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2 **Minutes of the regular monthly meeting of the Planning Commission of Henrico**
3 **County held in the County Administration Building in the Government Center at**
4 **Parham and Hungary Spring Roads, beginning at 7:00 p.m. Thursday, July 11, 2019.**
5 **Display Notice having been published in the *Richmond Times-Dispatch* on June**
6 **24, 2019 and July 1, 2019.**
7

8 **Members Present:** Mr. Gregory R. Baka, Chairman (Tuckahoe)
9 Mr. C. W. Archer, C.P.C., Vice Chairman (Fairfield)
10 Mr. William M. Mackey, Jr. (Varina)
11 Mrs. Melissa Thornton (Three Chopt)
12 Mr. R. Joseph Emerson, Jr., AICP, Director of Planning
13 Secretary
14

15 **Members Absent:** Mr. Frank J. Thornton (Fairfield)
16 Board of Supervisors' Representative
17 Mr. Robert H. Witte, Jr. (Brookland)
18

19 **Also Present:** Ms. Jean Moore, Assistant Director of Planning
20 Mr. James P. Strauss, PLA, Senior Principal Planner
21 Mr. Benjamin Sehl, County Planner
22 Mrs. Lisa Blankinship, County Planner
23 Mr. Michael Morris, County Planner
24 Ms. Kristin Smith, County Planner
25 Ms. Luanda Fiscella, County Planner
26 Mr. John Cejka, Traffic Engineer, Public Works
27 Mr. William Moffett, CPTED Planner, Police
28 Mr. Chris Sorenson, Assistant Superintendent for Finance, Schools
29 Mr. Justin Briggs, Schools Planner
30 Ms. Sylvia Ray, Recording Secretary
31
32

33 **Mr. Baka -** Good evening, and welcome. I call this meeting of the Henrico
34 **County Planning Commission to order.** This is our rezoning meeting for July 11, 2019.
35 **At this time, I'd like to actually take a moment to please silence your cellphones and also**
36 **stand with the Commission for the Pledge of Allegiance.**
37

38 [Recitation of the Pledge of Allegiance]
39

40 **Do we have anyone in the audience tonight with news media? News media? Welcome,**
41 **thank you for being here. Our Board of Supervisors member, Mr. Frank Thornton, who**
42 **sits on the Planning Commission in 2019 is not here this evening, but we do have the**
43 **majority of our Commissioners are here and are present, we do have a quorum, we can**
44 **conduct business. And at this point I'll turn the agenda over to Mr. Emerson, our**
45 **secretary.**
46

47 Mr. Emerson - Thank you, Mr. Chair. I will also know that Mr. Witte is not
48 here with us this evening either. He's feeling a little under the weather, so he wasn't able
49 to come this evening.

50
51 The first item on the agenda are the requests for withdrawals and deferrals, and those
52 will be presented by Mr. Jim Strauss.

53
54 Mr. Strauss - Thank you, Mr. Secretary. We have one request for
55 withdrawal this evening. It is in the Varina District, on page three of your agenda. It's
56 Rezoning 2019-00001, Liberty Homes. This case has been withdrawn and no action by
57 the Commission is required.

58
59 **(Deferred from the June 13, 2019 Meeting)**

60 **REZ2019-00001 RVA Land for Liberty Homes:** Request to rezone from A-1
61 Agricultural District to R-2 One-Family Residence District Parcel 821-679-0872 containing
62 5.381 acres located on the west line of Buffin Road, approximately 2,700' north of
63 Kingsland Road. The applicant proposes two single family dwellings. The R-2 District
64 allows a minimum lot area of 18,000 square feet and a maximum gross density of 2.42
65 units per acre. The use will be controlled by zoning ordinance regulations. The 2026
66 Comprehensive Plan recommends Suburban Residential 1, density should not exceed
67 2.4 units per acre and Environmental Protection Area. The site is in the Airport Safety
68 Overlay District.

69
70 Mr. Baka - Okay, thank you.

71
72 Mr. Emerson - Deferrals.

73
74 Mr. Strauss - And the deferrals, thank you Mr. Secretary, we have seven
75 requests for deferrals this evening. The first request is in the Brookland District on page
76 one of your agenda. That's POD 2019-00204, Glenside Associates, LC and Carrols, LLC.

77
78 **POD2019-00204 SilverCore Land Development and Consultants for**
79 **Glenside Associates, LC and Carrols, LLC:** Request for approval of plan of
80 development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to
81 construct a one-story, 2,811-square foot restaurant with drive-through facilities in an
82 existing shopping center. The 11.146-acre site is located on the northeastern corner at the
83 intersection of West Broad Street (U.S. Route 250) and Glenside Drive, on part of parcel
84 767-747-4508. The zoning is B-2, Business District, B-3, Business District, and B-2C,
85 Business District (Conditional). County water and sewer. **(Brookland)**

86
87 And in this case the applicant is requesting a deferral to the July 24, 2019 meeting.

88
89 Mr. Baka - Okay. Is there anyone present in opposition to the deferral of
90 POD 2019-00204, Burger King at Glenside and Broad Center? All right, seeing none.

91

92 Mr. Archer - Mr. Chairman, on behalf of Mr. Witte, I move that POD2019-
93 00204, Silvercore Land Development and Consultants for Glenside and Associates be
94 deferred to the July 24th meeting at the request of the applicant.

95
96 Mrs. Thornton - I second.

97
98 Mr. Baka - We have a motion by Mr. Archer and a second by Mrs.
99 Thornton, all in favor say aye.

100
101 The Commission - Aye.

102
103 Mr. Baka - Opposed say no. Motion carries.

104
105 Mr. Strauss - The next request for deferral, also in the Brookland District, is
106 on page three of your agenda. Rezoning 2017-00032, the McGurn Company.

107
108 **(Deferred from the June 13, 2019 Meeting)**

109 **REZ2017-00032 Arthur McGurn for The McGurn Company:** Request to conditionally
110 rezone from R-2 One-Family Residence District and [R-6C] General Residence District
111 (Conditional) to R-3C One-Family Residence District (Conditional) Parcels 767-760-8701
112 and 768-760-1507 containing 4.305 acres located at the northeast intersection of Hungary
113 and Hungary Spring Roads. The applicant proposes a single-family development. The R-3
114 District allows a minimum lot area of 11,000 square feet and a maximum gross density of
115 3.96 units per acre. The use will be controlled by proffered conditions and zoning ordinance
116 regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density
117 should not exceed 3.4 units per acre.

118
119 And in this case the applicant is requesting deferral to the August 15, 2019 meeting.

120
121 Mr. Baka - Is there anyone present tonight in opposition to the deferral of
122 rezoning 2017-00032 Arthur McGurn for the McGurn Company. I see no opposition.

123
124 Mr. Archer - Mr. Chairman. I move that REZ2017-00032, Arthur McGurn
125 for the McGurn Company be deferred to the August 15, 2019 meeting at the applicant
126 request.

127
128 Mr. Mackey - Second.

129
130 Mr. Baka - We have a motion by Mr. Archer and a second by Mr. Mackey.
131 All in favor say aye.

132
133 The Commission - Aye.

134
135 Mr. Baka - Opposed say no. Motion carries.

136

137 Mr. Strauss - And the next two requests for deferral this evening are
138 companion cases in the Varina District on page four of your agenda. First case is Rezoning
139 2019-00023, 7-Eleven Incorporated.

140
141 **REZ2019-00023 Jeffrey P. Geiger for 7-Eleven, Inc.:** Request to conditionally rezone
142 from B-1 Business District to B-2C Business District (Conditional) Parcels 801-703-1153
143 and 801-703-0569 containing 1.043 acres located at the intersection of New Market Road
144 (State Route 5) and Osborne Turnpike. The applicant proposes a convenience store with
145 fuel pumps. The use will be controlled by zoning ordinance regulations and proffered
146 conditions. The 2026 Comprehensive Plan recommends Commercial Concentration.

147
148 And the applicant is requesting deferral to the August 15, 2019 meeting.

149
150 Mr. Baka - Is there anyone present in opposition to the deferral of
151 Rezoning 2019-00023, Jeffrey P. Geiger for 7-Eleven, Incorporated, or in opposition to the
152 deferral PUP2019-00010, of Jeffrey P. Geiger for 7-Eleven, either one? I see no opposition.

153
154 Mr. Mackey - Mr. Chairman, I move that REZ2019-00023, Jeff Geiger for 7-
155 Eleven Incorporated be deferred to the August 15, 2019 meeting at the request of the
156 applicant.

157
158 Mr. Baka - Second. We have a motion by Mr. Mackey and a second by
159 Mr. Baka, all in favor say aye.

160
161 The Commission - Aye.

162
163 Mr. Baka - Opposed say no. Motion carries.

164
165 **PUP2019-00010 Jeffrey P. Geiger for 7-Eleven, Inc.:** Request for a Provisional
166 Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County
167 Code in order to allow 24-hour operation of a proposed convenience store with fuel pumps
168 on Parcels 801-703-1153 and 801-703-0569 located at the intersection of New Market
169 Road (State Route 5) and Osborne Turnpike. The existing zoning is B-1 Business District.
170 The B-2C zoning district is requested with companion case REZ2019-00023. The 2026
171 Comprehensive Plan recommends Commercial Concentration.

172
173 Mr. Strauss - And the companion case in the Varina District, page four of
174 your agenda, Provisional Use Permit, 2019-0010, 7-Eleven, again, requesting deferral to
175 the August 15th meeting.

176
177 Mr. Baka - Mr. Mackey, I saw no opposition to that a minute ago.

178
179 Mr. Mackey - Okay, Mr. Chairman, I move that PUP 2019-00010, Jeff Gieger
180 for 7-Eleven Incorporated be deferred to the August 15, 2019 meeting at the request of the
181 applicant.

182

183 Mr. Baka - We have a motion by Mr. Mackey and a second by Mr. Archer.
184 All in favor say aye.

185
186 The Commission - Aye.

187
188 Mr. Baka - Opposed say no. Motion passes.

189
190 Mr. Strauss - And the final three requests for deferral this evening are all in
191 the Three Chopt District, page four of your agenda, the first is Rezoning 2017-00010, it's
192 MS Richmond Investors, LLC.

193
194 **(Deferred from the January 11, 2018 Meeting)**
195 **REZ2017-00010 James W. Theobald for MS Richmond Investors LLC:** Request to
196 conditionally rezone from A-1 Agricultural District to R-5AC General Residence District
197 (Conditional) Parcels 744-763-8661, 744-763-9175, 745-763-2013, 745-763-2727, 745-
198 763-3440, 745-763-4567, 745-763-5481, 745-763-6093 and 745-764-0618 containing
199 18.580 acres located between the east line of Belfast Road and the west line of Glasgow
200 Road at its intersection with Ireland Road. The applicant proposes a zero lot line
201 development with detached homes. The R-5A District allows a maximum density of six (6)
202 units per acre. The use will be controlled by zoning ordinance regulations and proffered
203 conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood
204 Development.

205
206 And the applicant is requesting deferral to the August 15, 2019 meeting.

207
208 Mr. Baka - Is there anyone present in opposition to the deferral of
209 Rezoning 2017-00010 James W. Theobald for MS Investors LLC?

210
211 Mrs. Thornton - Okay, Mr. Chairman, I move that REZ2017-00010, James W.
212 Theobald for MS Richmond Investors LLC be referred to the August 15, 2019 meeting at the
213 request of the applicant.

214
215 Mr. Baka - Second. We have a motion by Mr. Thornton and a second by
216 Mr. Mackey. All in favor say aye.

217
218 The Commission - Aye.

219
220 Mr. Baka - Opposed say no. Motion passes.

221
222 Mr. Strauss - Continuing in the Three Chopt District, companion case on
223 page five, Rezoning 2017-00011, also MS Richmond Investors LLC.

224
225 **(Deferred from the January 11, 2018 Meeting)**
226 **REZ2017-00011 James W. Theobald for MS Richmond Investors LLC:** Request to
227 conditionally rezone from A-1 Agricultural District and R-3C One-Family Residence District
228 (Conditional) to R-5AC General Residence District (Conditional) Parcels 744-762-4780,

229 744-762-5294, 744-762-9757, and 745-762-0472 containing 8.264 acres located between
230 the east line of Belfast Road and the west line of Glasgow Road, approximately 155' north
231 of Edinburgh Road. The applicant proposes a zero lot line development with detached
232 homes. The R-5A District allows a maximum density of six (6) units per acre. The use will
233 be controlled by zoning ordinance regulations and proffered conditions. The 2026
234 Comprehensive Plan recommends Traditional Neighborhood Development.

235

236 Again, the applicant is requesting deferral to the August 15, 2019 meeting.

237

238 Mr. Baka - All right, is anyone present in opposition to the deferral of
239 Rezoning 2017-00011, James W. Theobald for MS Investors LLC?

240

241 Mrs. Thornton - Okay. Mr. Chairman, I move that REZ2017-00011, James W.
242 Theobald for MS Richmond Investors LLC be deferred to the August 15, 2019 meeting at
243 the request of the applicant.

244

245 Mr. Baka - Second. We have a motion by Mrs. Thornton and a second by
246 Mr. Baka to defer. All in favor say aye.

247

248 The Commission - Aye.

249

250 Mr. Baka - Opposed say no. Motion passes.

251

252 Mr. Strauss - And then final request for deferral this morning on page five of
253 your agenda, Rezoning 2018-00024, Eagle Construction of Virginia, LLC.

254

255 **REZ2018-00024 Nathalie Croft for Eagle Construction of Va., LLC:** Request to
256 conditionally rezone from A-1 Agricultural District to R-5AC General Residence District
257 (Conditional) Parcels 735-773-7586 and 735-773-7060 containing 9.762 acres located on
258 the west line of Pouncey Tract Road (State Route 271), approximately 300' south of its
259 intersection with Nuckols Road. The applicant proposes a zero lot line, age restricted
260 development with detached homes. The R-5A District allows a maximum density of six (6)
261 units per acre. The use will be controlled by zoning ordinance regulations and proffered
262 conditions. The 2026 Comprehensive Plan recommends Rural Residential.

263

264 And the applicant's requesting deferral to the August 15, 2019 meeting.

265

266 Mr. Baka - Is there anyone present in opposition to the deferral of
267 Rezoning 2018-00024 Nathalie Croft for Eagle Construction of Virginia LLC? Okay.

268

269 Mrs. Thornton - All right, Mr. Chairman, I move that REZ2018-00024, Nathalie
270 Croft for Eagle Construction of Virginia LLC be deferred to the August 15th meeting at the
271 request of the applicant.

272

273 Mr. Archer - Second.

274

275 Mr. Baka - We have a motion by Mrs. Thornton and a second by Mr.
276 Archer. All in favor say aye.

277
278 The Commission - Aye.

279
280 Mr. Baka - Opposed say no. Motion passes.

281
282 Mr. Emerson - Mr. Chair, we now move on to the expedited items on this
283 evening's agenda. Those will also be presented by Mr. Jim Strauss.

284
285 Mr. Strauss - Thank you, Mr. Secretary. We have three requests for
286 approval on the expedited agenda this evening. And the first request is in the Fairfield
287 District on page four of your agenda. Rezoning 2019-00019, 2352 LLC, and this is a
288 request to rezone from R-5C, General Residential District additional to the C-1C
289 Conservation District that's required by the proffers of the original rezoning case. Staff is
290 recommending approval with the proffer in your handout this evening and that proffer is
291 dated June 27, 2019. We are not aware of any opposition. We recommend approval.

292
293 *(Deferred from the June 13, 2019 Meeting)*

294 **REZ2019-00019 Youngblood, Tyler, and Associates for 2352 LLC:** Request to
295 rezone from R-5C General Residence District (Conditional) to C-1C Conservation District
296 (Conditional) part of Parcel 782-771-0431 containing .904 acres located approximately
297 770' northwest from the terminus of Magnolia Ridge Drive. The applicant proposes a
298 conservation district. The use will be controlled by zoning ordinance regulations. The 2026
299 Comprehensive Plan recommends Environmental Protection Area and Office.

300
301 Mr. Baka - Is there any present in opposition to Rezoning 2019-00019,
302 Youngblood, Tyler and Associates for 2352 LLC.

303
304 Mr. Archer - Okay. All right, Mr. Chairman, I move that REZ2019-00019,
305 Youngblood Tyler and Associates for 2352 LLC be approved with the proffer dated June
306 27, 2019.

307
308 Mrs. Thornton - I second.

309
310 Mr. Baka - We have a motion by Mr. Archer and a second by Mrs.
311 Thornton. All in favor say aye.

312
313 The Commission - Aye.

314
315 Mr. Baka - Opposed say no. Motion carries.

316
317 **REASON -** Acting on a motion by Mr. Archer, seconded by Mrs. Thornton,
318 the Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors
319 **grant** the request because it conforms with the objectives and intent of the County's
320 Comprehensive Plan.

321
322 Mr. Strauss - The second request for approval in the expedited agenda this
323 evening is in the Three Chopt District, page 5 of your agenda, Rezoning 2019-00022 Ken
324 Luu.

325
326 **REZ2019-00022 Ken Luu:** Request to conditionally rezone from A-1 Agricultural
327 District to R-2C One-Family Residence District (Conditional) part of Parcel 757-744-4101
328 containing .421 acres located at the northwest intersection of Michaels and Three Chopt
329 Roads. The applicant proposes a residential lot. The use will be controlled by zoning
330 ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
331 recommends Suburban Residential 2, where density should not exceed 3.4 units per acre.

332
333 And this is a request to conditionally rezone from A-1 Agricultural District to R-2C, One-
334 Family Residential District to allow the creation of one residential lot. Staff is recommending
335 approval with proffers one through seven in the staff report, and we are not aware of any
336 opposition.

337
338 Mr. Baka - Okay. Is there anyone present tonight in opposition to
339 Rezoning 2019-00022 Ken Luu?

340
341 Mrs. Thornton - All right, Mr. Chairman, I move that REZ2019-00022, Ken Luu
342 be sent to the Board of Supervisors with the recommendation of approval for proffers one
343 through seven, dated June 17, 2019.

344
345 Mr. Baka - Second. We have a motion by Mrs. Thornton and a second by
346 Mr. Baka. All in favor say aye.

347
348 The Commission - Aye.

349
350 Mr. Baka - Opposed say no. Motion passes.

351
352 **REASON -** Acting on a motion by Mrs. Thornton, seconded by Mr. Baka,
353 the Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors
354 **grant** the request because it conforms to the recommendations of the Comprehensive Plan
355 and would not adversely affect the adjoining area if properly developed as proposed.

356
357 Mr. Strauss - And then third and final request for approval on the expedited
358 agenda this evening, on page six of your agenda, Rezoning 2019-00024, Luis Carrillo.

359
360 **REZ2019-00024 Luis Carrillo:** Request to conditionally rezone from B-2 Business
361 District to B-3C Business District (Conditional) Parcel 767-742-7247 containing .21 acres
362 located at the northwest intersection of Redman Road and Mallory Drive. The applicant
363 proposes an office-warehouse. The use will be controlled by zoning ordinance regulations
364 and proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is
365 in the Enterprise Zone.

366

367 This is a request to conditionally rezone from B-2 Business District to B-3C Business
368 District. Staff is recommending approval with proffers 1 through 10 in the staff report. And
369 again, we are not aware of any opposition.
370

371 Mr. Baka - Is there anyone present in opposition tonight to rezoning 2019-
372 00024, Luis Carrillo? Okay. At this time I move that Rezoning 2019-00024 Luis Carrillo be
373 sent to the Board of Supervisors with a recommendation of approval with proffers 1 through
374 10, dated June 20, 2019.
375

376 Mr. Archer - Second.
377

378 Mr. Baka - We have a motion by Mr. Baka and a second by Mr. Archer.
379 All in favor say aye.
380

381 The Commission - Aye.
382

383 Mr. Baka - Opposed say no. Motion passes.
384

385 **REASON -** Acting on a motion by Mr. Baka, seconded by Mr. Archer, the
386 Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors
387 **grant** the request because it would not be expected to adversely affect the pattern of zoning
388 and land use in the area.
389

390 Mr. Emerson - Mr. Chairman, that concludes the expedited items for this
391 evening. We now move into your regular agenda on page five. For REZ2019-00021,
392 James W. Theobald for 1420 North Parham Road, LC; Thalhimer Regency, LC et al; and
393 Holly Hill Parham, LLC.
394

395 **(Deferred from the June 13, 2019 Meeting)**

396 **REZ2019-00021 James W. Theobald for 1420 N. Parham Road, LC; Thalhimer**
397 **Regency, LC et al; and Holly Hill Parham, LLC:** Request to conditionally rezone from
398 B-3 Business District to UMUC Urban Mixed-Use District (Conditional) Parcels 752-743-
399 9774, 752-744-6336, 753-743-9242, and 753-744-2141 containing 35.53 acres located
400 on the south line of Quioccasin Road between Starling Drive and N. Parham Road. The
401 applicant proposes an urban mixed-use development. The uses will be controlled by
402 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
403 recommends Urban Mixed-Use.
404

405 There is also a companion case that will be presented simultaneously that is PUP2019-
406 00009, James W. Theobald, 1420 North Parham Road, LC; Thalhimer Regency, LC et al;
407 and Holly Hill Parham, LLC.
408

409 **(Deferred from the June 13, 2019 Meeting)**

410 **PUP2019-00009 James W. Theobald for 1420 N. Parham Road, LC; Thalhimer**
411 **Regency, LC et al; and Holly Hill Parham, LLC:** Request for a Provisional Use Permit
412 under Sections 24-32.1(a, c, e, f, g, i, j, k, m, n, o, p, q, r, s, t, v, x, y, z and aa), 24-120

413 and 24-122.1 of Chapter 24 of the County Code to allow for outdoor vending; an
414 automotive filling station; indoor antique auction; auditorium and assembly hall, coliseum,
415 and stadium; billiard parlor; single offices, clinics and labs for medical, dental and optical
416 uses greater than 30,000 square feet of floor area; grocery or convenience food store
417 greater than 30,000 square feet of floor area; indoor recreation facility/swimming pool
418 greater than 10,000 square feet of floor area; drapery making and furniture upholstering
419 shops; drive-through service window; office-warehouse; parking garage; radio and
420 television stations and studios; outdoor recreation facilities; sign printing and painting
421 shop; television receiving antennas; buildings in excess of 60' in height; density of
422 residential development exceeding 30 dwelling units per acre; open space less than 20
423 percent; general hospitals; extended hours of operation for any business containing one
424 or two billiard, pool, or bagatelle tables to 2:00 a.m.; number of for-lease multifamily
425 dwelling units exceeding 30 percent of the total units of the UMU district; and parking plan
426 on Parcels 752-743-9774, 752-744-6336, 753-743-9242, and 753-744-2141 located on
427 the south line of Quioccasin Road between Starling Drive and N. Parham Road. The
428 existing zoning is B-3 Business District. The UMUC zoning district is requested with the
429 previous zoning case I announced. The 2026 Comprehensive Plan recommends Urban
430 Mixed-Use.

431
432 I will note that I did mention heliport is in our description. That has been removed. These
433 cases will also require separate actions, and you also have time limits that need to be
434 waived once you've heard the cases and make determinations regarding final action. With
435 that said, the staff reports will be presented by Mr. Ben Sehl.

436
437 Mr. Baka - Before we begin, good evening, Mr. Sehl. Before we begin
438 there are four steps we're going to walk through tonight. We're going to hear first from Mr.
439 Sehl the staff presentation, those folks are in opposition of the opportunity to speak. The
440 applicant will have a chance to make a presentation and proponents, those in support of
441 the case, may have opportunity to speak.

442
443 So this was asked on the previous questions, let me ask, bear with me, this is somewhat a
444 long question here. Is there anyone present in opposition to Rezoning 2019-00021, James
445 W. Theobald for 1420 North Parham Road, LC, Thalhimer Regency, LC et al; and Holly Hill
446 Parham, LLC, or in opposition to PUP, the Provisional Use Permit, 2019-00009, James W.
447 Theobald for 1420 North Parham Road, LC; Thalhimer regency, LC et al; and Holly Hill
448 Parham, LLC? Anyone present in opposition for those?

449
450 Okay. Do you have some? Okay. We have some opposition? We'll get to you all after
451 Mr. Sehl makes a staff presentation and he can give some more information at the onset
452 here. Good evening, Mr. Sehl.

453
454 Mr. Sehl - Good evening, Mr. Chairman.

455
456 Mr. Baka - Thanks.

457

458 Mr. Sehl - These requests would allow for redevelopment of Regency
459 Mall consistent with the county's 2026 Comprehensive Plan. The two companion cases
460 would rezone approximately 35.5 acres and impose conditions of development as part of
461 the Provisional Use Permit.
462

463 The subject site is largely zoned unconditional B-3, which is the county's most intensive
464 business zoning and allows 24-hour operation by right. Adjacent property to the north and
465 west is also zoned for business use, while property to the south is zoned R-3 and includes
466 the Ridgecrest neighborhood.
467

468 As noted, the 2026 Comprehensive Plan designates the site urban mixed-use, or UMU.
469 UMU areas are intended to emphasis pedestrian-oriented activity centers that contain a
470 mix of retail, office, multi-family residential, open space, and other public and private uses.
471 Multi-story buildings with a vertical mixture of uses are encouraged in UMU areas, and
472 greater regulatory flexibility is intended to encourage innovative and creative design and
473 high-quality development. As a general guide, UMU-designated land is intended to support
474 residential density with 40 units per acre. To demonstrate -
475

476 Mr. Baka - Excuse me. You said 40 units per acre?
477

478 Mr. Sehl - Yes, sir. That's the number noted in the Comp Plan. To
479 demonstrate consistency with the Comprehensive Plan, the applicant has submitted and
480 proffered the Regency Square UMU pattern book. This 46-page document provides design
481 guidelines for redevelopment of the property. It provides a framework and standards for
482 features such as streets and streetscapes, landscaping, signage and building design.
483

484 This concept plan shows the basic layout of the planned block pattern of internal streets
485 that would be created, which would accommodate the proffered maximum of 1250
486 residential units or 35 units per acre. The pattern book provides new standards to be used
487 in the review of detailed development plans as the UMU District is intended to be flexible
488 and allow for uses to be integrated and relocated during the build-out process. This means
489 specific location of individual buildings and uses is not known at this time, but the pattern
490 book provides the means for reviewing detailed development plans in the future.
491

492 For instance, the applicant proposes to open portions of the interior of the mall to create a
493 central open space that will provide gathering areas for the development. As shown on this
494 page, guidance regarding design features such as entrances, canopies, lighting and
495 materials is provided, which would be used in the review of future plans of development as
496 they are submitted.
497

498 As part of the Provisional Use Permit request to increase building height, the applicant has
499 also submitted this exhibit, which shows the maximum building height for the various
500 development areas. Building heights would be reduced, excuse me. Building heights could
501 be a maximum of 120 feet in height in three development areas shown in red on this exhibit.
502

503 Building heights would be reduced as you moved outward towards the project edge. I
504 would note these building heights are less than those approved in other similarly situated
505 UMU development, such as Libbie Mill, that buildings up to 110 feet are permitted via the
506 POD process under the existing B-3 zoning, and that existing approvals of the mall site
507 allow for buildings up to 70 feet.

508

509 From an appearance perspective, the applicant has provided various character images
510 showing how future buildings could appear. These include office buildings as depicted
511 here, as well as residential buildings, as shown here. Again, these images are intended to
512 provide the general character for future development and would be used by staff and the
513 Planning Commission to review future development proposals submitted by the applicant.

514

515 The pattern book also lays out street requirements for future development. All internal and
516 external streets, including Starling Drive, would provide sidewalk, street trees and other
517 urban-design features consistent with these typical sections.

518

519 These sections are intended to create this type of streetscape within the development.
520 Activated streets, including features such as outdoor dining and street furniture, are an
521 intended feature for properties designated UMU, as these features enhance the pedestrian
522 experience.

523

524 The pedestrian plan provided in the pattern book reinforces this design element, showing
525 the location of existing and planned pedestrian access, including features such as
526 crosswalks within the development. The county is also actively exploring options for
527 crosswalks on adjacent streets to enhance pedestrian access to Regency from the nearby
528 community.

529

530 As part of the review of this request, application materials detailing the proposed
531 development were reviewed by various county agencies, including Henrico County Public
532 Schools, and the county's traffic engineer. Schools as indicated developments of this type
533 generally produce fewer students than typical multi-family development. For instance, the
534 350 apartments in West Broad Village have 13 students living in them currently. Based on
535 this. Schools indicates the development should be able to be accommodated by existing
536 and planned infrastructure and redistricting.

537

538 The traffic engineer has also indicated redevelopment as proposed can be accommodated
539 with existing physical infrastructure and changes in signal timing in the corridor. The
540 applicant has also revised their proffers to add proffer six, requiring additional traffic impact
541 analysis, should it be requested by the Director of Public Works. That change was made
542 today and was handed out to you this evening.

543

544 With regards to the PUP conditions, staff has distributed revised conditions this evening
545 that provide additional clarity on conditions one, two and nine regarding maximum density,
546 square footage, and drive-through access.

547

548 I would note the conditions as proposed are part of the Provisional Use Permit and are
549 generally consistent with past UMUs in the county, but do take into account the large-scale
550 retail nature of the existing uses on the property as well as the existing unconditional B-3
551 zoning that allows a number of uses. That's why Mr. Emerson noted so many uses being
552 listed in the Provisional Use Permit process, because many of those already exist on the
553 site of the existing B-3 zoning. As noted in your staff report, the applicant previously
554 reduced the building height request to a maximum of 120 feet and removed their request
555 for a helistop on the property.

556
557 Overall, staff believes these companion requests would allow for redevelopment of
558 Regency in a from consistent with the 2026 Comprehensive Plan and other UMU
559 developments in the county.

560
561 The proffered conditions, pattern book, and revised PUP conditions should provide
562 reasonable protections for adjacent properties, while allowing necessary flexibility for the
563 more urban form of development envisioned for UMU projects in the county.

564
565 Staff recommends approval of both requests, and I would note that time limits would need
566 to be waved on the proffers to accept them this evening. That concludes my presentation,
567 and I'd be happy to try and answer any questions you might have at the time.

568
569 Mr. Baka - Okay. At this time, we'll take questions from the Planning
570 Commission to the staff. And I have two or three questions I want to lead off with, and
571 perhaps other Commissioners have some others. Mr. Sehl, thank you for your
572 presentation. I want to ask if you could explain a little bit further about the Comprehensive
573 Plan designation for UMUs to, for example, if I understand correctly, an urban mixed-use
574 district is designated as an area on the Comprehensive Plan, which there are several
575 throughout the county. Can you explain that different between that and the zoning
576 ordinance?

577
578 Mr. Sehl - Certainly, Mr. Baka. So the Comprehensive Plan, the current
579 Comprehensive Plan the county operates under, is the Vision 2026 Comprehensive Plan
580 that was adopted by the Board of Supervisors in 2009 after several public hearings and
581 community meetings to kind of review that process, the plan, with the community.

582
583 That Plan as a component of it, is a future land use map, that for each property in the county
584 designates what the potential future land-use could be on that property. In this case it's
585 designated UMU, for an existing single-family neighborhood of a certain density might be
586 designated for Suburban Residential One. For existing commercial areas it might
587 designate it as commercial concentration. So there are various land uses proposed. Most
588 of those in existing developed areas are reflective of the existing zoning that exists on the
589 property. So a single-family neighborhood might be zoned R-3, and therefore designated
590 as SR-1 on the Comp Plan.

591
592 In certain areas, such a Regency or undeveloped properties, the county projects what the
593 anticipated use might be in the future based on known infrastructure limitations, community

594 input during the Comprehensive Plan process. In this instance, Regency was re-
595 designated to urban mixed-use as part of the 2009 comprehensive planning process.

596
597 Mr. Baka - Okay. So, in your opinion, is this level of density that, let's just
598 talk about just the density just for a second. Is that appropriate under the Comprehensive
599 Plan for what's being proposed here tonight?

600
601 Mr. Sehl - So there are several mixed-use designations in the 2026 Plan.
602 They range from suburban mixed-use, which is intended to be a little bit, you know, much
603 reduced density, still allows for some mixture in various zoning districts to traditional
604 neighborhood development, which is a little bit denser than that. And then our most dense
605 recommended mixed-use category is urban mixed-use, which the densities proposed here
606 are both in line with the recommendations in the Comprehensive Plan, as well past UMUs
607 that have been approved by the county.

608
609 Mr. Baka - And that's one of the first things I notice and other folks may
610 notice, is that somewhat of a change from what you've typically seen in other areas of
611 western Henrico.

612
613 Mr. Sehl - It certainly, it's more consistent with more recent mixed-use
614 communities that have developed, Mr. Baka, such as Libbie Mill and West Broad Village
615 and have tended to be a little more. Sometimes they're redevelopment of existing
616 properties, such as Libbie Mill, or its greenfield development like West Broad Village. But
617 it's still in that same vein.

618
619 Mr. Baka - So one question about the proposed height limits. When I walk
620 -- I didn't walk. When I drove through Old Brick Road in West Broad Village, I noticed that
621 there's a lot of first-floor retail and four or five stories of apartments above that. So some
622 of those areas appear to be, I would say, five stories, maybe 50 or 60 feet tall. What are
623 the maximum allowable heights at other UMUs in the county, just as an example, say at
624 West Broad Village, how tall could something be built, or even at Libbie Mill, how tall could
625 something be built there?

626
627 Mr. Sehl - Mr. Baka, because building height was a point raised during
628 the community meeting process, I did put together a chart that shows the existing, the
629 approved height for UMUs developments in the county as well as those buildings that have
630 been constructed within those UMUs.

631
632 Mr. Baka - Thanks.

633
634 Mr. Sehl - So, for instance, Rocketts Landing has a maximum allowed
635 height of 100 feet. The current tallest building, and that's in the portion of the county.
636 There's some portions in the city that are allowed to be taller, but the portion in the county,
637 the tallest building is the 210 Rock Building, which is approximately 85 feet. That's another
638 building that has a first-floor retail/office component. And it's a multi-family residential
639 above.

640
641 West Broad Village, the tallest building that is allowed in that property, was 200 feet. Right
642 now, the maximum that the tallest building is the ACAC building, which has just less than
643 80 feet in height, but there were two buildings that were proposed that could have gone up
644 to 200 feet as part of that original rezoning.

645
646 Libbie Mill, and during different iterations of that project that's been amended a couple of
647 times, now allows buildings, or one building, up to 250 feet in height. Currently, the tallest
648 building in Libbie Mill, it's the recently completed Penstock Quarter Apartment building,
649 which was five stories in height, at 70 feet. That's another building that includes first-floor
650 retail, multi-family residential above, which creates a little bit more height than you might
651 think for a five-story building.

652
653 The rest of them, none have really been completed yet. But you'll see in that left column
654 the maximum heights that have been permitted are the -- by the Board of Supervisors
655 during that process.

656
657 Mr. Baka - Okay. So it's fair to say, as you look at the comparison in the
658 chart, that there are, in some cases, noticeable differences between the built environment
659 in some of the urban mixed-use districts we see right now of, say, a five-story building and
660 what could actually be allowed and what's already been approved by the county's efforts
661 to, I guess, encourage the establishment of these urban mixed-use districts distributed
662 throughout the county, but also supported by infrastructure in roads and utilities. Is that a
663 fair summary?

664
665 Mr. Sehl - I would agree with that assumption, yes.

666
667 Mr. Baka - Okay. Appreciate the chance to see that chart. I did have one
668 question on -- there was a breakdown in the proffers of the number of bedrooms per
669 apartment, so I believe it was proposed, or proffered, to be 55 percent would be one-
670 bedroom units, and 40 percent would be two-bedroom units.

671
672 Mr. Sehl - So, Mr. Baka, I know the applicant has indicated that that would
673 be the anticipated breakdown, and that is not a proffer (indiscernible).

674
675 Mr. Baka - That is not a proffer? Okay.

676
677 Mr. Sehl - So the applicants can speak more closely to that, but I have
678 also seen those numbers as the anticipated breakdown but its not currently in the proffers.

679
680 Mr. Baka - I'll save that question then for the applicant. And also wanted
681 to discuss the impact upon schools. Can you first describe the process in general of how
682 schools accommodate more growth from school children?

683
684 Mr. Sehl - In general, development in Henrico increases in school
685 capacity have been handled through the normal capital budgeting process. Henrico has

686 not typically some localities approach it from a cash proffer perspective where they might
687 have, you know, collected development fees as housing was developed.

688
689 But the schools that exist around Regency now were not constructed by the housing
690 developments that were occurring. They grew as the housing around the area grew. The
691 county came forward and made those improvements and built those schools, enlarged
692 those schools when necessary. So these developments tend to be very gradual in their
693 build out as well. It's not something where all of those units would come out overnight so
694 it would allow schools to plan as they see the students being generated from the
695 development. That initial phase can be accommodated.

696
697 The schools is about to begin a redistricting process, so knowing a development like this is
698 in the pipeline helps them plan for that as well. So they would kind of take that into account
699 as they're considering the redistricting process as well.

700
701 But as they enroll, it begins to grow, they look at how it impacts the schools and determine
702 the best way to accommodate that. No different than when, you know, existing zoned
703 property is developed for single-family homes, or other, you know, developments have
704 been constructed in the county.

705
706 Mr. Baka - One more question along those lines about schools. The staff
707 report talks about the projected school student population from typical multi-family
708 apartments. How do we reconcile that difference of what's projected with, hey, it's not as
709 likely to have that many school-age children in the apartments in an urban mixed-use
710 district?

711
712 Mr. Sehl - So, Mr. Baka, we do have representatives from Schools here
713 tonight. And I'd be happy to bring them up to answer that question, specifically. But, in
714 general, I think it's as it's stated in the staff report, is that they're able to look at existing
715 developments, existing UMU developments, and the numbers of students that they are
716 projecting we have some history now with them.

717
718 West Broad Village has been in place for a number of years now, and it's an established
719 community, so they can have an idea of the number of students that are being produced
720 out of those apartments. So I think that's why they're basing it. They obviously have to
721 cover both numbers, because that's what their student generation ratios show for multi-
722 family. But they certainly can answer that more in depth, if you'd like to talk to Mr. Sorenson
723 or Mr. Briggs.

724
725 Mr. Baka - Would other Commissioners have questions of Mr. Sehl before
726 we talk to schools?

727
728 Mr. Archer - I have one. Are you going to have the school's reps come up?

729
730 Mr. Baka - Could we have Schools follow up on that question, then?
731 Thank you, Mr. Sehl.

732
733 Mr. Sehl - You're welcome. Thank you.
734
735 Mr. Sorenson - Actually, good evening.
736
737 Mr. Baka - Good evening.
738
739 Mr. Sorensen - My name is Chris Sorensen, I'm the Assistant Superintendent
740 for Finance for the schools and thank you for the opportunity to come and answer the
741 questions. So, as he stated, we have the same methodology when we calculate student
742 yields for apartments. But we understand that urban mixed-use is going to probably attract
743 a different type of market.
744
745 So in our staff report we did lay out our traditional calculation for all units coming online and
746 number of students they'd recommend. But looking at West Broad Village and Rockett's
747 Landing, we certainly realize that those units are not generating the same types of numbers.
748
749 And so, just as an example, Libbie Mill, which would be somewhat similar to this project,
750 has 16 students living in it now, in those apartments. So it's really hard for us to project
751 urban mixed-use, because there're so few developments, but we wanted to be fair, be
752 consistent, in our methodology in how we project apartments, but also note that we realize,
753 again, these are different type of development, so we probably attract different families and
754 --
755
756 Mr. Baka - Are you confident, sir, that the schools can capably absorb the
757 number of students that may come from this type of development?
758
759 Mr. Sorensen - I believe because it is going to be a longer build out, we could
760 absorb it. Of course, that's without knowing other types of developments that are in the
761 pipeline coming out. And, of course, there is a redistricting process that we're going through
762 that can help us to accommodate those.
763
764 It's hard for me to say that we're confident. All those schools around Regency are -- most
765 the schools are close to 100 percent, but with a slower buildout in the redistricting we'll
766 consider that during the process to accommodate things the best we can.
767
768 Mr. Baka - Other questions of Mr. Sorenson?
769
770 Mr. Archer - As a general rule, you could speculate on this a little bit, how
771 has the UMU designation affected schools with the small amount of information you've got
772 to work with, have you been able to estimate it fairly accurately to date?
773
774 Mr. Sorensen - Because we have such a small database, it's hard to estimate.
775 The ones in existence haven't had a great impact on schools, they just haven't generated
776 a lot of students. So the ones in existence really haven't been an issue. And just so you
777 guys will know, when our consultants working with us for redistricting, we do want to talk to

778 him about his experience nationwide, with urban mixed use. So we can be more accurate
779 in the future projections. And more information to go with that.

780
781 Mr. Archer - Okay. I know my question was rambling, but that's what I was
782 trying to get from you.

783
784 Mr. Sorensen - Okay.

785
786 Mr. Baka - All right. Thank you, Mr. Sorensen.

787
788 Mr. Sorensen - Yes, sir. Appreciate it.

789
790 Mr. Baka - Thank you.

791
792 Mr. Baka - Does anyone from the Commission have any other questions
793 of staff?

794
795 Mr. Mackey - No.

796
797 Mr. Baka - Okay. At this point, we open it up for those opposed. Is there
798 anyone here tonight in opposition to this case that would like to speak and express their
799 concerns, or their views at the podium? Yes, sir. Please come forward and state your
800 name for the record. And also, if I may, Mr. Emerson, would you be able to read the
801 Commission's guidelines for public hearings?

802
803 Mr. Emerson - Yes, sir. Mr. Chairman mentioned that Commission does have
804 guidelines that governs public hearings and they are as follows: The applicant is allowed
805 10 minutes to present the request, and time may be reserved for responses to testimony.
806 Opposition is allowed a cumulative 10 minutes to present its concerns.

807
808 The Commission's questions do not count into the time limits and the Commission may
809 waive the time limits for either party at its discretion, and all comments must be directly
810 related to the case under consideration, and Mr. Chairman, as you and I had discussed
811 earlier I believe you plan to allow some time for the support to speak this evening as well.

812
813 Mr. Baka - Yes. Good evening, sir, and welcome. Please state your
814 name.

815
816 Mr. McIlwain - All right. My name is Jerry Mr. McIlwain. I live near Regency
817 Square. I'm concerned about how we're going to phase the density of this, the, you know,
818 120-foot building, which is roughly 10 stories. Again, as we're talking about basically
819 demolishing the entire site in order to build this, but they've already started building in new
820 infrastructure, so it's obviously not going to be an entire site. Greenspace.

821

822 And I assume they're still going to be what I've understood that the new plans are, they're
823 going to have a swimming pool, and part of it, they're going to have a Jumpology thing in
824 part of it so the basic infrastructure of the building is still going to be there at the main mall.

825
826 I'm concerned if you're talking about 35 units per acre, that's the only one place I can go is
827 up. So I don't see how they're going to do this if your're going to have to build a high-rise
828 building, I'm in construction, you don't build a high-rise building in decks. You can, but it's
829 not very practical. So you build it -- it's not going to be a phased construction if it's a high-
830 rise. It's going to be built as one unit, and then they might open them by floor, or something
831 else like that, but they're going to -- I'm curious as to how that's going to happen. So that's
832 my biggest concern, is the density that we're talking about adding to this site. I was glad to
833 hear that the helipad went away. That was going to be a big issue. So --

834

835 Mr. Baka - Yes, sir.

836

837 McIlwain - The other thing, so I'm not crazy about having a pool hall there
838 but, you know, eh. They've got them downtown. That's okay.

839

840 Mr. Baka - Okay, pool hall.

841

842 McIlwain - So, again, I just don't know how you going to get 1250 units
843 into, basically, where the old Sears building is now. I think that's about the only whitespace
844 I've seen. So I think that's all I have.

845

846 Mr. Baka - Does the Commission have any questions for McIlwain?
847 Thank you, sir.

848

849 Mr. Archer - Well I assume that the developer's going to come and talk?

850

851 Mr. Baka - Yes, after -- that'll be the third step in the hearing. Afterwards
852 we'll have the applicant speak and I would ask the applicant to address some of the
853 comments that you just raised right there and ask them to make a presentation on that.

854

855 Mr. Archer - Okay, great. Thank you.

856

857 Mr. Baka - Is there anyone else who'd like to speak in opposition tonight,
858 please come forward. Hello. Good evening, and welcome.

859

860 Ms. Voorhis - Hello, my name's Adriane Voorhis. I live off of Pemberton
861 Road, and I'm actually the demographic that this development might appeal to. I'm an
862 empty nester. I have two kids that are in college and probably want to stay in the area and
863 buy a condo or rent from this kind of a community.

864

865 I also grew up in a city with lots of public transportation and lots of walkability, so I would
866 consider buying a place, you know, or renting a place in a development like this. But I do
867 have some concerns now that I'm not living there, and just how this is going to grow.

868
869 So one concern is traffic, and I understand that the county believes that we currently have
870 the structures in place, and it's just a matter of timing the traffic lights and, you know, what
871 we already have will be able to absorb this development, is what I've been told. Because
872 Regency Mall was really busy in its heyday, and so it's not going to be any different, is what
873 I've heard.

874
875 But I would beg to differ on account of the fact that there's going to be people living at
876 Regency Mall now, so that's very different, and they're going to be dealing with commuters.
877 It's also going to be an event space, so you're going to be dealing with, you know, people
878 coming to swim meets and that sort of thing. So I'm curious to see, I'd rather hear a little
879 bit more about the traffic situation and how that will be accommodated. Sort of one these
880 things I don't know if it's a developer issue or a county issue. I suspect it's kind of both,
881 partnering. So that's a concern, is the traffic.

882
883 Another concern is walkability, which is really one of the huge appeals of a community like
884 this. But I don't want it to be like West Broad Village where, God forbid, you want to cross
885 Broad Street and shop at Target. You know, these people who are going to be living in this
886 development may want to go to Walmart or may want to go to Kroger. You know, eventually
887 there may be some sort of grocery store or something within the community.

888
889 But I would want the developer to, and the county, to think about walkability not just defined
890 within the community, but the porousness out to the rest of the community. They've made
891 a big effort in discussing Holly Hill and how they'd be connected there. I've seen also that
892 there's a lot of sidewalks planned, including on Starling Drive, so it seems like you can kind
893 of walk around and through and within. But things like a crosswalk going to Walmart or
894 crosswalks at Parham, you know, so that you can get over to Kroger or walk to Freeman.
895 You know, if there's students, you know, in that community that would be cheaper for the
896 county if they don't have to bus them. You know. But they have to have a safe way to
897 walk.

898
899 Then my other concern is parking. I don't really see quite how that works. Honestly, I've
900 looked at the county guidelines, it's like chapter 24 or something, of urban mixed-used
901 developments, you know, and I've looked in there and there're certainly provisions for how
902 many parking spaces, if it's less than two bedrooms, you know, it's supposed to be one
903 parking space per resident, but if it's two bedrooms or more it's supposed to be 1.5.

904
905 But when I was reading through the 70-page PDF that they gave to you all, it seemed like
906 they were undercutting that a little bit, because they had, like, for studio apartments, this
907 many spaces for, you know, for a one-bedroom it's this many, for two-bedrooms, so it
908 wasn't the straight less than two was one space above two, two and above, was 1.5.

909
910 They seem to say that there wasn't going to be need for that many spaces because of the
911 growth of Lyft and Uber and I'm assuming hopefully more public transportation in the area.
912 I understand that that's all, you know, all up in the air and stuff, but I just want to make sure,

913 I mean, what I've seen so far is development of what used to be parking areas. So now
914 where do they go? You know.

915
916 So then my other question is about schools. And I understand, you know, this is a different
917 kind of community than what we're used to, and I understand that the projections at West
918 Broad Village turned out to be, I guess, they probably overestimated how many kids would
919 be going into the school system. That's a different kind of community in the sense that it's
920 townhomes, you know. This is apartments.

921
922 So what I would wonder is if there's a way for there to be, like, a percent dedicated to maybe
923 a known group of people that perhaps wouldn't have children in the school system, like 55
924 plus, you know, community. I don't know if that's something that can happen. Like an
925 active adult type, you know, community.

926
927 Because, honestly, I like the idea of West Broad Village, but I would never want to move
928 there, because the walkability is limited, and its townhomes. I'd rather have one-story living,
929 you know, as an older person. So these are things that would make it more appealing to
930 me, personally, and things I think that the county should consider when they approve, or
931 disapprove.

932
933 Mr. Baka - All right. Any questions of Ms. Voorhis? Thank you. Is there
934 anyone else tonight who'd like to speak in opposition to this case, or should we --? Yes,
935 sir, please come forward.

936
937 Mr. Emerson - Mr. Chairman, you have 2.35 minutes left.

938
939 Mr. Baka - Thank you. Good evening and welcome.

940
941 Mr. Shaffer - Hi. Thank you, My name's Bryan Shaffer. I live on Blue Jay
942 Lane and I just wanted to just express some concerns about, similar to Voorhis, that the
943 walkability in terms of Quioccasin Road, Farmington. I feel that sidewalks would be
944 awesome on Quioccasin to kind of extend those out towards Regency. And as far as
945 Farmington goes, I'm sure people are going to be using that as a shortcut from Gaskins.
946 So potentially speedbumps, you know, lower the speed limits. Right now the speed limit's
947 35. It's probably a little too fast as it is right now. But maybe to encourage people to come
948 from the neighborhood to the area. You know, sidewalks along Farmington or, like I said,
949 speedbumps, lower the speed limit. So that's all I have to say.

950
951 Mr. Baka - Very good. Any questions of Mr. Shaffer? Thank you, sir.

952
953 Mr. Shaffer - Thank you.

954
955 Mr. Baka - Okay. Anyone else like to speak in opposition tonight? All
956 right. At this time, we'll hear from the applicant and ask the applicant to address some of
957 those questions in their presentation. Good evening, and welcome.
958

959 Mr. Theobald - We're sharing our time.

960
961 Mr. Baka - Very good.

962
963 Mr. Slusher - Mr. Chairman...

964
965 Mr. Slusher - Yes. Because I can talk about Regency for a long time. Mr.
966 Chairman, members of the Planning Commission, my name is Mark Slusher, and I'm the
967 co-manager of 1420 North Parham Road, LC. The owner of most of Regency Square.

968
969 On behalf of my co-manager, Rob Hargett, the staff of Regency, and our many Henrico
970 neighbors that support our efforts to bring Regency back as an asset to the community, I
971 appreciate this opportunity to come before you and give you a brief context for our request.

972
973 Do I have a -- oh, yeah. There it is. So I could operate with this? This arrows back and
974 forth., or that.

975
976 Mr. Slusher - I'd like to start by suggesting that the who in any agreement is
977 as important as the what are the terms. And so here's a picture of Rob and I, we just
978 purchased the mall and we made the -- we dedicated to making Regency cool again. And
979 I will tell you that we both have lived in Richmond well over 30 years, Rob a lot more than
980 I. Rob graduated from Freeman High School. I relocated my family in 1993 to a
981 neighborhood about a mile from Regency. My kids went all the way from Maybeury through
982 Freeman High School and from the very first day of our joint venture, the joint venture
983 purchased the mall, we've been all about integrating Regency into the community. It's very
984 important to us. And our development vision is one where Regency is, once again, the
985 family shopping and entertainment center of the Tuckahoe community it once was.

986
987 Some of my closest and dearest friends live about a mile from Regency. And so, since
988 March of 2015 when we purchased the mall, I've been having community meetings just
989 about weekly. Every time I meet with my friends, they want to know what's going on with
990 Regency.

991
992 And I will tell you that I'm just as accountable to them as Rob and I are accountable to this
993 Commission for how Regency develops and how it turns out. We believe that our roots in
994 the community and our presence in the community are a significant distinction that
995 separates us from some other malls, from most of the other malls, in this region.

996
997 We are even more committed and excited today about making Regency cool again than
998 the day we bought the mall four years ago. We've already made Regency a catalyst for
999 additional re-investment in this Tuckahoe area. Internally we refer to this area of Regency
1000 as Tuckahoe Town Center, and that includes the Walmart and the Parham Plaza all the
1001 way down to the library.

1002
1003 We see Regency rising this whole area up and integrating it and making it one big town
1004 center. So bringing Regency back to life is, and will continue to be, for the foreseeable

1005 future, a large capital-intensive undertaking, but approving this zoning request would be a
1006 major step forward to that end.

1007
1008 So over the last four years of ownership, what we have found is that there's been a seismic
1009 shift in retail behavior in the United States, and really, around the world. And that many
1010 national retailers have become complacent, and their brands have become commodities.
1011 And that people's tastes have changed and they want to go out for experiences, but that
1012 they're happy to buy their commodities online. And so the whole retail industry is in a big
1013 turmoil.

1014
1015 And we found that in trying to repopulate Regency, there's at least three deals that we
1016 almost did the deal, we came very close to doing a deal with a major retailer coming to
1017 Regency, and they decided not to come to Regency. Three months later all three of them
1018 were bankrupt. And so it was just the sands were sliding underneath us and we we're
1019 having a hard time figuring out how to repopulate and make Regency what it was before.

1020
1021 And so what became clear to us is really, over the last three years, or four years, is that
1022 retail alone will not sustain a viable Regency. And this is the same, the case is the same,
1023 across the country. There are a lot of Regencies around the United States, and the same
1024 thing is true for all -- for most of them. What we need to do, is we need to expand upon the
1025 quality brand, convenience, and safe environment that we have with Regency and create
1026 a new urban design that attracts the national and RVAs best-in-class retailers, restaurants
1027 and other businesses. That's what people want.

1028
1029 And then, lastly and probably the most importantly, is that we've got to create a critical mass
1030 of residents on the property to activate its mixture of uses and draw in others to create a
1031 sustainable retail commercial destination. So how are things different than they were 20
1032 years ago, or 1974 when Regency was the only game in town?

1033
1034 Regency is not the only choice for Richmonders now. And people like to go where there's
1035 other people. That's just part of being human. And so, to be able to have a critical mass
1036 of residents supporting Regency, activating the property in general, not only does it support
1037 the businesses that are there, but it's an attraction to bring other people in. And so that is
1038 really a critical, a very critical, feature to bringing Regency back.

1039
1040 Mr. Emerson - Mr. Slusher, you're at four minutes.

1041
1042 Mr. Slusher - Okay. How's the development progressing? Well, I think that
1043 it's just, there's no pointer? Okay. So, just quickly, you all have been there, I hope a lot.
1044 But, anyway, so this was that bridge. We, in conjunction with the county, we removed the
1045 bridge and really gave Regency an open door. Our mission was, make Regency inviting.
1046 It wasn't inviting. It was a big, concrete block and you had to go through a bridge to get
1047 there.

1048
1049 So we created an inviting entrance. We removed this big parking deck that was also in the
1050 way, and all of a sudden the national retailers came. They knew that this was a great

1051 location. They knew that the demographics and the economics were as good as Short
1052 Pump. We got --- so, we've got Chipotle and MOD Pizza, Starbucks. This is one of the
1053 best Starbucks of the highest grossing Starbucks, in Richmond. Panera Bread. They rolled
1054 out their brand-new prototype here at Regency. It's beautiful. I hope you get a chance to
1055 see it. Better Med local urgent care, and then Berkshire-Hathaway Realty services. All of
1056 them came, and they all liked the visibility and the location of Regency. And when they
1057 came, others took notice. So now we have Surge, which is the trampoline park located in
1058 the Macy's, and then, of course, so they will be opening later this year.

1059
1060 So what are you going to see in the next few years of Regency? What of our plans? So
1061 this is the upper entrance to the second floor of Regency. You come in through the
1062 entrance to the property and then you enter here. We're going to open this up as a plaza.
1063 People like open areas. We're going to outward-facing retail, just like Willow Lawn has
1064 done, and then you'll see we have a rooftop deck to activate this as a restaurant. And we
1065 have one of Richmond's best restaurateurs interested in opening up two concepts there,
1066 or maybe three. So we're really getting a lot of traction, and this is the kind of thing that
1067 you'll be seeing.

1068
1069 And then, on the lower plaza area, this is the Sears building, this is our food court. We will
1070 be opening up this area in here as another plaza. And this is a much more ambitious one.
1071 You can see the size and scope of this plaza. This is Forever 21 here. Here's the Macy's
1072 building. And you can see what we're after here. Regency is already -- is a great
1073 community asset. People use our -- the interior of the mall all the time, and it's going to
1074 continue to be that community asset, but some of it'll be inside and some of it will be outside.

1075
1076 And, of course, our latest addition to Regency that we're very excited about sets the seeds
1077 for a great sports tourism venue. NOVA Swimming, we're working with NOVA Swimming
1078 to put them in the rear Macy's building. You can see there's a 50-meter pool and this,
1079 NOVA in cooperation with the county, will provide swimming lessons to the county,
1080 interscholastic high school meets, and so this is part of Regency's brand. The emerging
1081 brand of Regency being part of the community, as opposed to just a stand-alone retail
1082 island. So I'll turn it over to Jim.

1083
1084 Mr. Emerson - Mr. Chairman, the applicant's at 34 seconds, so it's up to the
1085 Commission if you would like to extend their time.

1086
1087 Mr. Theobald - I can't feed my family on 34 seconds.

1088
1089 Mr. Baka - You can't?

1090
1091 Mr. Theobald - It's not working.

1092
1093 Mr. Baka - Since this is a helpful and informative presentation for us and
1094 many of the public who may not have had a chance to attend the two previous community
1095 meetings that we attended, let's go ahead and extend the applicant's time by five minutes.

1096

1097 Mr. Theobald - That'd be great, Mr. Baka.
1098
1099 Mr. Baka - Thanks.
1100
1101 Mr. Theobald - And you're doing a nice job of covering some of the topics. And
1102 so to the additional questions on those, we'll cover those, but it will allow me to skip ahead
1103 a little bit. So this really is an effort to bring new life into Regency through the creation of
1104 this mixed-use experiential environment where people can literally live, work and play.
1105
1106 You hear that term a lot, but this is really the realization of that, replete with pedestrian
1107 walkways, open space, and amenities. Your UMU ordinance is uniquely situated to
1108 accomplish such a plan while still providing future flexibility for use. In fact, the notion of
1109 flexibility is built right into the ordinance in the text.
1110
1111 You really have to approach the request from the premise that the site is currently zoned
1112 unconditional B-3. Most anything goes, 24/7. And in order to include, though, the
1113 residential component we need to rezone the site to the UMU District, as residential is not
1114 permitted in B-3. We do have 46 pages of pattern book, which is basically 46 pages of
1115 proffers, if you will. It's highly designed by our team, and as noted by Mr. Sehl, covers a lot
1116 of ground as to streetscape, street furniture, et cetera.
1117
1118 I just pulled out this one slide just to show the attention given to the pedestrian access plan.
1119 Pedestrian and walkability is one of the hallmarks. I certainly agree with one of the
1120 speakers asking about pedestrian crossings. This was brought up early on in the process,
1121 and we've indicated our interest in working with the county in assisting to achieve those
1122 safe crossings. We want people to come to Regency. We want to encourage people to
1123 cross those streets.
1124
1125 Mr. Baka - If I may, each of those gold or orange-colored crossings
1126 indicates an internal crosswalk on that slide. Internal crosswalk internal to your site.
1127
1128 Mr. Theobald - Yeah. These are all, it's the sidewalks rimming the area with,
1129 then, internal crosswalks connecting the various -- the various uses.
1130
1131 Mr. Baka - Okay.
1132
1133 Mr. Theobald - Couple more shots just from the pattern book just to show you
1134 the quality of our streetscape designs and common areas. We've also designed the little
1135 connection between Holly Hill and the mall. Right now, you know, it's just so the road just
1136 sort of stops there and you can walk through. And there will only be a pedestrian
1137 connection, not vehicular. But, as you can see, we've kind of dressed it up into a little bit
1138 of a pocket-park there for the benefit of the neighbors.
1139
1140 The slide I just wanted to show you where the first set of apartments will be located. It's
1141 not the greatest of slides, but it does show the first phase of about 285 apartments occurring
1142 basically where the Sears building is. And those buildings are built around parking decks,

1143 so there is structured parking for a significant amount of -- for those units. And this is
1144 preliminary elevations for those apartments.

1145
1146 We've been very sensitive to the impacts, and we've attempted to mitigate them. Once
1147 again, it has to be viewed in light of the existing 900,000 square feet of brick and concrete
1148 and the impact when the mall was first created. And remember, the infrastructure
1149 surrounding the mall was geared to accommodate the mall in these unrestricted B-3 uses
1150 and so the infrastructure is largely there.

1151
1152 I thought we would touch just briefly on traffic and schools, height and density. We've got
1153 a good start on that through some of the questions Mr. Baka, you know, as to height, we
1154 basically revised our heights. We're moving from the single-family homes along Holly Hill
1155 and we're moving towards Quioccasin. There's no residential over there. You're moving
1156 toward Walmart.

1157
1158 And if you notice we start with 60 feet in height by that neighborhood and we transition to
1159 100 feet more in the middle and along the edges of starting, and only in those three areas
1160 closest, or nearly at Quioccasin, might we go up to 120 feet. Again, that being significantly
1161 lower than approved in many of the other areas. You should know that the existing height
1162 of the building at Regency now is about 60 feet, for what you see, and it's permitted to go
1163 to 70 feet.

1164
1165 With regard to schools, I think you've pretty much had a good description of that. I would
1166 note, you know; West Broad Village, 13; Libbie Mill, 6; and Rocketts Landing, 2 students.
1167 So, you know, I think this is going to work. I would also point out that unlike any of those
1168 others, most of which I've been involved with, this has the highest percentage of one-
1169 bedroom apartments of any of them. This is going to be, 55 percent or more will be one-
1170 bedroom apartments. That suggests no school-age kids. Okay? So we have a big
1171 number, we've only got like five percent of three bedrooms.

1172
1173 That's the way it's programmed now. And Mr. Sehl's correct, that those ranges aren't
1174 proffered, but that's what's being programmed currently, because that's what we think that
1175 our tenant profile will support.

1176
1177 With regard to traffic, again, the current unrestricted B-3 we think would generate roughly
1178 32,650 trips per day, as currently zoned. Our uses, we believe, would generate
1179 approximately 27,446 trips per day, and when you apply an internal capture rate, meaning
1180 people don't leave the site but they seek out their dinner, their entertainment, on the site
1181 and you apply that factor, it reduces the number of external trips significantly. And so we
1182 estimate in our traffic study that we're down to just over 22,000. So today we could
1183 generate 32,000, and so we've really lost about a third of the amount of potential traffic that
1184 could be generated by Regency, and perhaps was in its heyday. Keep in mind the
1185 apartment's work to reverse the commute, so we've got people leaving there in the morning,
1186 coming back at night. We hope other people are there shopping, you know, during the day.
1187 And the people who do live there we hope will stay on premises for their retail goods and
1188 services.

1189
1190 So we've also, just today, added a proffer to act as a little bit of a check and balance that
1191 says if, when we submit PODs for buildings if we think that that use is not consistent with
1192 what we've shown in the traffic report and would have a negative impact, we'll provide
1193 updated traffic studies. It may well be less of an impact in which case you wouldn't have
1194 to provide one. But all of that would have to be worked through with Public Works, and so
1195 I think that's a nice check as we go.

1196
1197 The, you know, as to density, it really is going to drive the success of the mall, the residential
1198 density. More people, greater demand for services. You can't spend the money to reinvent
1199 Quiocassin Road and build NOVA and create walkable environments and then limit your
1200 revenue sources. It just doesn't work that way. And so, we're looking to create a
1201 community that's going to succeed and be a benefit to all.

1202
1203 The County's been very supportive in helping with the Quiocassin improvements, as well
1204 as with locating the new NOVA facility. Very proactive in resurrecting the dwindling asset
1205 for the benefit of all, thus showing it on your land use plan for Urban Mixed-Use District.
1206 We've had a number of community meetings. I think we've been very well received. This
1207 is consistent with your last land use plan and will have a positive fiscal impact.

1208
1209 The most interesting thing is that I have had two or three major developers come to see
1210 me, and not everybody comes to see me, but nonetheless who own major properties
1211 around the mall. And because of the investment that's intended to be made here, they are
1212 planning to upgrade their commercial and residential facilities. And so it has this affect of
1213 throwing that pebble, you know, in the lake and just watching those circles and benefiting
1214 the whole of the county.

1215
1216 So with that I will stop, and I would greatly appreciate you recommending approval to the
1217 Board of Supervisors. Happy to answer any questions.

1218
1219 Mr. Baka - Thank you, Mr. Theobald. And just for everyone's
1220 understanding today in the audience, that the questions from the Planning Commission
1221 don't count within the time limits. We'll also have, after we have some questions for the
1222 applicant, we'll have opportunity for some proponents of the project who are in support of
1223 the project to also like to speak, just as the opposition spoke.

1224
1225 So I do have several questions. Okay, I have a lot of questions. So, and I believe other
1226 Commissioners will have some, too. I wanted to ask about the conceptual diagram we saw
1227 a couple minutes ago. At the Sears building you showed a concept of 285 apartments
1228 about where the Sears is right now. It also showed a architectural rendering of about four
1229 -- about five stories. That area actually has 100-foot maximum allowable height proposed
1230 on the height limitation charts. You have 100 on the chart and about 5 stories on the
1231 architectural plan. How tall will y'all intend to build that first phase of apartments?

1232
1233 Mr. Theobald - I think that first phase is currently looking more like five stories?
1234

1235 Mr. Slusher - Yeah (indiscernible).
1236
1237 Mrs. Thornton - That's not 100 feet, 5 stories.
1238
1239 Mr. Slusher - The first phase is predominantly four stories.
1240
1241 Mr. Baka - Okay.
1242
1243 Mr. Slusher - In fact, there's a break in how you build a building and the cost
1244 gets more when you get to five, so we're building as a four-story building. It's a technicality,
1245 but the land slopes off, then there may be some small, a portion of it, may be five stories.
1246 It'll all be under 100 feet. I can't tell you exactly. You know, there might be parapets, there
1247 may be -- but the 100 feet limitation in that area will accommodate what we plan to do.
1248
1249 Mr. Baka - Okay, so it could be shorter. All right. And then I was looking
1250 for a general explanation. Could you describe a little more, I guess, Mr. Theobald, of what's
1251 the general connection between height, the taller heights, and the success of the mall and
1252 the density and the success of the mall? So why are they at this height and how does that
1253 help promote redevelopment success?
1254
1255 Mr. Theobald - Well, again, I think what it does, is the density provides more
1256 people and a greater demand for the services that are being provided. And so this is not
1257 going to be a retail mall like it was in the past. It has to have a mix of uses, and so you
1258 have to bring residents into these areas. And I think that's why you're seeing West Broad
1259 Village and Libbie Mill and now even Rocketts start to succeed and take on some
1260 momentum.
1261
1262 In terms of the height, again, we've moved it consistently from where it would be allowed
1263 today back toward Quioccasin. Seems to me that's the logical place. If there's going to be
1264 any height, you know, we started out at 250, little aggressive, but what we were looking for
1265 is if somebody comes along, major corporation, and they want us to build a signature office
1266 building, you know, we want to be able to do that. After some more reflection we thought
1267 we could more than likely accomplish any requests like that within the 120-foot limitation,
1268 and that's why we rolled it back. But those buildings, again, are over next to Quioccasin,
1269 overlooking Walmart, you know, Toys "R" Us Building.
1270
1271 Mr. Baka - Okay.
1272
1273 Mr. Theobald - But you need that density to attract service providers and
1274 retailers to this site.
1275
1276 Mr. Baka - All right. So approximately how long would it take to phase in
1277 a range of time from x to y, 1250 units? First phase is 285. About how many years until
1278 you had that target?
1279

280 Mr. Theobald - Those -- that first phase would likely have its first occupants in
1281 the middle of 2021.

1282

1283 Mr. Baka - Okay.

1284

1285 Mr. Theobald - And in terms of how fast it would rent up, you know, we're
1286 hoping that within 6 to 12 to 18 months it'd be at full occupancy and at which point, you
1287 know, you consider maybe starting more. I think in terms of the whole of buildout for if
1288 you're able to even build out the 1250 residential units, you know, we're thinking that could
1289 easily be 15-20 years down the road. It just doesn't happen all at once.

1290

1291 Mr. Baka - Okay.

1292

1293 Mr. Theobald - And the absorption is sort of linear.

1294

1295 Mrs. Thornton - How many units will be in the four-story one that you have
1296 proposed right now, or the five?

1297

1298 Mr. Theobald - Two-eighty-five.

1299

1300 Mrs. Thornton - Two-eighty-five?

1301

1302 Mr. Theobald - They're going to be about 285.

1303

1304 Mr. Baka - Are there certain offsite water and sewer improvements that
1305 would be needed in order to bring certain densities to this property? Do those need to be
1306 --?

1307

1308 Mr. Theobald - Well, we would need no improvements to our initial phases.
1309 And in terms of, I think in the staff report, you know, notes that depending upon the pace of
1310 buildout and what happens in the area there is a possibility that some improvements to
1311 water and sewer might be needed down the road. And we're certainly aware of that.

1312

1313 Again, those improvements were sized to accommodate, you know, Regency and the
1314 anticipated growth around it, but if you've used up the capacity you've used it up, you know,
1315 forget the planning. So it would need to be addressed.

1316

1317 Mr. Baka - If that first phase of apartments went in at the Sears building,
1318 would that pocket park to the south by Holly Hill, by Starling -- there's a common area by
1319 Holly Hill and Starling on the southwest corner of the map. Would that go in also in the
1320 early phases?

1321

1322 Mr. Theobald - I would think so. The little pocket park in Holly Hill in that area
1323 along the residential.

1324

1325 Mrs. Thornton - Could you pull that map back up?

1326
1327 Mr. Baka - I can ask for that map.
1328
1329 Mrs. Thornton - Right.
1330
1331 Mr. Baka - In other words, if Sears is under -- if the apartments at Sears
1332 are under construction, do early residents have any benefit of green space or open space
1333 when they first move in?
1334
1335 Mr. Theobald - It's right here.
1336
1337 Mr. Baka - Right there. Would that be --?
1338
1339 Mr. Slusher - Yeah, I will tell you that our focus has been -- where is it? Our
1340 focus has been, this is where that lower plaza that we showed you, that the more ambitious
1341 one would go.
1342
1343 Mr. Baka - Okay.
1344
1345 Mr. Slusher - So, really, we've focused on that as being a key amenity since
1346 this is where the apartments would be located, and they would enter right into that and have
1347 that as their amenity. So that has really been, in terms of our first phase, that's been our -
1348 - sorry?
1349
1350 Mr. Slusher - We don't know when we're going to address that.
1351
1352 Mr. Baka - Okay.
1353
1354 Mr. Slusher - I think that this -- I think that -- yeah. I'm not sure when we're
1355 going to address that.
1356
1357 Mr. Baka - So if I could just summarize to rephrase, the early residents of
1358 those first 285 apartments, they may have some opportunities for that common area just to
1359 the east of the apartments, which is area 10 --
1360
1361 Mrs. Thornton - Six.
1362
1363 Mr. Baka - Area 10?
1364
1365 Mr. Slusher - Yes.
1366
1367 Mr. Baka - Area nine.
1368
1369 Mr. Slusher - It's 10 up there.
1370
1371 Mr. Baka - Okay, 9 and 10. All right.

1372
1373 Mr. Theobald - And nine, and nine.
1374
1375 Mr. Baka - Got any plans for Tire America?
1376
1377 Mr. Theobald - Not yet.
1378
1379 Mr. Baka - At Quioccasin and Starling?
1380
1381 Mr. Theobald - We're -- that has not been part of the UMU.
1382
1383 Mr. Baka - Okay.
1384
1385 Mr. Theobald - It also is B-3, unrestricted, and I imagine we'll have plenty of
1386 interest in the corner. It's a very powerful corner.
1387
1388 Mr. Baka - Okay. Other questions from the Commission?
1389
1390 Mrs. Thornton - Well, she had asked about walkability on the exterior.
1391
1392 Mr. Theobald - Yes. Yes, and we have, you know, committed to do -- to ring
1393 this with sidewalks. And, as I indicated, we are very much interested in promoting street
1394 crossings safely, because we want people to come to Regency. And so we'd love to be
1395 able to better connect Farmington and Holly Hill. Some of that is clearly offsite and we
1396 wouldn't be in it from a position to do some of that. But working, perhaps, with the county,
1397 I know you have a very active sidewalk program in Tuckahoe and other districts.
1398
1399 Mr. Baka - We do.
1400
1401 Mr. Theobald - But we're on the same side of that issue.
1402
1403 Mrs. Thornton - Okay. That's it.
1404
1405 Mr. Baka - Other questions from the Commission for them?
1406
1407 Mrs. Thornton - No.
1408
1409 Mr. Archer - I have a question. Mr. Theobald, when discussing this, I know
1410 it's a UMU, but how do you classify this space? Do you call it a shopping center?
1411
1412 Mr. Theobald - It's called experiential retail.
1413
1414 Mr. Archer - Okay.
1415
1416 Mr. Theobald - And you can go have an experience.
1417

1418 Mr. Archer - Nobody --
1419
1420 Mr. Theobald - And it'll be many options. You can dine, you know, you can
1421 recreate. You can listen to probably music and enjoy some of the outdoor dining. Looking
1422 at a smaller theater. We rejected the large theater. We just thought it was too impactful.
1423 So that's the idea.
1424
1425 Mr. Archer - Right.
1426
1427 Mr. Theobald - Create that sense of --
1428
1429 Mr. Archer - I ask that because when I look back historically and what has
1430 happened to what we traditionally call shopping centers, they all have had a particular
1431 lifespan. I'm betraying my age by saying this, but some of you might remember the
1432 shopping centers we used to have in the Richmond area. We had Eastgate Mall, we had
1433 Azalea Mall, we had Willow Lawn, Stony Point is becoming a relic according to what I hear,
1434 and Regency Mall, Virginia Center Commons, McGuire Circle, which was called the Circle
1435 Shopping Center at the time, and there was something in Minnesota called the Mall of
1436 America, that people used to ride a bus all the way to Minnesota to visit a shopping center.
1437
1438 And all of this stuff is changing on a national scale and I'm just curious as to how long the
1439 likeability of something like this would last. And nobody knows at this point for sure.
1440
1441 Mr. Theobald - Longer than the existing mall. You know. I mean, honestly.
1442 That's, yeah. I -- we can't -- you can't see forward 10, 20. All you know, you know, these
1443 guys are -- have invested their own money, they've been working hard, it hasn't been the
1444 -- I don't think I ever thought it was easy, but it's been harder than I thought, because --
1445
1446 Mr. Archer - Yeah. I admire the proposal I think it's --
1447
1448 Mr. Theobald - Well, you've got some local people, you know, here, you know
1449 how to get ahold of them. Right? As opposed to some of these other malls? I know you've
1450 got some challenges in your district Mr. Archer.
1451
1452 Mr. Archer - Yes, we do. And one time there was a bank there that was
1453 pretty central, well, I think Bank of America I think was the last bank. Is there going to be
1454 another bank there?
1455
1456 Mr. Theobald - Could be. I don't think there's, at the moment, there's really not
1457 one on the horizon that I'm aware of, but it's possible.
1458
1459 Mr. Theobald - Yeah.
1460
1461 Mr. Archer - Just curious, thank you.
1462
1463 Mr. Theobald - For sure.

464
1465 Mr. Baka - Okay. Any other questions of the applicant? Thank you.
1466
1467 Mr. Theobald - Thank you.
1468
1469 Mr. Baka - At this time we'd like to hear if there are any proponents who'd
1470 like to speak, 10 minutes or less. Is there anyone here who'd like to speak in favor of this
1471 case? Yes, sir, would you please come to the podium? Good evening, welcome.
1472
1473 Mr. Crafton - Good evening. I'm Scott Crafton, and I live in Farmington
1474 some, we're at the back door. And I'll say a couple of things. Number one, I'm a landscape
1475 architect, licensed landscape architect, I've worked my career for the state, but I work with
1476 colleagues who are consultants and do design and so forth. And I want to commend the
1477 partners for the quality of planning that I see in this process. I also attended architecture
1478 school for four years, so I know the kinds of stuff that goes into this.
1479
1480 But the thing that I want to say to you, is that this is such a better proposal than allowing
1481 the mall just to die and become another abandoned space, like Azalea Mall or some of the
1482 others that have gone away. And we drive through Richmond all the time to see if the
1483 vacant asphalt and concrete deserts. So let's not let that happen here. And I think the
1484 proposal has been very positive. I'll call attention to a different urban space in Williamsburg,
1485 which is called New Town, if you've been to Williamsburg and been to New Town. It
1486 happened before any of ours here in Richmond, and I think some of ours were modeled
1487 after that.
1488
1489 But when I -- when we go to Williamsburg we go to Busch Gardens, or we go to Colonial
1490 Williamsburg, but when we want to hang out, my wife and I go to New Town, because we
1491 can get dinner, we can go to a movie, we can hang out at Barnes & Noble, and get coffee.
1492 We can spend the day there, because there're restaurants all over the streets that are
1493 quality and there are services and things that we want to do and see. We don't have to just
1494 go to stores, we can go to a movie all in the same place.
1495
1496 It's like, when I grew up in Culpeper when I was a kid it was like the downtown of Culpeper.
1497 All of those things were there. And you didn't need to go anywhere else. So I think that's
1498 what's being proposed here and I love NOVA. Oh my gosh. I'm going to be up there. So
1499 we would just hope that you all would approve, or at least commend this to the Board of
1500 Supervisors for approval.
1501
1502 Mr. Baka - Okay. Any questions of Mr. Crafton? Thank you. Is there
1503 anyone else who'd like to speak? Please come forward. Welcome.
1504
1505 Ms. McGee - Thank you very much. I'm Ann McGee, from NOVA, of Virginia
1506 Aquatics, and there are quite a few people here from NOVA tonight. NOVA is a nonprofit.
1507 We've been in the region for over 32 years providing swim lessons and swimming to
1508 thousands of people every year. We need to expand the opportunity for people to swim.

1509 It's a safe thing to do, it's a healthy thing to do, and it keeps kids out of trouble. So we're
1510 very proud of our record.

1511
1512 I want to let the Planning Commission know it's been really good to work with the
1513 developers. This is very much going to be a community opportunity for people to come
1514 during the day and swim in warm-water pools, for kids to learn how to swim. Right now, at
1515 any time, we might have hundreds of kids on the waiting list to learn how to swim, because
1516 we don't have enough water.

1517
1518 If the Planning Commission doesn't approve this zoning, I'm very worried about what's
1519 going to happen to our ability to expand swimming. Because what these developers are
1520 doing, is they're basically taking an empty Macy's and completely repurposing that to house
1521 a pool. That's going to be expensive. And so I think for fiscal reasons being able to prove
1522 the zoning is a necessary feature to get done what NOVA would like to have done and what
1523 we think is good for the community. That's all.

1524
1525 Mr. Baka - Any questions of Mrs. McGee? Thank you. Is there anyone
1526 else who'd like to speak? Yes, please come forward. Good evening.

1527
1528 Mrs. Held - I'm Gail Held, and I own Disco Sports with my husband, Lew.
1529 We've been in business 49 years. And we're right across the street in the old Darryl's
1530 building with -- across from Regency. But I have to tell you a story. I was in Regency for
1531 20 years. And it was a great experience. And when they continue to talk about the traffic,
1532 let's think about that 20 years ago. There was nothing around, Short Pump wasn't even
1533 around, so the traffic was wonderful.

1534
1535 I mean, I don't know how they keep talking about traffic, because you can go 40 different
1536 ways just about to get into Regency and you're not backed up all the time. And I just think
1537 that's not anything to worry about. But I also think they're that -- retail is so different there.
1538 And what they're putting together is an experience.

1539
1540 I know Lew and I have to rethink the business that we're doing in retail. We got to do
1541 experiences, you know, we got to bring kids in, and we have got to have that demos
1542 and all of this different stuff to get people into your store. Well this is -- they have the great
1543 idea. They have exactly what's going on. And also, kids that used to come to Regency,
1544 mine with all of their friends and everybody else who's so excited about this, about
1545 Regency, they might come and get you all if you don't pass this. They're just loving this
1546 experience that is to happen in at Regency, and they're all really excited about it. Because,
1547 you know, when it was, old, that was their stomping grounds and they loved it, and they're
1548 so excited about to see this come back again.

1549
1550 And I love the part about the families. Families are being pushed everywhere, but they're
1551 bringing all the families together now. And having the have some wonderful experiences
1552 together. Let me see what else I'm missing. I think that's probably about all. But anyway

1553 --
1554

1555 Mr. Baka - That's fine.
1556
1557 Mrs. Held - I really honestly think it's a wonderful experience if they're doing
1558 it.
1559
1560 Mr. Baka - Thank you.
1561
1562 Mrs. Held - And I just, you know, I'm right across the street, and every day
1563 I go I look to see what else is coming along over there.
1564
1565 Mr. Baka - Okay. Any questions of Mrs. Held? Thank you, ma'am.
1566
1567 Mrs. Held - Thank you.
1568
1569 Mr. Baka - Anyone else like to speak? Yes, sir. Good evening.
1570
1571 Mr. Eudailey - Good evening. I'm Blake Eudailey and I sell real estate. My
1572 offices is right at Three Chopt and Parham, and I grew up in the area. I was a mall rat
1573 growing up. But my business interest is selling real estate and home values in the area,
1574 and I just really feel like it's going to have a great positive impact on home values. And
1575 that's what everybody's interested in, is home values.
1576
1577 And I really feel like the zoning they're asking for really helps them to continue to adapt and
1578 to continue to make it viable that gives them that versatility to make it viable. So -- and
1579 they're vested in the community, as well. So I think you're crazy if you don't approve it.
1580
1581 Mr. Baka - Any questions of Mr. Eudailey? Thank you. Is there anyone
1582 else who'd like to speak? Yes, sir. One more. Looks like we have about three minutes
1583 left. Good evening and welcome.
1584
1585 Mr. Trimble - Good evening and thank you. My name is Rolf Trimble. One
1586 of the things about this project that intrigued us, and my wife and I are opening up a dessert
1587 café in that she will be running. And the big thing is, unlike places like Short Pump this is
1588 a mall that is going to families and is allowing small business to come in that are already
1589 part of the community. And I grew up in that mall itself, and it's good to see the revitalization
1590 come back. If that's, honestly, Regency Square is the heart of the West End, and that's a
1591 lot of real estate that would become, as we heard earlier, become an Azalea Mall, or Azalea
1592 Morgue of just a large, flat area.
1593
1594 And so, to see this is being picked up and moved with and allowing not just the come on
1595 as other areas right now as having looked into real estate and they're saying, oh, we're
1596 trying to draw major names, major attraction of name brands. But to let a small dessert
1597 café to be able to move into that, you know, that says a lot. This is part of the community.
1598 Thank you.
1599
1600 Mrs. Thornton - Thank you.

1601
1602 Mr. Baka - Thank you. Is there anyone else who would like to speak in
1603 favor of this proposal here tonight? Just one more speaker. Yes. Yes, sir. Yes, ma'am.
1604
1605 Ms. Gehlbach - Good evening. My name is Jo Gehlbach. I am a representative
1606 of the Richmond Association of Realtors. And I don't want to duplicate exactly what Blake
1607 said. But we are also neighbors of the property over at Three Chopt and Parham and we're
1608 in full support of the rezoning. So thank you.
1609
1610 Mr. Baka - Any questions of Ms. Gehlbach? Thank you.
1611
1612 Mrs. Thornton - We have one minute for her to speak.
1613
1614 Mr. Baka - Is there anyone else who would like to speak on this matter?
1615 Please come forward. Good evening, welcome.
1616
1617 Ms. Nielsen - Good evening. Connie Nielsen, and I'm actually involved in a
1618 lot of the real estate in the area. I work with Thalhimer, and so I'm working on Regency,
1619 but also have worked on the projects across the way, where Fresh Market is and where
1620 Walmart is. And the redevelopment of Regency has really been instrumental in bringing
1621 TJ Maxx to the area and keeping those other centers viable. I think the success of the
1622 area, you know, or Regency, if it doesn't come together, then, you know, negatively affects
1623 the rest of the project.
1624
1625 Mr. Baka - Any questions of Ms. Nielsen? Thank you. Anyone else would
1626 like to speak on this matter? Okay. If not, I have a few follow up questions for staff, if Mr.
1627 Sehl might be available. So we talked a little bit about walkability, but Mrs. Voorhis and
1628 Mcllwain had some comments and questions about that. And I come back to walkability,
1629 but I want to start, I guess, with vehicle traffic rather than pedestrian traffic. So let's go to
1630 the broader question about traffic. Can you describe some of the higher level, and I think
1631 we've heard it at different points in the presentation tonight, some of the higher level traffic
1632 improvements in the area in the last couple years, and what just the general gist of where
1633 we're going with that?
1634
1635 Mr. Sehl - Certainly, Mr. Baka, and again, Mr. Cejka is here this evening,
1636 so for any detailed questions I'll certainly turn it over to the traffic engineer. But recent
1637 improvements have been undertaken by the developer and the county include the removal
1638 of the previous, where Quioccasin Road would go up over top of the entrance to the mall,
1639 and you would be able to make a left-turn and they -- that is now an at-grade intersection
1640 with the signal across to Walmart. There are also intersection improvements that were
1641 done at Parham Road to increase the amount of vehicles that can make the left-turn
1642 movement north on Parham Road. And so those are the major improvements that were
1643 done there.
1644
1645 I'll also note, in response to some of the questions that I noted briefly in my presentation,
1646 the county -- my understanding is Mr. Cejka has already actively gone out based on some

1647 requests from Mrs. O'Bannon to look at potential sites for crosswalks into Regency, and
1648 has identified some of those locations as a Traffic Engineer in the Department of Public
1649 Works is actively looking at possible crosswalk locations.
1650

1651 There're also some sidewalk projects already in the area that will bring sidewalk closer
1652 along Quioccasin Road up, essentially to Starling, I believe. So really the developer has
1653 part of the Quioccasin Road project here, and it's all sidewalk all the way along. There's
1654 some pedestrian signals at this intersection, but there's sidewalk along Quioccasin now.
1655 There's not sidewalk in front of the Sears, but obviously as Mr. Theobald noted, that will
1656 likely develop in the near future as well, and sidewalk will be required at that time, too.
1657

1658 Mr. Baka - Okay. So there's several items I heard. The proposed
1659 improvements on Quioccasin that have been finished with the development of the county's
1660 partnership in that we also talk about crosswalk sidewalk questions that the county has the
1661 opportunity, the developers showed the slide with many internal connections, but the
1662 county has the opportunity to do the sidewalk review. Certain limited annual budget to
1663 connect some of the neighborhoods in those areas to Regency.
1664

1665 Signal light timing was a comment, I believe, raised by the applicant that there may be ways
1666 to adjust the signals in the long term. And one comment I don't think has been mentioned
1667 yet tonight, if I may, has been the Parham/Patterson VDOT road improvements, so is that
1668 correct? In 2021 there's plans to add left-turn lanes, at Parham and Patterson?
1669

1670 Mr. Sehl - You're correct, Mr. Baka. Their current schedule shows them
1671 beginning in the spring of 2021, with the anticipated completion in the fall. They're actively
1672 undergoing, they've held some meetings, but they would create additional left-turn
1673 movements or, you know, additional capacity in those left-turn lanes, adding crosswalks
1674 and things like that as part of that construction as well.
1675

1676 Mr. Baka - So, along with that, we also have the POD review process
1677 where this is a rezoning and that the plans of developments would need to come in. And
1678 could you comment on the revised proffer that was submitted that would be able to review
1679 traffic.
1680

1681 Mr. Sehl - Certainly, so the buildout process, as I noted is very long for
1682 UMU developments, and as part of the traffic impact analysis you have to make certain
1683 assumptions. And the developer and the traffic engineer has done that with what the
1684 anticipated uses are going to be through there. But I don't think anybody can forecast that
1685 with 100 percent accuracy, so I think that additional proffer now allows when those PODs
1686 are submitted if the traffic engineer reviewing the POD has concerns that that use is going
1687 to cause problems. The Director of Public Works can then ask the applicant to update the
1688 traffic impact analysis to make sure that what they saw now in the traffic impact analysis is
1689 bearing true, you know, is true and it is continued -- that the signal timings will accommodate
1690 the traffic and that they're not -- those new uses aren't causing problems.
1691

1692 Mr. Baka - I guess, the last observation I make about traffic will be this
1693 concept of internal capture that the applicant referenced. Where some, not all, but some
1694 of the residents who are in apartments might choose to stay there that day, or that night, to
1695 go to that restaurant that's local there at Regency, or that store, rather than getting in a car
1696 and adding another trip to the road. Those conveniences are provided there, and I think
1697 you mentioned about 5000 fewer, or 5500 fewer cars, vehicle trips, based on -- per day
1698 based on that type of concept, so that's one benefit of the urban mixed-use district.

1699
1700 Mr. Sehl - That's my understanding. And any time you mix uses or, even
1701 shopping centers, you're going to have some level of internal capture. Certainly, adding the
1702 residential would appear to decrease that, and that's my understanding as well, Mr. Baka.

1703
1704 Mr. Baka - While we're on the topic of traffic, are there other questions
1705 from the Commission about --?

1706
1707 Mrs. Thornton - She had asked about public transportation.

1708
1709 Mr. Sehl - Mrs. Thornton, so currently GRTC does serve this area. The,
1710 I believe it's the 79 line runs out to Gayton Crossing out at Gaskins and Quioccasin. There
1711 are currently stops at Starling and Quioccasin now. That's a re-alignment, they actually
1712 moved the bus that goes up to -- goes up along Fargo and serves some of those apartment
1713 communities north of there. Certainly as density is added the county contributes and
1714 subsidizes those lines. Certainly as density is added at Regency, and if the need is seen,
1715 our Department of Public Works works closely with GRTC to set those routes, and that
1716 there are additional stops, or additional frequency that's needed.

1717
1718 Right now it's on an hour frequency, or about 45 minutes. Every 45 minutes a bus comes
1719 to Regency. But certainly, if that increases, you know, the increased density necessitates
1720 additional transportation at that location, then we can work with GRTC to accomplish that.

1721
1722 Mrs. Thornton - Okay.

1723
1724 Mr. Baka - And certainly, the concept of just a high-level picture of
1725 autonomous vehicles, or Uber or Lyft or the future. I know the American Planning
1726 Association is very big on the future of AV reducing vehicle trips, so correct me if I'm wrong,
1727 but that's somewhat of a big unknown here. It may happen one day, and it may benefit a
1728 decrease in the traffic, but we just don't know yet.

1729
1730 Mr. Sehl - I would agree. That it's such a large unknown that it'd be
1731 difficult for us to plan in this type of process. But again, the length of time that it will take to
1732 redevelop Regency maybe assists in that regard.

1733
1734 Mr. Baka - Okay. But it could be a benefit in the long term one day. Added
1735 -- with added busing. So if there were more demands of local residents who wanted to use
1736 the bus, how does that work? Do we petition the GRTC to say, hey, we need to increase
1737 ridership, I mean, increase the number of busses that come to this location, or -

1738
1739 Mrs. Thornton - The timing.
1740
1741 Mr. Sehl - The timing. That would be correct. I mean, the Board of
1742 Supervisors funds that. You'll see it where the frequency for the, is it the 19 that runs out
1743 West Broad, you know, that that was extended farther on West Broad Street and goes all
1744 the way out to West Broad Marketplace now, out to the Wegmans.
1745
1746 You know, that was -- that was at the request of something that the Board of Supervisors
1747 and our Department of Public Works worked with GRTC to extend that, and that was part
1748 of the overall bus realignment that they did as a result of the Pulse. And when that was –
1749 when that became operational. So I think it's an ongoing process and we have folks in our
1750 Department of Public Works that work closely on that. And regularly bring forward to the
1751 Board of Supervisors to, you know, when those questions arise.
1752
1753 Mr. Baka - Okay. Other questions of Mr. Sehl, or other staff members?
1754 Okay.
1755
1756 Mr. Sehl - Thank you.
1757
1758 Mr. Baka - Thank you. If there's no other questions from the Commission,
1759 I want to make a couple observations, if I may? I had the opportunity the other night, to
1760 walk through Regency Mall, and it struck me the number of empty stores that were there.
1761 I commend the applicant, the developer, for making the investment that they are doing, and
1762 re-investment, to bring life back to the center. And not just economic life, but also, you
1763 know, promote a sense of community that would be there.
1764
1765 I think it is outstanding to have a swimming pool of Olympic size, Olympic-size swimming
1766 pool in NOVA to bring families, for kids to drag their parents there, or for parents to drag
1767 their kids there at 5:30 in the morning along with two or three other breakfast options. What
1768 you're creating there is a sense of community and you're also spreading the vehicle trips
1769 out for the day, because I don't know about y'all, but I may not be there at 5:30 in the
1770 morning for a swim, for swim lessons.
1771
1772 I realize there's some concerns that some of the types of uses. I heard questions about
1773 certain uses, or pool hall, or heights and densities. I think we walked through and address
1774 some of the major, or many of the major, items here, the Comprehensive Plan. The county
1775 has allowed their UMUs to be throughout the county, near major transportation centers that
1776 have infrastructure that can support this. I know it's a lot more cars than there are today,
1777 but we need to support the revitalization of Regency, and appreciate the applicant taking
1778 the steps to do that.
1779
1780 The UMU is designed to have flexible parameters. I received a comment from a local
1781 resident saying, hey, this seems awfully general, or flexible. But they -- it is intended to be
1782 like that with a large development. We don't exactly know what the market-driven solutions
1783 will be in a couple of years after initial phases are complete. So I think some flexibility is

1784 there, is good. It's all about achieving a balance between requirements of the ordinance
1785 and the flexibility of the market to allow such creativity and initiative to succeed and flourish
1786 here in Henrico.

1787
1788 The heights -- the heights of the buildings may be a little bit taller than what we're used to
1789 seeing. They may be a little bit taller than what, you know, some of us may have first
1790 insisted they be. But I also think that it helps add to the viability and the success of the mall
1791 long term.

1792
1793 I'm confident and I'm encouraged by the words from Mr. Sorenson at Schools, and
1794 understanding the difference, when you talk about school-age children, there was a lot of
1795 concern and impact. Concern about the possible impacts on school and particularly
1796 elementary schools. And for sidewalks, bussing, crosswalks.

1797
1798 I'm glad to know we can do additional sidewalk studies to look at how the county can
1799 consider connecting neighborhoods, such as Farmington Drive, to Regency to help make
1800 those that live closer there to be able to bike there or walk there.

1801
1802 In addition to the internal capture, you can bring the local neighborhoods easily there by
1803 bike or pedestrian paths. That reminds me of a comment, I believe it was Ms. Williams said
1804 at the second community meeting that she was looking for some type of easy access to the
1805 mall from Farmington so she could get a job there, not have to commute a great distance.

1806
1807 So traffic, while there will be an increase in the number of vehicles of what you see there
1808 today, it's our understanding from Mr. Cejka, who's done a great deal of review of the
1809 applicant's traffic impact analysis and thank you for all your work and for being here tonight.
1810 The staff feels confident that the road networks can handle that.

1811
1812 Lastly, we have a proffer that came in today, so some folks were concerned, hey, this
1813 doesn't look like it'd work out. But we had a proffer come in today that will allow for
1814 individual reviews of traffic issues at POD in the future. So we talk a little bit about -- can
1815 you explain, Mr. Emerson, what a plan of development is as they would come in for future
1816 applications?

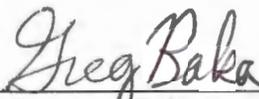
1817
1818 Mr. Emerson - Absolutely. A plan of development will be the next phase once
1819 the rezoning is confirmed by the Board of Supervisors if this Commission recommends it
1820 go forward this evening, and, of course, that will be the actual, physical land use, civil
1821 engineering of the site. And with that, you'll have your traffic calculations, if needed,
1822 updated to assure that all the traffic improvements are in place to support the development
1823 as proposed within that phase.

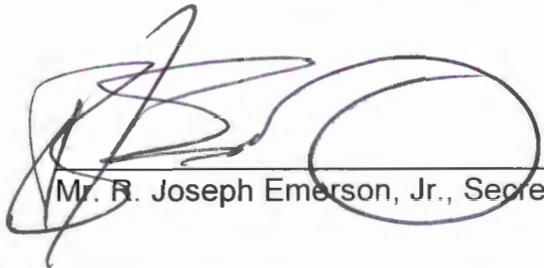
1824
1825 Mr. Baka - And lastly, we talked quite a bit tonight-I've heard comments
1826 about the phased development of how things will come in and not necessarily be there
1827 immediately all at once. I'm somewhat more comforted, understanding of that thought, and
1828 I appreciate the applicant's comments on that. So at this time, unless the Commissioners
1829 have any questions, I would propose it.

1830
1831 I would move, make a motion, that we waive the time limits for accepting proffers for
1832 Rezoning 2019-00021, James W. Theobald for 1420 North Parham Road LC; Thalhimer
1833 Regency, LC et al; and Holly Hill Parham, LLC.
1834
1835 Mr. Mackey - Second.
1836
1837 Mr. Baka - We have a motion by Mr. Baka, and a second by Mr. Mackey,
1838 to waive the time limits required for accepting these proffers. All in favor say aye.
1839
1840 The Commission - Aye.
1841
1842 Mr. Baka - Opposed say no. That motion carries and at this time I would
1843 move that Rezoning 2019-00021 James W. Theobald for 1420 North Parham Road LC;
1844 Thalhimer Regency, LC et al; and Holly Hill Parham, LLC be sent to the Board of
1845 Supervisors with a recommendation of approval with the proffers dated July 11, 2019.
1846
1847 Mrs. Thornton - I second.
1848
1849 Mr. Baka - We have a motion by Mr. Baka and a second by Mrs. Thornton
1850 to recommend approval to the Board of Supervisors. All those in favor say aye.
1851
1852 The Commission - Aye.
1853
1854 Mr. Baka - Opposed say no. Motion passes.
1855
1856 **REASON -** Acting on a motion by Mr. Baka, seconded by Mrs. Thornton,
1857 the Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors
1858 **grant** the request because it conforms to the recommendations of the Comprehensive Plan
1859 and the proffered conditions will assure a level of development otherwise not possible.
1860
1861 Mr. Baka - That motion was for the rezoning and the next motion, I believe,
1862 is for the PUP.
1863
1864 Mr. Emerson - Correct.
1865
1866 Mr. Baka - I move -- I would move that PUP, the Provisional Use Permit
1867 2019-00009, James W. Theobald for 1420 North Parham Road LC and Thalhimer Regency
1868 LC et al; and Holly Hill Parham LLC be sent on the Board of Supervisors with a
1869 recommendation of approval with revised conditions, number 1 through 14 dated July 19,
1870 2019.
1871
1872 Mrs. Thornton - Second.
1873
1874 Mr. Baka - We have a motion by Mr. Baka and a second by Mrs. Thornton.
1875 All in favor say aye.

1876
1877 The Commission - Aye.
1878
1879 Mr. Baka - Opposed say no. That motion carries to recommend approval
1880 also of the Provisional Use Permit to the Board.
1881
1882 **REASON -** Acting on a motion by Mr. Baka, seconded by Mrs. Thornton,
1883 the Planning Commission voted 4-0 (two absent) to recommend the Board of Supervisors
1884 **grant** the request because it would provide added services to the community and when
1885 properly developed and regulated by the recommended special conditions, it would not be
1886 detrimental to the public health, safety, welfare and values in the area.
1887
1888 The Board of Supervisors will meet in the next, what would be their next meeting?
1889
1890 Mr. Emerson - Next meeting is --
1891
1892 Mr. Baka - August?
1893
1894 Mr. Emerson - August the --
1895
1896 Mr. Baka - Thirteenth?
1897
1898 Mr. Emerson - August the 13th, yes sir.
1899
1900 Mr. Baka - So on Tuesday, August 13, at 7:00 p.m. in the evening, in this
1901 room, the Board of Supervisors will meet to -- these cases would be on their agenda for
1902 that matter.
1903
1904 Mr. Emerson - Correct. Yes sir, they will.
1905
1906 Mr. Baka - And they may consider that -- those cases that night. Any other
1907 questions regarding Regency case?
1908
1909 Mr. Baka - And thank you for your ten minutes.
1910
1911 Mr. Emerson - Mr. Chairman, we now move on to the next action, or the next
1912 item on your agenda this evening. It appears on page six, and is the consideration of
1913 approval of your minutes from your June 13, 2019 meeting, and we have no errata sheets,
1914 so of course, if you have any corrections or changes you'd like to make, now would be a
1915 good time to bring those up.
1916
1917 Mr. Baka - Thank you, Mr. Emerson. Does the Planning Commission
1918 have any changes to the minutes tonight?
1919
1920 Mrs. Thornton - Yes, sir.
1921

1922 Mr. Archer - Mr. Chairman, there being no errata sheet indicates that all of
1923 the Commission have read through them and found nothing wrong with them, so I move
1924 for approval.
1925
1926 Mr. Mackey - Second.
1927
1928 Mr. Baka - We have a motion by Mr. Archer, and a second by Mr. Mackey,
1929 to approve the minutes as submitted. All in favor say aye.
1930
1931 The Commission - Aye.
1932
1933 Mr. Baka - Opposed say no. Motion carries.
1934
1935 Mr. Emerson - Mr. Chairman, I have nothing further for the Commission this
1936 evening.
1937
1938 Mr. Baka - All right. Is there any other business to come before the
1939 Commission? If not, a motion to order, to adjourn, would be in order.
1940
1941 Mr. Archer - So moved.
1942
1943 Mr. Baka - Is there a second?
1944
1945 Mrs. Thornton - Second.
1946
1947 Mr. Baka - We have a motion by Mr. Archer, and a second by Mrs.
1948 Thornton, to adjourn. All in favor say aye.
1949
1950 The Commission - Aye.
1951
1952 Mr. Baka - This meeting is adjourned.

1953
1954
1955
1956
1957
1958 
1959 Mr. Gregory R. Baka, Chairman

1960
1961
1962
1963
1964
1965 
Mr. R. Joseph Emerson, Jr., Secretary