693 The applicant has also recently held a neighborhood meeting to discuss the
694 proposal with surrounding property owners. An assisted living facility would be
695 less intensive than general multi-family use, and given its primarily residential
696 character, such a use could be compatible with surrounding development. For
697 these reasons, the proposed project could be an appropriate alternative to the
698 2010 Plan's Office designation. Staff supports this request.

699
700 This concludes my presentation, and I will be happy to take any questions.

701
702 Mr. Jernigan - Are there any questions for Mr. Lewis from the
703 Commission? Thank you, sir. Ms. Murphy, would you come down please? Ms.
704 Murphy, last month when you were here, you did a full-blown presentation, which
705 was very nice. I think everybody here on the statistics and all, we still remember
706 that. So, if you would just maybe go over the elevations again, and just any
707 proffer changes we might have had. I think that will be sufficient for everybody
708 here.

709
710 Ms. Murphy - Okay.

711
712 Mr. Jernigan - Okay?

713

714 Ms. Murphy - Thank you. Again, for the record, my name is Lisa
715 Murphy, and I'm an attorney here tonight on behalf of the applicant, Secure
716 Hands Holdings. I will skip through all of the information about Alzheimer's, but
717 there is a growing need and, obviously, an aging population. The purpose of this
718 facility will be to provide services to Alzheimer's and dementia patients. There is
719 a great need in the area.

720

721 I'll talk about the elevations a little bit, because I think we've designed, with the
722 help of Donald Strange-Boston and the architects, a very nice facility that will be
723 a nice looking facility for those nine parcels combining to create just over six
724 acres. As you'll see from the elevation that you've got before you, what we've
725 proffered is a predominantly brick building. It'll be brick on the front, sides, and
726 rear. There will be a little bit of synthetic stucco or EIFS, just to add accents, but
727 that will only be the second floor and above. No EIFS will be at the first level. It's
728 tough to tell from this elevation—let me see if it's on—I'm going to go back to the
729 site layout here. If you see the way this is designed, there is an open area in
730 here, which is going to be an open garden area and an open recreational facility
731 area for the residents. As I mentioned last time, the residents that are coming to
732 this facility don't have cars, don't have drivers' licenses, and they require 24-
733 hour-a-day care, and safety and security. So, they have this nice internal green
734 space area where they can spend some time in the outdoors doing various
735 activities that are really meant to delay the progression of the disease, and to
736 help these folks really feel like they're a part of a community.

737

738 As far as the layout, I think we talked a little bit about the landscape plan. There
739 have been a few changes here. As is indicated in the staff report, we've proffered
740 transitional buffer 25, or a 25-foot-wide buffer along this portion of the northern
741 property line, here along East Richmond Road, and also along Nine Mile Road,
742 and there's a 10-foot-wide, transitional buffer 10 along this property line. What
743 we've added is an up-to-six-foot-tall synthetic wood fence along this portion of
744 the property line. It's not warranted by the adjacent zoning. That particular
745 adjacent zoning is not zoned residential, but we've offered up that fence as a
746 divider between the properties. There is a ditch that runs along through here,
747 pretty close to that fence line, and then this way along the property. Those
748 ditches will remain in place. That provides a lot of the current drainage.

749

750 One of the things that we talked about at the community meeting was how we
751 were going to treat storm water. As you'll see, there's a proffer. There's a
752 Delaware sand filter or similar type facility that will be adjacent to the parking
753 area that will take the water underneath the parking area where it will actually be
754 stored. Then it will be released to the point as if the property had never been
755 developed. That's the intent. And it'll be released at a 10-year storm rate. We
756 feel like we've addressed the drainage problems. The other thing I'll point out is
757 there'll be a dedicated turn lane here on Nine Mile Road. It'll have curb and
758 gutter, and any necessary storm sewer, as required. Same thing along here.
759 We've actually dedicated a fair amount of frontage along East Richmond Road to

760 widen East Richmond Road. Again, there will be curb and gutter, and any
761 necessary storm sewer work done along there as well.

762

763 The facility will have up to 119 rooms. There are details on the rooms, the size of
764 the room, that type of thing that have been proffered.

765

766 Let's see if there's anything else. There really isn't, other than the addition of this
767 six-foot-tall fence. There really weren't a whole lot of new proffered conditions.
768 As you may recall from last time, we have some conditions as far as
769 construction, limiting construction, earth-moving activities, so that it'll be between
770 the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except in an
771 emergency-type situation. We've limited and restricted trash pickup, deliveries,
772 parking lot clearing, leaf blowing. You'll see that in the proffers as well.

773

774 The other item was the equipment screening. The refuse disposal equipment
775 and the waste trap will be screened in a brick enclosure that will have a door with
776 synthetic wood slat gates. The brick will match the brickwork that's on the
777 building. The emergency generator will also have the same brick enclosure with
778 the slatted synthetic wood gate. We've also proffered that, as far the emergency
779 generator goes, it will only be used as necessary during power outages, and then
780 monthly for testing no more than three hours during the month. That will only be
781 between the hours of 10:00 a.m. and 3:00 p.m. So, we've really limited and
782 restricted the noise, and I think we have done a pretty good job of addressing the
783 issues that staff raised.

784

785 There is a 1920's residential structure that we're going to allow Parks and
786 Recreation to document prior to any type of demolition activities.

787

788 That covers most of the proffers. The site lighting, I think we've limited it to just
789 what's necessary for this particular type of use. At 10:00 p.m., the exterior
790 parking lot and driveway lighting is going to be reduced to security levels, and
791 that'll be on an automatic dimmer.

792

793 So, I think based on the proffers that have been made, and the work that we've
794 done—and we appreciate all the work that Livingston Lewis, and staff, and you
795 have really put into this project—we feel, as staff does, that this is an appropriate
796 alternative to the 2010 Plan's Office designation. We think it'll be a good catalyst,
797 and hope it'll be a good catalyst for revitalization along the Nine Mile Road
798 corridor. We also feel that it's compatible with surrounding properties. It's a
799 logical transition between the commercial properties and the residential
800 properties, and it's certainly less intensive than other multi-family uses, which
801 have been specifically prohibited. So, this really will be the only multi-family type
802 use that will be allowed with this particular rezoning.

803

804 We respectfully request that you recommend approval, and I'm happy to answer
805 any questions that you have.

806
807 Mr. Jernigan - Ms. Murphy, one question I had that came up right at
808 the end of the meeting was the curb and gutter. I guess we've cleared that up. Is
809 it on Old Nine Mile or new Nine Mile?
810
811 Ms. Murphy - That's a Don Strange-Boston question. Don, do you
812 want to come up here?
813
814 Mr. Strange-Boston - Ladies and gentlemen, I'm Don Strange-Boston, the
815 architect for the project. We're going to put curb and gutter all the way along the
816 south property line. We're going to have a sidewalk, and we're going to extend
817 the paving—which is sort of a ragged edge right now—all the way to the new
818 curb and gutter. That actually forks back onto Old Nine Mile Road, which is now
819 being used sort of as a bus lane. So, we're going to clean up that edge all the
820 way down, and provide drainage as necessary, and extend the paving so that it
821 comes out neat and clean.
822
823 Mr. Jernigan - Okay.
824
825 Mr. Strange-Boston - Does that answer the question?
826
827 Mr. Jernigan - Well, we had that little discussion at the end of the
828 meeting, and we weren't sure, so, yes. I just wanted to make sure we were clear
829 on that.
830
831 Mr. Strange-Boston - Right.
832
833 Mr. Jernigan - Thank you, Mr. Strange-Boston. All right. Are there
834 any other questions for Ms. Murphy from the Commission? Okay, thank you, Ms.
835 Murphy. We do have opposition, so Mr. Cooper, you can come on down. How
836 are you doing tonight, sir?
837
838 Mr. Cooper - I'm fine, sir. Good evening. My name is Frank
839 Cooper, for the record. I brought a copy of my plat, if you all need to see exactly
840 how—My main concern is the road.
841
842 Mr. Jernigan - I'm going to clear this up right now. After the last time,
843 I talked to the County Attorney.
844
845 Mr. Cooper - Okay.
846
847 Mr. Jernigan - What you have is a civil case.
848
849 Mr. Cooper - Okay.
850 Mr. Jernigan - We can't decide on that. This is a zoning case.
851

852 Mr. Cooper - Okay.
853
854 Mr. Jernigan - Yours is a civil case. What we have to handle here
855 tonight is the zoning case.
856
857 Mr. Cooper - Okay.
858
859 Mr. Jernigan - If that document does show that property is yours—
860
861 Mr. Cooper - Okay.
862
863 Mr. Jernigan - You have to handle that in a civil court.
864
865 Mr. Cooper - Okay.
866
867 Mr. Jernigan - We are not qualified to make that decision. So, what
868 we have to do is make a decision here. I know that you have an attorney.
869
870 Mr. Cooper - Right.
871
872 Mr. Jernigan - I thought that he had cleared it up with you.
873
874 Mr. Cooper - Okay, okay. Well—
875
876 Mr. Jernigan - What you'll have to do is have that attorney petition
877 the courts of Henrico to get a final answer on this.
878
879 Mr. Cooper - Okay, That's pretty much my only concern.
880
881 Mr. Jernigan - Yes. After you brought that up last time, we were
882 trying to figure it out. I had to seek legal counsel on that.
883
884 Mr. Cooper - Okay.
885
886 Mr. Jernigan - I had a case right after yours that had the same
887 ramifications in it. Anyway, that's what will have to happen. We have to handle
888 this case as it is.
889
890 Mr. Cooper - Okay.
891
892 Mr. Jernigan - If you're correct on this and this is yours, or you have
893 the right-of-way, it'll have to be settled by the court.
894 Mr. Cooper - Okay.
895
896 Mr. Jernigan - Thank you, Mr. Cooper.
897

898 Mr. Cooper - You're welcome.
899
900 Mr. Jernigan - All right.
901
902 Mrs. Jones - You have more opposition.
903
904 Mr. Jernigan - Do we have more opposition? Okay.
905
906 Mr. Turner - I live at 4700 Nine Mile Road. One of my main
907 concerns is the traffic. I also think this kind of institution, as I would call it—I used
908 to be in psychiatric nursing—is totally inappropriate. We're a small community.
909 It's a residential area. To put a large building of this size into that area is totally
910 inappropriate. We're small to medium to large lots from an acre. I have a three-
911 acre lot with a single house on it. Another concern is the traffic and the noise
912 from the generator. I live opposite the K-Mart and we have these Shade Tree
913 carwashes in there. I can hear the power washer. I can't even sit on my front
914 porch, never mind having an emergency generator tested. I just think it's an
915 inappropriate architectural design for this area. I mean, it's a large building, a
916 large facility. We've always had drainage problems there, and I think they're
917 going to increase with this amount of blacktop going down, I don't care what they
918 do. I met with the County today about it, incidentally.
919
920 We were told at that meeting that people with Alzheimer's and dementia are non-
921 violent. Well, I got this off the internet. I used to be an SRN in England at a
922 psychiatric hospital for the criminally insane. [Goes off mike.] I'd just like you to
923 [unintelligible].
924
925 Mr. Jernigan - With all due respect, this isn't for the criminally
926 insane, this is for—
927
928 Mr. Turner - Well, no. This is the definition of dementia and
929 Alzheimer's. They say they're subject to unpredictable bouts of violence, anger. I
930 honestly don't care what you tell me, they're going to get out no matter how
931 secure it is.
932
933 Mr. Jernigan - Did they get out in the facility you worked at?
934
935 Mr. Turner - Yes. It was virtually a prison, but they got out.
936
937 Mr. Jernigan - Well, you know, they show—
938
939 Mr. Turner - I have enough trouble at the moment with people
940 wandering in my front yard anyway from the bus stop, without the possibility of
941 someone that could be violent or just deranged. I really do think Henrico
942 government officials are supposed to represent the interests of Henrico
943 communities and taxpayers. I think if they allow this, they are not. There are a lot

944 of residents there. I hear the big plans that this area is going to be Office, but no
945 one's consulted with us whether this is what we want the Master Plan to be for
946 this area.

947
948 Mr. Jernigan - It's been on the—

949
950 Mr. Turner - Well, no. I've been here before. We rezoned from
951 commercial to residential. I was with the McNeil's and a couple of the other
952 neighbors. We were told then that side of Nine Mile Road was going to remain
953 residential.

954
955 Mr. Jernigan - Do you think all the area up to Nine Mile Road would
956 be residential? Normally, you'll have businesses or some office along the front.
957 Would you agree to that?

958
959 Mr. Turner - On one side we have, yes. I mean, I disagree with
960 what—I went online yesterday, and after the gas station, there are other
961 residences down there.

962
963 Mr. Jernigan - Yes, okay. I know at the meeting, you made the
964 comment about dumping something like this in the East End.

965
966 Mr. Turner - Well, yeah, I mean....

967
968 Mr. Jernigan - I consider this a nice facility, and they have—a facility
969 like this in the West End also.

970
971 Mr. Turner - Well, it's nice, but...

972
973 Mr. Turner - There are 5+ acres down by Charter Woods that are
974 up for sale, I don't see why—It would be appropriate if there were other facilities
975 like that around there.

976
977 Mr. Jernigan - All I can say is that they didn't pick that spot.

978
979 Mr. Turner - There are single-family residences around that area,
980 not facilities for 120 people. There is nothing in that corridor like this. Between
981 East Richmond Road and Laburnum, there is no facility like this, nothing. That
982 houses 120 people.

983
984 Mr. Jernigan - You're right, we don't have one.

985
986 Mr. Turner - But I think there are more appropriate places to put it.

987
988 Mr. Jernigan - This is the spot they picked. They didn't pick down the
989 road. So, we have to handle it in the way that we handle it.

990
991 Mr. Turner - I'm just asking you, that in my opinion, this zoning
992 shouldn't go through. It's a residential area, single-family residential area.
993
994 Mr. Jernigan - It's being zoned to R-6C and that's what this zoning
995 covers, residential R-6C—
996
997 Mr. Turner - Not single family.
998
999 Mr. Jernigan - No. All right. Well, I thank you, sir.
1000
1001 Mr. Turner - Okay, thank you.
1002
1003 Mr. Jernigan - I do want to say one thing. Mr. Jennings, did you
1004 check on the bus stop?
1005
1006 Mr. Jennings - Good evening. I'm Mike Jennings, Traffic Engineer for
1007 Henrico County. Yes, Mr. Jernigan. I mentioned it to Todd Eure, who facilitates
1008 the bus routing through Henrico County. He was going to put the request into
1009 GRTC to look at the routing and possibly relocating the bus stop.
1010
1011 Mr. Jernigan - Okay.
1012
1013 Mr. Jennings - I haven't heard anything since. After our meeting, I
1014 did get with Todd Eure and mentioned his concern about relocating the bus stop.
1015 So, he put the request into GRTC.
1016
1017 Mr. Jernigan - I told you we'd look into that, and I had Mr. Jennings
1018 do that. So, we're working on it for you. Okay? Thank you. All right, first of all, I
1019 want to thank Livingston Lewis for all the work he did on this. I do feel that this is
1020 a nice facility. It's in an area that shows Office, but you could also have a 72,000-
1021 square-foot office building. I think that we need facilities around here. We have
1022 some in the West End. We don't have one like this in the East End. I think it's
1023 appropriate. The situation of the generator, they're going to test that generator for
1024 three hours a month between the hours of 10:00 a.m. and 3:00 p.m. There is a
1025 whole lot more noise out there on Nine Mile Road than what this generator's
1026 going to create. Plus, this generator has a nine-foot wall around it. It has a fence
1027 facing toward the facility that has access. You have to have access to get in and
1028 service it.
1029
1030 With that, I am going to move for approval of case C-9C-08, Lisa Murphy for
1031 Secure Hands Holdings, LLC, and move it to the Board of Supervisors for their
1032 approval.
1033
1034 Mr. Vanarsdall - Second.
1035

1036 Mr. Jernigan - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall.
1037 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
1038
1039 Mrs. Jones - I abstain.
1040
1041 Mr. Jernigan - Thank you, Mrs. Jones.
1042
1043 **REASON:** Acting on a motion by Mr. Jernigan, seconded by Mr.
1044 Vanarsdall, the Planning Commission voted 4-0 (two abstentions) to recommend
1045 the Board of Supervisors grant the request because it would provide added
1046 services to the community and the proffered conditions would provide for a
1047 higher quality of development than would otherwise be possible.
1048
1049 Mr. Emerson - Mr. Chairman, that brings us to the next item on the
1050 agenda, which is a discussion item. I would like your permission to set a work
1051 session at your August 14th meeting to hear a presentation from staff, and
1052 consider amendments to the County Code in regards to the alternate fence
1053 height language in the Code. We will be presenting to you some potential options
1054 in regards to how that wording can be phrased in order to better define the
1055 Planning Commission's jurisdiction. I don't anticipate that the work session will be
1056 lengthy, so I'll leave it up to you as to what time you'd like to set the session.
1057
1058 Mr. Vanarsdall - How about 6:00 p.m.?
1059
1060 Mr. Emerson - I think 6:00 p.m. would be adequate.
1061
1062 Mr. Vanarsdall - We'll have dinner, of course.
1063
1064 Mr. Emerson - We can do that, yes sir.
1065
1066 Mr. Jernigan - If the discussion on the fence height change is
1067 anywhere an indication of how long those cases are, we might want to be here at
1068 4:00 p.m.
1069
1070 Mr. Vanarsdall - Several times it covered dinner.
1071
1072 Mr. Jernigan - Whatever time. Okay, 6:00 p.m.; August the 14th,
1073 6:00 p.m.
1074
1075 Mr. Vanarsdall - Six o'clock. August the 14th.
1076
1077 Mr. Jernigan - August 14, 6:00 p.m. Okay?
1078
1079 Mr. Emerson - The next item on your agenda, Mr. Chairman, is the
1080 consideration of approval of your minutes of the June 12, 2008 meeting.

1081 Mr. Jernigan - Do we have any changes to the minutes of June 12th?
1082 Okay. Do I have a motion?
1083
1084 Mrs. Jones - I move they be approved.
1085
1086 Mr. Archer - Second.
1087
1088 Mr. Jernigan - Motion by Mrs. Jones, seconded by Mr. Archer to
1089 approve the minutes of June 12, 2008. All in favor say aye. All opposed say no.
1090 The ayes have it; the motion passes.
1091
1092 Mr. Branin - Mr. Chairman, one note in regards to your last case in
1093 the Three Chopt District on Pemberton Road. You're going to have a case come
1094 up this coming month or the next month, which is a facility kind of like this that
1095 we've already approved the zoning. As for it being in a residential area, it's
1096 nothing but residential around this project, and we've had no opposition from
1097 residents of Three Chopt saying that it shouldn't be there.
1098
1099 Mr. Jernigan - Well, this is a nice facility. This is top-of-the line. I
1100 think we need it.
1101
1102 Mr. Branin - I just wanted to support your district.
1103
1104 Mr. Jernigan - I'm glad you didn't have any problem on yours.
1105
1106 Mr. Branin - I didn't want to further the discussion, that's why I held
1107 my comments until now.
1108
1109 Mr. Jernigan - Okay. All right. Well, let's see, do we have a motion
1110 to adjourn?
1111
1112 Mrs. Jones - I so move.
1113
1114 Mr. Archer - I second that motion.
1115
1116 Mr. Jernigan - Motion by Mrs. Jones, seconded by Mr. Archer. All in
1117 favor say aye. All opposed say no. The ayes have it; the motion passes. Meeting
1118 is adjourned.
1119
1120 The meeting was adjourned at 7:53 p.m.
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Mr. R. Joseph Emerson, Jr., Secretary

Mr. E. Ray Jernigan, Chairman