

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico,
2 Virginia, held in the Board Room of the County Administration Building, Parham and
3 Hungary Spring Roads at 7:00 p.m. on June 14, 2001, Display Notice having been
4 published in the Richmond Times-Dispatch on May 24, 2001 and May 31, 2001.
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6

7 Members Present: C. W. Archer, C.P.C., Chairperson, Fairfield
8 Elizabeth G. Dwyer, C.P.C., Vice-Chairperson, Tuckahoe
9 Ernest B. Vanarsdall, C.P.C., Brookland
10 Allen J. Taylor, C.P.C., Three Chopt
11 Eugene Jernigan, Varina
12 David A. Kaechele, Board of Supervisors, Three Chopt
13 John R. Marlles, AICP, Secretary, Director of Planning
14

15 Others Present: Randall R. Silber, Assistant Director of Planning
16 Jo Ann Hunter, AICP, Acting Principal Planner
17 Mark Bittner, County Planner
18 Thomas M. W. Coleman, County Planner
19 Lee Householder, County Planner
20 Ann Cleary, Recording Secretary
21 Todd Eure, Assistant Traffic Engineer, Public Works
22

23 Mr. Archer - The Planning Commission will come to order. Good
24 evening everyone.
25

26 Mr. Vanarsdall - Good evening, Mr. Chairman.
27

28 Mr. Archer - Welcome to the June 14 Planning Commission and Zoning
29 Meeting. Is there anyone here from the press?
30

31 Mr. Vanarsdall - You heard about Jeremy, didn't you? Jeremy has been
32 transferred to City Hall in two weeks.
33

34 Mr. Archer - Is that right? And ma'am, you are?
35

36 Mr. Vanarsdall - She is from Huntsville, Alabama to cover the racetrack.
37 Her name is Rea.
38

39 Mr. Archer - It is nice to have you.
40

41 Mr. Vanarsdall - We thought it was Jeremy's replacement, but it wasn't.
42 Jeremy, when he told me he was leaving, I said, "You remember when you go down to
43 City Hall where you got all of your experience. Henrico sent you down there with more
44 degrees than you had when you came."
45

46 Mr. Archer - We thank you for representing us so well. Anyone else
47 from the media? If you are here and you chose not to be recognized, we welcome you
48 anyway. I hope our agenda is not too long tonight, but we will try to entertain you as best
49 we can. With that, I will turn it over to our Secretary, Mr. Marlles.

50
51 Mr. Marlles - Thank you, Mr. Chairman, and good evening ladies and
52 gentlemen and members of the Commission. We do have a full quorum here tonight and
53 we can conduct business. The first item on the agenda is Requests for Withdrawals and
54 Deferrals. Those will be reviewed by Ms. Hunter.

55
56 Ms. Hunter - Good evening, Mr. Chairman, and members of the
57 Commission. We do have several deferrals this evening and some changes from what
58 you have seen on the screen earlier in the meeting. The first item on the agenda is in the
59 Brookland District. It is C-23C-01.

60
61 **Deferred from the May 10, 2001 Meeting:**
62 **C-23C-01 J. W. Keith for F. Cristiano Attems:** Request to conditionally rezone
63 from B-2C Business District (Conditional) to O-2C Office District (Conditional), Parcel
64 70-10-1-1, containing 9.097 acres, located on the north line of Schrader Road
65 approximately 520 feet north of Fountain Avenue. An office development is proposed.
66 The use will be controlled by zoning ordinance regulations and proffered conditions. The
67 Land Use Plan recommends Office.

68
69 The applicant has requested a deferral to June 27, 2001. This would be your POD
70 daytime meeting.

71
72 Mr. Archer - OK. Thank you, Ms. Hunter. Is there anyone here in
73 opposition to the deferment of C-23C-01? Mr. Vanarsdall.

74
75 Mr. Vanarsdall - I move that Case C-23C-01, J. W. Keith for F. Cristiano
76 Attems, be deferred for two weeks to June 27, 2001, at the applicant's request.

77
78 Mr. Taylor seconded the motion.

79
80 Mr. Archer - Motion by Mr. Vanarsdall and seconded by Mr. Taylor.
81 All in favor say aye-all those opposed say no. The motion is carried. The vote is 5-0.
82 Mr. Kaechele abstained.

83
84 Ms. Hunter - The next request has been withdrawn. It is in the Fairfield
85 District on the bottom of Page 1. It is C-25C-01.

86
87 **FAIRFIELD:**
88 **Deferred from the May 10, 2001 Meeting:**
89 **C-25C-01 Henry L. Wilton for Wilton Development:** Request to conditionally
90 rezone from B-3C Business District (Conditional), R-5 General Residence District and
91 C-1 Conservation District to RTHC Residential Townhouse District (Conditional), part

92 of Parcels 84-A-5G and 5NR, containing approximately 43.5 acres, located on the west
93 line of Brook Road approximately 1200 feet south of Hilliard Road. Townhouses and
94 condominiums for sale are proposed. The densities in the RTH District cannot exceed
95 nine (9) units per acre. The Land Use Plan recommends Commercial Concentration
96 and Environmental Protection Area.

97

98 This case has been **withdrawn** by the applicant and no action is necessary by the
99 Commission.

100

101 Mr. Archer - All right, thank you, Ms. Hunter.

102

103 Ms. Hunter - On Page 2 of your agenda, in the Three Chopt District,
104 Case C-33C-01.

105

106 **C-33C-01 James W. Theobald for H. H. Hunt Corporation:** Request to amend
107 proffered conditions on a portion of the property rezoned under case C-18C-99, on
108 Parcels 11-A-3 and 4, located on the east side of the northern terminus of Twin Hickory
109 Lane. The site is part of the new Chappell Ridge at Wyndham Forest subdivision. The
110 amendment seeks to delete the proffer addressing phasing of the development. The Land
111 Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre,
112 Urban Residential, 3.4 to 6.8 units net density per acre, and Environmental Protection
113 Area.

114

115 This request is deferred at the request of the Commission member to July 12, 2001.

116

117 Mr. Archer - Is there anyone here in opposition to this deferment?

118

119 Mr. Vanarsdall - Was the applicant in agreement for the deferment?

120

121 Mr. Taylor - No. Perhaps I might make a statement as to the reason for
122 the deferral if you like.

123

124 Mr. Vanarsdall - No. That is a freebie and that comes off of our bonus.

125

126 Mr. Taylor - I didn't think about it that way. But in explanation, this one
127 relates to the capacity to the schools and there were some allowances made for the
128 schools and the number of units that H.H.Hunt could produce over a period of time, and
129 in looking at it there are some things that need to be resolved before we really discuss it,
130 so I thought it would be best that the Commission request just to defer it for a month so
131 that everybody can begin to work on the same song sheet.

132

133 Mr. Archer - OK, so that would be July 12. Is that correct?

134

135 Mr. Taylor - Yes.

136

137 Mr. Archer - All right, we need a motion.

138
139 Mr. Taylor - Mr. Chairman, I would move deferral of Case C-33C-01,
140 James W. Theobald for H. H. Hunt Corporation, at the request of the Commissioner.
141
142 Mr. Vanarsdall seconded the motion.
143
144 Mr. Archer - Motion by Mr. Taylor and seconded by Mr. Vanarsdall.
145 All in favor of the motion say aye-all opposed say no. The motion is carried. The vote
146 was 5-0. Mr. Kaechele abstained.
147
148 Ms. Hunter - At the bottom of Page 2 in the Tuckahoe District, Case C-
149 26C-01, James W. Theobald for Tascon, LLC.
150
151
152 **Deferred from the May 10, 2001 Meeting:**
153 **C-26C-01 James W. Theobald for Tascon, LLC:** Request to conditionally rezone
154 from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional),
155 Parcels 67-A-2A and 66-A-11J, containing 11.2 acres, located at the southwest
156 intersection of Ridgefield Parkway and Pump Road. Condominiums for sale are
157 proposed. The applicant has proffered that there shall be no more than 60 units
158 developed on the property. The Land Use Plan recommends Suburban Residential 1,
159 1.0 to 2.4 net units per acre.
160
161 Ms. Hunter - The applicant has requested a deferral to July 12, 2001.
162
163 Mr. Archer - All right. Is there opposition present to C-26C-01, to the
164 deferment of it? No opposition? Ms. Dwyer.
165
166 Ms. Dwyer - I move for the deferral of Case C-26C-01, at the
167 applicant's request, to our July 12, 2001 meeting.
168
169 Mr. Vanarsdall seconded the motion.
170
171 Mr. Archer - Motion by Ms. Dwyer and seconded by Mr. Vanarsdall.
172 All in favor say aye-all opposed say no. The motion carries. The vote was 5-0. Mr.
173 Kaechele abstained.
174
175 Mr. Vanarsdall - Mr. Chairman, I know this will be picked up at the time
176 of the minutes, on the other case, we said July 10 and I think we meant 12.
177
178 Mr. Archer - OK. Was that the previous one?
179
180 Mr. Vanarsdall - Right.
181

182 Mr. Archer - We will get it right. They will pick it up. Thank you,
183 Mr. Vanarsdall.

184
185 Ms. Hunter - The final request for deferral tonight is on the top of Page
186 3, in the Varina District, Case P-1-01.

187
188 **Deferred from the April 12, 2001 Meeting:**

189 **P-1-01 John G. Chip Dicks for Telecom Consulting Group, Inc.:** Request for
190 a provisional use permit under Sections 24-95(a), 24-120, and 24-122.1 of Chapter 24
191 of the County Code in order to construct a 250' lighted telecommunications tower and
192 support facilities, on part of Parcel 205-A-44, containing 4,900 square feet, located at
193 6929 Monahan Road, on the east side of Monahan Road approximately 1,170 feet north
194 of its intersection with Darbytown Road. The existing zoning is A-1 Agricultural
195 District. The site is also in the Airport Safety Overlay District.

196
197 Ms. Hunter - The applicant did revise their deferral request this evening
198 and they are now asking for a six-month deferral to December 13, 2001.

199
200 Mr. Archer - That is hard to believe. December 13 is only six months
201 away.

202
203 Mr. Jernigan - Ms. Hunter, did he withdraw it or defer it?

204
205 Ms. Hunter - He did at first indicate he'd like to withdraw it. He was
206 not aware of the County policy that if a case is withdrawn they'd have to wait one year
207 to refile, so he has decided to do a six-month deferral instead.

208
209 Mr. Archer - Is there opposition to this deferral, P-1-01?

210
211 Mr. Vanarsdall - That is the longest one we have had this year, isn't it?

212
213 Mr. Jernigan - Have we got the dates?

214
215 Ms. Hunter - December 13, 2001.

216
217 Mr. Archer - Mr. Jernigan.

218
219 Mr. Jernigan - Mr. Chairman, I make a motion that we defer Provisional
220 Use Permit P-1-01 for six months to December 13, 2001 at the applicant's request.

221
222 Mr. Vanarsdall seconded the motion.

223

224 Mr. Archer - We have a motion by Mr. Jernigan and seconded by Mr.
225 Vanarsdall. All in favor of the motion say aye. All opposed say no. The motion is
226 carried. The vote is 5-0. Mr. Kaechele abstained.

227

228 Mr. Marlles - The first case to be heard is in the Brookland District, C-
229 30C-01.

230

231 **Deferred from the May 10, 2001 Meeting:**

232 **C-30C-01 Henry L. Wilton for Wilton Development:** Request to conditionally
233 rezone from R-5 General Residence District, R-5C General Residence District
234 (Conditional), and C-1 Conservation District to RTHC Residential Townhouse District
235 (Conditional) (20.7 acres) and C-1 Conservation District (2.7 acres), on Parcel 50-A-39,
236 containing approximately 23.4 acres, located on the west line of Hungary Spring Road
237 approximately 500' north of Lucas Road (behind Dumbarton Elementary School).
238 Residential townhouses for sale are proposed. The applicant proffers no more than 144
239 units shall be developed on the property. The Land Use Plan recommends Multi Family,
240 6.8 to 19.8 units net density per acre, and Environmental Protection Area.

241

242 The staff report will be given by Ms. Hunter.

243

244 Mr. Archer - Is anyone here in opposition to Case C-30C-01? No
245 opposition. Ms. Hunter.

246

247 Ms. Hunter - This application proposes to rezone approximately 20.7
248 acres from R-5 and R-5C to RTH, Residential Townhouse District and approximately 2.7
249 acres would remain C-1, Conservation District. Surrounding land uses include
250 Dumbarton Elementary School, which is located directly in front of the site. There are
251 two apartment complexes to both the north and south of the property and the remaining
252 property is surrounded by single-family residential uses. The applicant is proposing 150
253 residential townhouse units for sale, which has a density of 7.2 units per acre. The
254 existing R-5 zoning would allow densities up to 14.5 units per acre or approximately 300
255 apartment units. Due to the unusual shape of the property and the absence of stub roads,
256 the development of this site is limited. The applicant is proposing an 80-foot wide
257 divided roadway to serve this property. This road would also serve as a new access point
258 to the school. At the school there is currently a loop road here, (referring to slide) which
259 would remain open and would continue to serve bus traffic. This access point (referring
260 to slide) which serves now for teachers and just school parking would be closed, and the
261 new access point to the school would be located about here, where the hand is moving
262 (referring to slide). The road would be a public road to that point, and the cul-de-sac
263 would be located here (referring to slide) and it would continue on and it would be a
264 private road. There would be a curb and gutter on either side, a sidewalk along this side,
265 and then a divided median that would have landscaping in it. Staff did encourage the
266 applicant to provide irrigation for the medians, however, the applicant has indicated that
267 they are trying to preserve some existing mature trees that are located within the median
268 area, and if irrigation is required it could disturb those existing roots. Staff believes that
269 this issue can be resolved at plan of development stage. The applicant has proffered

270 several elements to help improve the quality of this development, including a minimum
271 unit size of 1,240 square feet, limitations of 150 units, brick foundations, sound
272 suppression, and restrictive covenants which address many quality items, including
273 landscaping required on all lots. Staff believes that there could be an improvement to the
274 architecture of this site because of the long linear nature of the property and that
275 variations would improve the appearance. Overall, the RTH request is a considerable
276 improvement from the existing R-5 zoning, the density is at the very lowest range
277 recommended by the Land Use Plan, and the proposed townhouses allow opportunity for
278 homeownership. The majority of the property is unconditionally zoned for R-5 and with
279 this case there are proffers that help improve the quality of the development. Staff
280 supports this request and I would be happy to answer any questions.

281

282 Mr. Archer - Thank you, Ms. Hunter. Are there questions from the
283 Commission?

284

285 Ms. Dwyer - Ms. Hunter, did I understand you to say that there would be
286 a cul-de-sac?

287

288 Ms. Hunter - It is not really a cul-de-sac, but the road would narrow
289 down at this point (referring to slide).

290

291 Mr. Vanarsdall - I believe somebody in Public Works used the word
292 "turnaround."

293

294 Ms. Hunter - Turnaround. It is going to narrow down, but it won't
295 narrow immediately until someone realizes they missed the turn and they can't turn.

296

297 Ms. Dwyer - Somehow it will be distinguished so that it is clear that it is
298 a private road and that there is space to be used to turn around.

299

300 Ms. Hunter - Correct.

301

302 Mr. Archer - All right. Any further questions?

303

304 Mr. Vanarsdall - Mr. Chairman, I don't need to hear from the applicant
305 unless he wants to talk and he does not, so if none of the Commission members have any
306 questions, then I am ready for a motion. We had several meetings on this and as Jo Ann
307 Hunter stated, it is a considerable improvement over what could be there, and at the
308 present time it is R-5 zoning, and Mr. Wilton volunteered to rezone it to RTH, and it of
309 the very lowest density, and it is in accordance with the goals, objectives and policies of
310 the Land Use Plan, and Jo Ann has done a good job working on it. Mr. Wilton, I want to
311 thank you for the curb and gutter that we had the little discussion on, and the other things
312 that you offered. With that, I will recommend C-30C-01 to the Board of Supervisors for
313 approval.

314

315 Ms. Dwyer seconded the motion.

316 A motion was made by Mr. Vanarsdall and seconded by Ms. Dwyer. All in favor say
317 aye—all those opposed say no. The motion carries. The vote was 5-0. Mr. Kaechele
318 abstained.

319

320 REASON: Acting on a motion by Mr. Vanarsdall, seconded by Ms. Dwyer, the
321 Planning Commission voted 5-0 (one abstention) to recommend that the Board of
322 Supervisors **grant** the request because it conforms to the recommendations of the Land
323 Use Plan and it is appropriate residential zoning at this location; it conforms with the
324 objectives and intent of the County’s Comprehensive Plan; and it would permit
325 appropriate infill development.

326

327 Mr. Marlles - Mr. Chairman, the next case is at the top of Page 2 in your
328 agenda, C-31-01.

329

330 **C-31C-01 James W. Theobald for Bernard J. Levey:** Request to conditionally
331 rezone from A-1 Agricultural District and B-3 Business District to B-3C Business
332 District (Conditional), Parcel 53-A-24, containing 1.0395 acres, located on the west
333 line of Telegraph Road approximately 211 feet north of Mountain Road. Vehicle and
334 boat storage is proposed. The use will be controlled by zoning ordinance regulations
335 and proffered conditions. The Land Use Plan recommends Commercial Concentration.

336

337 The staff report will be given by Mr. Tom Coleman.

338

339 Mr. Archer - Is there opposition to C-31C-01? No opposition? Mr.
340 Coleman.

341

342 Mr. Coleman - The applicant has submitted proffers that do not require
343 waiving the time limit. Mr. Bittner is distributing to you a black line copy. The applicant
344 is requesting to rezone an approximately one-acre parcel from B-3 and A-1 to B-3C. The
345 subject property is adjacent to the existing Brook Road Mini-Storage, which is operated
346 by the applicant. This request would permit the applicant to expand the existing business
347 by creating an area dedicated to the storage of cars, boats and other vehicles. This is a
348 permitted use on the mini-storage site and vehicles are currently parked throughout that
349 site. The properties to the east on Telegraph Road are single-family residential. The
350 surrounding area along Brook Road consists of a variety of uses commonly associated
351 with older commercial strip developments. The Telegraph Road Carwash is being
352 developed on the adjacent parcel forming the western and southern boundaries. The
353 applicant has submitted an unproffered conceptual plan incorporating several of the
354 proffers. The applicant will construct an 8-foot high brick wall to serve as security
355 fencing for a portion of the site. The applicant will also provide a black chain-link fence
356 as security fencing on a portion of the southern boundary and along the western
357 boundary. The applicant has indicated he will construct the fencing initially without any
358 barbed wire but has expressed a desire to have the option of installing it at a later time if
359 additional securities prove necessary. The applicant has prohibited the use of razor wire
360 for this purpose.

361

362 The revised proffers address several concerns raised in the staff report. The applicant has
363 excluded the storage or sale of inoperable or junk vehicles on this property. The brick
364 wall will tie into and use a similar type of brick as the existing mini-storage facility and
365 will be set back at least 19 feet from the ultimate right of way of Telegraph Road. The
366 applicant also improved the buffer along the southern boundary by extending the brick
367 wall 20 feet to this property line. These proffers provide a paved brick screen desirable
368 and compatible with the existing mini-storage. However, staff recommends that
369 additional buffering be provided along the southern property line especially in the area
370 not screened by the brick wall. This site is currently vacant and heavily wooded and
371 provides a dense natural buffer. Development of this site will remove this protective tree
372 cover. The applicant has proffered a six-foot landscape strip on the southern property
373 line. However, this area will be highly visible for traffic traveling north on Telegraph
374 Road and to nearby residents. The applicant should increase the buffer in this area. This
375 could be accomplished by further expanding the brick wall, saving existing trees,
376 providing sufficient supplemental landscaping or widening the landscape strip. The
377 request in zoning change is consistent with the surrounding area and enables the
378 expansion of the adjacent businesses. The request is also consistent with the 2010 Land
379 Use Plan and existing development in the area. If the applicant were to sufficiently
380 increase the buffer along the southern property line, staff could recommend approval of
381 this request. I'd be happy to answer any questions.

382

383 Mr. Archer - Mr. Coleman, of the options that you listed, would you
384 think that tree-save would be the highest on the list of preferred options?

385

386 Mr. Coleman - Tree-save would be preferable, but that would require
387 offering a wider landscape strip. Six feet would not be sufficient for that purpose.

388

389 Mr. Archer - OK. I will let the applicant speak. Does anyone else have
390 questions? Mr. Theobald.

391

392 Mr. Theobald - Mr. Chairman, ladies and gentleman, my name is Jim
393 Theobald and I am here this evening with Mr. Jerry Levy, who is the owner of the Brook
394 Road Mini-Storage facility. This is a case requesting rezoning of approximately one acre
395 of land, largely an unrestricted B-3 category, and some A-1, to B-3, with significant
396 proffered conditions in order to expand the existing Brook Road Mini-Storage Facility, to
397 accommodate the storage of motor and recreational vehicles. The original site was zoned
398 in 1995 and Mr. Levy has produced an attractive facility and been a good neighbor to the
399 residents in this part of the County with little or no impact on the County infrastructure.
400 As you see on the site plan, we have attempted to think through some of the potential
401 impacts of this site onto adjacent property owners. The case has brought forward all of
402 the original proffers from the 1995 case to the extent that those were applicable, and what
403 we have attempted to do with this case, is again, is to shield existing residential area
404 along Telegraph Road with a brick wall that will be of the same brick as the existing
405 facility, and then turn the corner here with a 20-foot additional run of brick. The security
406 fencing then continues on through this area and along the west side. This side is wholly
407 against a car wash, which has an approved POD, which is currently under construction,

408 and the portion is actually behind the Cavalier Manor Motel. We have provided
409 significant proffers in this case. We have proffered the type of brick. We have proffered
410 the security fence where the wall stops. We have proffered a minimum of a six-foot
411 planting strip in this area and this area (referring to slide) and I wanted to take a minute to
412 respond to some comments that Mr. Coleman made, because I believe there are some
413 extenuating circumstances that would mitigate against enhancing that buffer in there.
414 What you have, and I will show you this in a moment on the POD plan for the car wash,
415 but the car wash site turns and goes back to Telegraph Road and although they are not
416 using it for access, there is a 30 or 45 foot strip of land that has been cleared within the
417 last 10 days, all of which is being utilized for their BMP. There is a very long elongated
418 hot-dog shaped BMP with a 35-foot transitional buffer adjacent to my property line. So,
419 not only do I have a cleared area in here and a BMP, but a 35-foot transitional buffer
420 against an additional six-foot landscape strip on my side of the property line. I will show
421 you what that looks like (referring to slide). What we would like you to consider is
422 allowing us, through the POD process, to demonstrate that given what will be there
423 courtesy of the already approved POD and the landscaping that we can provide here, that
424 we will be well screened. This is, what you see here is from the approved car wash POD,
425 and you will see the building drawn in here, the car wash, and you will see this portion of
426 the property go back to Telegraph Road, and that is the area in which Jo Ann is going to
427 show you now where the approved BMP is located. You are now looking at the Levy's
428 property being down here (referring to slide) labeled "Parking Lot" and you are looking
429 at the car wash building itself here, Brook Road being this way to the west (referring to
430 slide). This is the drawing to the BMP. You can see the circular shape in here and you
431 can see the label here, the 35-foot transitional buffer. This was taken from the County
432 files, and again, that was totally cleared within the last 10 days, and Jo Ann, if you could
433 pull that drawing down a little bit. No, I am sorry. We can see it in here, and this area,
434 which you will note that we have a six-foot landscape strip and a fence six feet off of our
435 property line. The car wash has an approved six-foot landscape strip on three sides of its
436 property, and they have an additional fence, one foot inside their property line. And so
437 one thing, while we've proffered a minimum of a three-foot landscape strip over here, at
438 the time of POD we are going to ask you to consider whether this makes sense to have a
439 7-foot alley-way in here between two fences between the storage of vehicles and the car
440 wash, and whether there isn't a better alternative. Nonetheless, were we to move back an
441 additional four-feet on the landscape buffer on the south side here, we don't just take four
442 feet. We take the entire row of parking bay in a site that is already tight in terms of
443 internal circulation. We have proffered no access to Telegraph Road, as was the case
444 with the Virginia Warehouse Building, so there will be no activity over that way. We
445 have proffered the same hours of operation and we have proffered to dedicate 15 feet of
446 additional right of way along Telegraph Road at the request of the County. These types
447 of facilities, I think you heard Mr. Coleman say that we already have some parked
448 vehicles within the permitted M-1 area, but these types of facilities are in demand and
449 they take these types of vehicles off of neighborhood streets, out of backyards and out of
450 your neighborhood. It really does not result in any significant impact in traffic. These
451 things are brought in and stored. Worst case seasonally, best case for longer periods of
452 time, and, again, this has no impact on County infrastructure other than to provide
453 additional tax dollars by increasing the tax base. The request is consistent with the Land

454 Use Plan, as indicated in your staff report, and I believe that this commits a significant
455 portion of unrestricted B-3 in this area to a higher restricted use, and with that, I'd be
456 happy to answer any questions that you might have.

457

458 Mr. Archer - Thank you, Mr. Theobald. Out of the options that Mr.
459 Coleman listed, how much tree save could exist in that area? Is there much back in
460 there?

461

462 Mr. Theobald - It is scrubby Pine. I have some photographs if you'd like to
463 see of the tree cover in there. It is pretty high scrubby Pine in there and, frankly, they
464 graded right up to our property line over here for the BMP. I don't know what that has
465 done to the root structure of the trees in there, and my guess is we will all be better served
466 by coming back with a landscape plan in addition to the landscape plan they have had to
467 provide for their transitional buffer. It is a factory applied black chain-link fence with
468 black slats in it, and I believe this property up here is scheduled for development by a
469 new motel, if I am not mistaken by the owner of the Cavalier Manor Motel, so I think this
470 site was just recently zoned B-3 the other night in this area, as well. I think, Mr. Archer,
471 that our best alternative for visual impact there is to supplement what is being provided
472 by the car wash transitional buffer with new plantings. With new plantings, we can
473 certainly in 6 feet, we can accomplish much more for an existing tree save even in 10 or
474 15 feet, I believe.

475

476 Mr. Archer - Well, I was going to ask a question because I had seen it,
477 but I just don't remember what it looked like back there in terms of the quality of what
478 was there.

479

480 Mr. Theobald - It is not handsome.

481

482 Mr. Archer - OK. And you all are willing to do some new planting?

483

484 Mr. Theobald - Yes, sir.

485

486 Mr. Archer - And I am also concerned that this 7-foot alley-way could
487 become a cause of mischief of what is going to be on the other side of the wall.

488

489 Mr. Theobald - My discussions with staff were such that we thought that
490 we would provide the minimum guarantee of a six-foot landscape buffer because that is
491 what had been discussed throughout the tenancy of the case, but we added a phrase,
492 "Unless other approved at time of POD" because I think we are going to have to come up
493 with a better idea that is going to provide better security. It is really not a screening issue
494 over there, because you are in back of the entire long, as you can see, car wash building
495 here (referring to slide), so I just think we need to take a look at what can be done to
496 make sure it is not lingering back there.

497

498 Mr. Archer - Well, as you know, you and I had talked about this and I
499 have also discussed it with Mr. Coleman, and I think we might be a little bit better served

500 after we see how the POD for the car wash turns out. I don't have any more questions
501 unless somebody else does.

502
503 Mr. Jernigan - Mr. Theobald, are all of these lots uncovered?

504
505 Mr. Theobald - Yes, sir.

506
507 Mr. Jernigan - Is there any future plan to cover them, like a boatel?

508
509 Mr. Theobald - Cover them for purposes of storing these vehicles?

510
511 Mr. Jernigan - Well, boats, a lot of the time, you know, they have boats
512 and they put them in boatels and they are stacked up three or four high.

513
514 Mr. Theobald - No, sir. There has not been a market over there. It is
515 mostly single cars, jet skis, off-season.

516
517 Ms. Dwyer - Mr. Theobald, are you working with the car-wash owner
518 actively to resolve the tunnel effect that we are concerned about on the southern
519 boundary.

520
521 Mr. Theobald - No, Ms. Dwyer, to be honest with you, we have not been in
522 contact with them. When Mr. Coleman raised the issue of the landscape strip, we
523 uncovered what had been approved on this POD, but that is something, I think, before he
524 gets too far along, merits jumping in to make sure that it is coordinated, because it
525 doesn't seem to make sense for him to landscape and fence and us to landscape and fence
526 and create this. We will get with them immediately.

527
528 Mr. Archer - Are you willing to make that effort, Mr. Theobald?

529
530 Mr. Theobald - Absolutely.

531
532 Mr. Archer - I would appreciate it if you would.

533
534 Ms. Dwyer - I understand what you are saying with regard to the western
535 property line, but I guess I am concerned about the southern property line as is staff,
536 particularly since you have revealed that the adjacent property has been cleared in its
537 entirety. It seems to augment staff's concerns about visibility from Telegraph Road into
538 the slatted fence as opposed to a more attractive brick wall or a more dense buffer.

539
540 Mr. Theobald - Well, I think it is going to, excuse me, to move in further
541 just guts this row of parking and what we would be doing would be landscaping and
542 buffering against an existing buffer and a BMP.

543
544 Ms. Dwyer - Do we know how that adjacent property is going to be
545 managed within the buffer area or how it will be landscaped?

546
547 Mr. Theobald - I don't know if they have been to landscape plan. Do you
548 know? They have not been to landscape plan, so we do have an opportunity to, perhaps,
549 better coordinate.
550
551 Mr. Taylor - Mr. Theobald, the southern boundary is going to be brick?
552
553 Mr. Theobald - For 20 feet, Mr. Taylor, right in here (referring to slide), so
554 it turns the corner. It is going to be a security fence, basically a black chain-link fence.
555
556 Mr. Taylor- The same thing in the back?
557
558 Mr. Theobald - Oh, yes, sir, against the car wash.
559
560 Mr. Taylor - Then the BMP is going to be to the south?
561
562 Mr. Theobald - The BMP is not our BMP.
563
564 Mr. Taylor - It is his BMP to the south?
565
566 Mr. Theobald - Correct. Right in here.
567
568 Mr. Taylor - You would work with him on this to develop.
569
570 Mr. Theobald - That is correct.
571
572 Mr. Taylor - It would seem to me that would be reasonable, too, because
573 along that fence you might be able to put some kind of a shrub-like pyracantha, which
574 has nice long needles, which serve to discourage anybody.
575
576 Mr. Theobald - Well, in combination with our neighbor, we have 41 feet
577 within which to work, and you will get an opportunity to see both his landscape plan and
578 ours.
579
580 Mr. Taylor - And if it is a conjunction landscape plan with a BMP, you
581 work out both the issue of aesthetics and the issue of security.
582
583 Mr. Theobald - I would hope.
584
585 Mr. Taylor - I think that can be done with a little cooperation, as you
586 say, at the POD stage. It would be time to come back and let us in on your deliberation.
587
588 Mr. Theobald - Yes, sir.
589
590 Mr. Archer - All right. Any further questions from Mr. Theobald? There
591 was no opposition.

592
593 Mr. Theobald - Thank you.
594
595 Mr. Archer - Thank you. I think we are ready to move on this. Mr.
596 Theobald, we will just hold you to try and work with the other developer so we can make
597 this landscape as attractive as we can. We will look forward to doing that at POD time.
598 With that, I move approval of C-31C-01.
599
600 Mr. Jernigan seconded the motion.
601
602 Mr. Archer - Motion by Archer and seconded by Mr. Jernigan. All in
603 favor of the motion say aye-all opposed say no. The motion carries. The vote was 5-0.
604 Mr. Kaechele abstained.
605
606 REASON: Acting on a motion by Mr. Archer, seconded by Mr. Jernigan, the Planning
607 Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors
608 **grant** the request because it conforms to the recommendations of the Land use Plan; it
609 continues a form of zoning consistent with the area.
610
611 Mr. Marlles - The next case is P-9-01.
612
613 **P-9-01 Richmond International Raceway:** Request for a provisional use permit
614 under Sections 24-62.2(k) and 24.122.2 of Chapter 24 of the County Code in order to
615 expand the racetrack and increase the height of the racetrack facility and structures to a
616 maximum height of 215 feet, on Parcels 86-A-4, 96-A-29A, 29B, 30A, 35A, 106-A-35B,
617 42A, and 107-A-1A, containing approximately 657.9 acres, located at the northeast
618 intersection of Laburnum Avenue and Richmond Henrico Turnpike and the northwest
619 intersection of Laburnum and Carolina Avenues and on the southeast and southwest
620 intersections of Richmond Henrico Turnpike and Carolina Avenue. The existing zonings
621 are B-3, B-2, B-1, M-2, M-1, R-3, R-6, A-1, and C-1.
622
623 The staff report will be given by Ms. Jo Ann Hunter.
624
625 Mr. Archer - Thank you, Mr. Secretary. Is there opposition to P-9-01?
626 No opposition.
627
628 Ms. Hunter - Thank you, Mr. Chairman. Richmond International
629 Raceway has requested a provisional use permit to expand the existing raceway facility
630 and to increase the height of the existing grandstand. The expansion is needed to increase
631 the seating capacity from the approved 120,000 seats to 150,000 seats and to incorporate
632 additional parking areas on their site. The raceway facility has been in operation at this
633 location since 1946. Provisional use permit issued in 1991 allows the racetrack and
634 accessory uses to operate on 311 acres. This can be seen in the faded green color here on
635 the screen. The green area demonstrates the 311 acres that is currently approved with a
636 provisional use permit in 1991 for the racetrack facility. The applicant is proposing to
637 expand the master plan to now include 657.9 acres, which shows the orange areas on the

638 screen, and the proposed expansion areas are predominantly located to the north and to
639 the northeast of the existing site. The expansion would be on the south side of
640 Meadowbridge Avenue and will stretch beyond the railroad track all the way to the
641 County line. The area proposed for the expansion is predominantly commercial and
642 industrial in nature and most surrounding residential development is located to the south
643 and west of the existing facility. The expanded acreage would be used for parking, and
644 the applicant has indicated that they will increase the parking in 2,000 to 4,000 space
645 increments. The western boundary of the site will need to be treated sensitively in order
646 to protect the existing residential areas.

647
648 The applicant has also requested, as part of this provisional use permit, permission to
649 increase the height of the existing facility, including light structures, to 215 feet. Because
650 the facility has a height of approximately 110 feet, the facility has approval for 125,000
651 seats, but the current facility now only is 102,000. This expansion to 150,000 square feet
652 is necessary for them to remain competitive within this type of market. Because the tract
653 is small in order to increase the seating capacity, there is little ability to grow
654 horizontally; therefore, growth need to occur vertically. As with the parking, the
655 additional seating capacity will be added gradually over time. The County is also
656 currently reviewing a plan of development and master plan for this project, which will be
657 reviewed by the Board of Supervisors at their July meeting. Development details will be
658 addressed with that process.

659
660 While there will be additional impact to the surrounding areas due to the expansion of the
661 facility, the recommend PUP conditions and the POD conditions should minimize the
662 impact. I'd be happy to answer any questions.

663
664 Mr. Archer - Thank you, Ms. Hunter. Are their questions of Ms.
665 Hunter?

666
667 Ms. Dwyer - Will there be two rows of walkways where it is indicated
668 there is a mezzanine? Is that a walkway area with shops?

669
670 Ms. Hunter - I will let the applicant answer that.

671
672 Mr. Archer - All right. Thank you, Ms. Hunter. Will the applicant come
673 forward? Mr. Axselle.

674
675 Mr. Axselle - Ms. Dwyer, if I may, I will get Mr. Fritz to answer your
676 question in a moment, if I may. I am Bill Axselle and Andy Condlin and I are pleased to
677 be representing Richmond International Raceway, and with us today are Doug Fritz, who
678 is the President of RIR, and Jack Cahoon, who is the Vice President of Operations. Also
679 with us is Roger Rodrigeous of TIMMONS, the engineer who is working on the POD.
680 RIR was purchased in 1999 by International Speedway and set about developing a master
681 plan that would probably serve at least 10 to 15 to 20 years, and the crimp before you of
682 this PUP and the request before the Board of the amended master plan and POD are part
683 of the efforts to put into place the legal framework where they can them come to the

684 County and request certain subsequent approvals. As you know, this property has been
685 used since 1946 for the purposes of a racetrack. It has shows there. It has exhibitions.
686 The State Fair is there. There are two major NASCAR Winston Cup events there now
687 and then in June there will be a racing league, for the first time, and later this month Indy
688 Car racing. The two NASCAR races here are the two largest sporting events in Virginia.
689 They bring national exposure for the area and national exposure for Henrico County, and
690 a study shows that the impact of having RIR in our area is almost \$172,000,000 in total
691 economic impact on the Richmond area both from the point of visitor's expenditures and
692 operations. There are about 350,000 folks that come to RIR a year for those races, 60%
693 of those coming from outside of the area. Obviously, they come because of the racing
694 and because of the dates that have been assigned for the racing. The good news and the
695 bad news. The good news is that NASCAR Racing has come and is very, very popular.
696 Interestingly, in 1975, the average attendance for an event was 42,000 people. In 1985, it
697 was 76,000. This past year it was about 200,000 people, and the number of events has
698 stayed about the same, around 30 each year. And, so, there are more people coming to
699 the event each year, and..

700

701 Mr. Vanarsdall - Excuse me. What was that first one?

702

703 Mr. Axselle - Forty-two thousand.

704

705 Mr. Vanarsdall - What year?

706

707 Mr. Axselle - That was 1975.

708

709 Mr. Vanarsdall - 1975.

710

711 Mr. Axselle - And about 76,000 in 1985 and 200,000 this past year. I did
712 extensive independent research from *Sports Illustrated* and found those figures. But the
713 point is that the racetrack is being required to grow, and they are having to compete in
714 two respects. First off, the RIR does not own these dates. They are, in fact, by contract
715 with NASCAR, and they have to compete in two respects: one for the quality of their
716 facility and, obviously, the size of the facility. RIR is one of the limited number of
717 facilities that has two dates, and we want to be able to retain that, because there are a
718 number of other racetracks who are building in bigger market areas and building bigger
719 facilities that are providing competitive forces. Some tracks have lost their dates and we
720 don't want that to happen to RIR. The competition is coming from places such as Kansas
721 City, Chicago, Las Vegas, Miami, Dallas and Fort Worth. So, what we are asking
722 basically is that the capacity which is now 102,000, and approved capacity of 125,000 be
723 increased to 150,000, so that we can remain competitive, so that we can continue to have
724 those dates and so that we can still have the \$172,000,000 total economic impact on the
725 Richmond area. Someone could say and properly so, "Can you expand horizontally" and
726 Ms. Hunter made reference to that. This is a $\frac{3}{4}$ mile track. Tracks go up to about 2-1/2
727 miles, and so if you took this same track and expanded it $\frac{3}{4}$ mile to two miles or 2-1/2
728 miles expanding horizontally, it has a number of problems. One, it puts you much closer
729 to the adjacent property line. There are not too many residents in immediate proximity to

730 this area, but there are some to the west, and this would put it much, much closer to them,
731 and we don't feel that is acceptable. We also think you would ruin the unique feature of
732 RIR ¾ mile track; people can see the entire racetrack. They have three wide racing. It is
733 real exciting racing. The drivers like it. The public likes it. But, also, if you expanded
734 horizontally, it is not something you can do in phases, and, thus, you would have added
735 problems there. So, what we are proposing is saying vertically to preserve the nature of
736 RIR and to preserve it so that we will not be closer to our property boundary line and
737 have better phases. They are really going along here in different vehicles, no pun
738 intended, but different legal vehicles. Three requests, the master plan, the POD, to which
739 Ms. Hunter made reference, and the PUP. The PUP, as we indicated, has increased the
740 capacity from 125,000 to 150,000. And I will tell you that will be done in very, very
741 gradual stages as the market, parking and traffic control allows. The second is the
742 increase in the size of the area developed and set aside for parking, and third, the increase
743 in the height from 110 up to 215 feet, maximum. So, all of this all fits together, to remain
744 competitive, to keep the date, to have the financial economic impact that we desire, they
745 need to expand and we are trying to do that by expanding vertically. That is the height
746 request, and the seating capacity request, and we are expanding our parking capabilities,
747 also. The staff, as they have indicated in their report, supports the request.
748

749 A couple of things I want to point out to you because there are two or three vehicles
750 going along, I would point out to you that the existing POD that is on the property and
751 the language we anticipate being in the plan of development when it is eventually
752 approved deals with traffic in this respect: It says, "The existing traffic operation plan
753 shall be reviewed, evaluated, and modified as necessary in order to accommodate the
754 scale of each proposed event." So the County has the legal right, that obligation for the
755 traffic to be reviewed, evaluated and modified as appropriate. As far as parking, the
756 existing POD and the new POD we think will have comparable language and says that,
757 "Sufficient, effectively usable parking shall be provided. If experience indicates the
758 need, additional parking shall be provided." So, the County has the POD both existing
759 and contemplated given itself and properly so the means of addressing any transportation
760 and parking problems. And, as you know, there is another even deeply good basis, and
761 that is RIR wants people to come and enjoy the experience, and if the people can't get in
762 and out and the parking is not adequate, it will have a counter-productive effect, so that is
763 the reason they have gotten to the point where they have to address parking and
764 transportation.
765

766 The next issue I want to address is visibility. Fortunately, the property is bounded on a
767 number of sides by commercial, industrial and business uses. For example, Laburnum
768 Avenue is about 2,000 feet from where the expanded area of the facility will be. Some of
769 you attended, I think, an on-site balloon-type test, and I think the result was that the
770 expansion would be visible from parts of Laburnum Avenue and parts of Carolina
771 Avenue. Both, as you know, are commercial. Laburnum is more commercial in use and
772 Carolina is more industrial in use, and it will not be visible from the residential area. So,
773 we think that is fortunate that the front stretch is in an area commercial and industrial in
774 nature.
775

776 We have a schematic that I have asked staff to show. This is in conclusion. This is
777 conceptual, not exact in detail. It is a conceptual of what would be the appearance of
778 Laburnum Avenue, and I think you have been provided a smaller version of this and you
779 will see. It will be visible from Laburnum, but with the landscaping plan that is being
780 required as a part of this condition and the distance setback and the features that will be
781 incorporated, we think that it will be a nice feature. Mr. Chairman, ladies and gentlemen
782 of the Commission, I have given you some general information and we'd be glad to
783 respond to any questions. I would like to ask Doug Fritz, the President of RIR, to answer
784 Ms. Dwyer's question at this time.

785
786 Mr. Archer - Sure. Thank you, Mr. Axselle.

787
788 Mr. Kaechele - In addition to that, in parking is there an ideal ratio of seats
789 to parking spaces? What would be the ideal ratio of parking spaces to the number of
790 seats?

791
792 Mr. Doug Fritz - Well, what it looks like as far as acreage, if you look at it
793 on per acre, you usually get about 125 cars in a per acreage, and the average per car is
794 usually in the 3 to 3.2 range per car, so you kind of utilize those types of measurements to
795 give you a sense of what it is acreage-wise that you need for the parking.

796
797 Mr. Kaechele - So one in three is about the ratio. OK.

798
799 Mr. Fritz - Ms. Dwyer, if I can answer your question. Would you like
800 to put that illustration back up on the grandstand? I am sorry. My name is Doug Fritz. I
801 am the President of Richmond International Raceway. Ms. Dwyer, this illustration here
802 represents two mezzanine levels. It would be designed, in this case here, to service the
803 top half with the grandstand without the level mezzanine and the lower mezzanine level
804 serving the lower half of the grandstand. The primary purpose of this illustration is to get
805 this group here an indication of what it might look like, what the grandstand might look
806 like at approximately 215 feet. The purpose of this one shows you the grandstands. It
807 also shows you the box to the light on up would be the elevator shaft and the lights would
808 be above the suite to indicate they are at the top portion of that illustration.

809
810 Ms. Dwyer - Will they be accessed from the top grandstand to the lower
811 grandstand or will they be accessed separately?

812
813 Mr. Fritz - With this design here, they would be accessed separately.
814 They would be serviced by the elevator from behind.

815
816 Ms. Dwyer - Both levels?

817
818 Mr. Fritz - Correct.

819
820 Mr. Vanarsdall - I like that elevator idea.

821

822 Mr. Taylor - The outer higher tower, is that shown as a double tower on
823 this sheet that it wraps around – all the way around?
824

825 Mr. Fritz - If you could pull that.
826

827 Mr. Taylor - I've got the plan here. It doesn't encompass the entire...
828

829 Mr. Fritz - It does not. It represents the front stretch part of the
830 facility.
831

832 Mr. Taylor - The double layer that is shown on the plan view.
833

834 Mr. Fritz - Correct. Down where it says proposed seating and suites,
835 the...(pointing to map) this portion right here represents the median portion. Up here
836 would represent the back part...
837

838 Mr. Taylor - Right now, on the other side, characterized as Henrico
839 Tower. Is that also the same high elevation?
840

841 Mr. Fritz - No. That is existing.
842

843 Mr. Taylor - Now when we look at the stadium, there were something
844 that looked like sound continuation barriers or panels, whatever, and I presume they were
845 to reduce sound emitting from the facility.
846

847 Mr. Fritz - Right, and the design of the grandstands, let's refer to them
848 as interlocking grandstands, so it prevents the sound from going through. If you recall, in
849 your high school days where you had bleachers and you had open air between the seats,
850 the sound would travel between the seats. So, the way our seats are constructed, they are
851 solid structures so the sound does not go through. It is driven up naturally and into the
852 air. And that would be true of this new structure.
853

854 Mr. Taylor - And that would be true of this new structure?
855

856 Mr. Fritz - That is correct.
857

858 Mr. Taylor - It would also have some sound character.
859

860 Mr. Fritz - That is correct and it is also in the master plan which exists
861 and we would, obviously, go by those rules and regulations as well.
862

863 Ms. Dwyer - What kind of safety exit procedures or what has been built
864 into the design of these very tall structures to get people out of them in an emergency
865 other the elevators that might not be able to be used.
866

867 Mr. Fritz - Right, and we have back up generators and we will work
868 with Police and Fire as to the specifics as far as the plan and all that.
869

870 Ms. Dwyer - It is a stairway access out to the ground or to the lower
871 stands?
872

873 Mr. Fritz - In that illustration (referring to slide) this does not represent
874 walkways. Currently there are walkways behind there, but that illustration does not
875 represent walkways behind there.
876

877 Ms. Dwyer - There are stairways to the ground from this upper level?
878

879 Mr. Fritz - Right, to the mezzanine and down below from there.
880

881 Ms. Dwyer - Down below to the lower stands?
882

883 Mr. Fritz - Right.
884

885 Ms. Dwyer - Is this a typical height for grandstands in NASCAR or is it
886 usually high, or how does it compare?
887

888 Mr. Fritz - We've got other grandstands in our industry that are close
889 to 200 feet. That is correct.
890

891 Ms. Dwyer - If you needed to expand in the future, would you expand
892 elsewhere vertically or would you ever consider expanding horizontally?
893

894 Mr. Fritz - We would like to consider vertically. With a configuration
895 of the design of the tract, which is unique in our sport, we'd like to keep that
896 configuration. With grandstands already pretty much going all of the way around the
897 track, really for us the concept would grow vertically.
898

899 Mr. Archer - Mr. Fritz, I think it might be good to point out the point that
900 you made in one of our prior meetings of what your intention is as to when this might
901 take place, if ever.
902

903 Mr. Fritz - Where it is currently right now in 2001, as we stated, we
904 are currently not expanding and not building any seats in the year 2001. We are in the
905 process of evaluating the demand for 2002, and we will ride out the races in June and also
906 the races in September to get a grasp of that evaluation as far as demand. For us, in our
907 industry, one of the things that is of interest to us is built seats upon demand. One of the
908 things that we don't want to do is build empty seats, and we are not intending to do that,
909 so it is important for us to gauge demand and what is typical in our industry and
910 particularly as it relates to our potential growth is those increments are going to be fairly
911 small. It could be four or five thousand. It could be less, as far as per year or per growth
912 segment. The intention is, and some tracks have done it and it hasn't worked so well as

913 far as building larger increments of seats, and so our position right now, our concept is to
914 actually build on demand. Demand typically does not grow that fast, so we want to keep
915 our supply and demand in cohorts.

916

917 Mr. Kaechele - I think this physical impact on the region is something that
918 the convention visitors here and all the merchants and hotel operators are very excited
919 about. I think I read in some of your other presentations that it is equivalent to two
920 Supper Bowls or something to that effect. It is a matter of publicity for Henrico and the
921 Richmond Regional Area comes with it, so we are very fortunate to have this.

922

923 Mr. Fritz - Thank you. As we are to be a part of Henrico County. I
924 think the numbers reflect the economic impact is about - over \$100,000,000 per year,
925 and that does not take into consideration the new Indy Racing League which we are
926 having come June 30th, that weekend. You are right. I think the community appreciates
927 the economic impact and we are surely excited about being a part of it.

928

929 Mr. Jernigan - Mr. Fritz, I don't have a question, but for the members of
930 the Commission, just let them know that in the racing circles that Richmond and Bristol
931 are the only two tracks that are selling out at 100%, and Bristol has increased their
932 capacity to 150,000 now, and they are still at a full load. So, Richmond has really been
933 one of the centers of racing ever since NASCAR has been around.

934

935 Mr. Fritz - Correct.

936

937 Mr. Taylor - I think when we were discussing this that you made a
938 comment at the time that during an event attendance influences the motel markets for
939 everywhere from Fredericksburg to Charlottesville is booked.

940

941 Mr. Fritz - That is fairly accurate and the beauty of it is that it brings a
942 lot of outside people into the state of Virginia, specifically into Richmond and Henrico
943 County. Mr. Kaechele mentioned the exposure and the numbers reflected. This region
944 gains about \$5,000,000 plus in the amount of exposure that might be on a weekend
945 televised event.

946

947 Mr. Archer - Any further questions from Mr. Fritz or Mr. Axselle?

948

949 Mr. Vanarsdall - I just want to thank Mr. Axselle and Mr. Condlin for
950 keeping us in the loop, the letters and the phone calls, and so forth. Thank you for
951 keeping us up-to-date on it.

952

953 Mr. Archer - Before we move on this, I would like to acknowledge the
954 fact that we have had quite a few meetings, but also to compliment Mr. Fritz and RIR on
955 the way they reached out to the neighborhood at the request of Mr. Thornton and also on
956 a voluntary basis, and you all have had several events, I believe, which the neighborhood
957 has attended, and I believe they had a good time because the people have told me so, and
958 also, I would like to compliment you on the charitable things that you do. I believe in the

959 last two weeks you hosted the Children's Miracle Network at the racetrack. We
960 appreciate that. That is nice for everybody, and I'll try and make sure that everybody
961 does understand that this does not represent any immediate influx of another 25,000 seats
962 or whatever. It could take a few years before we ever reach that capacity level, if you did
963 at all. So, with that, unless there are further questions, I would move to recommend
964 approval of P-9-01, Richmond International Raceway.

965
966 Mr. Vanarsdall seconded the motion.

967
968 Mr. Archer - We have a motion by Archer and second by Mr. Vanarsall.
969 All in favor say aye-all opposed say no. The motion is carried. The vote was 5-0. Mr.
970 Kaechele abstained.

971
972 REASON: Acting on a motion by Mr. Archer, seconded by Mr. Vanarsdall, the Planning
973 Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors
974 **grant** the request because it conforms to the recommendations of the Land Use Plan; it is
975 reasonable and when properly developed and regulated by the recommended special
976 conditions, it would not be detrimental to the public health, safety, welfare of the area.

977
978 **C-32C-01 James W. Theobald for H. H. Hunt Corporation:** Request to
979 conditionally rezone from A-1 Agricultural District to R-3C One Family Residence
980 District (Conditional), Parcels 11-A-2 and 18-A-23, containing 5.218 acres, located on
981 the east line of Twin Hickory Lane approximately 1,480 feet north of its intersection with
982 Nuckols Road (5420 and 5428 Twin Hickory Lane). Single-family residential
983 development is proposed. The applicant proposes no more than fourteen (14) units to be
984 constructed. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units net
985 density per acre.

986
987 Mr. Marlles - The staff report will be given by Mr. Mark Bittner.

988
989 Mr. Archer - All right. Is there anyone here in opposition? No
990 opposition. Mr. Bittner.

991
992 Mr. Bittner - Thank you, Mr. Chairman. This development would be for
993 no more than 14 single-family homes. The proposed site would be an extension of the
994 Chappell Ridge and Wyndham Forest subdivision. The proffers submitted with this
995 request are comparable to the proffers in Chappell Ridge. Staff had recommended that the
996 applicant consider dedicating the necessary right of way along Twin Hickory Road,
997 providing a 20-foot greenbelt along Twin Hickory Road, and prohibiting flag lots within
998 the development. The applicant has revised the proffers to include all of these items.
999 The applicant has also made two other changes to the proffers. Proffer No.3 has been
1000 reworded to state that this subdivision will have access to pedestrian and bicycle access
1001 ways, in the overall Wyndham Forest development. The proffer originally said that
1002 pedestrian and bicycle access ways would be provided in this subdivision. Because of its
1003 small size, however, the applicant felt that would not be practical. Staff does not object to
1004 this revision.

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The other change is the addition of Proffer No. 10 requiring a wooden fence along the southwestern boundary of the property. This was done at the request of the adjacent property owner of parcel 24. There is a single-family house on this parcel. Staff also does not object to this revision.

In summary, the proposed R-3 zoning offers a density lower than the urban residential designation of this property and it is consistent with the adjacent Chappell Ridge subdivision. The current proffers have been amended to address the concerns of the staff report. Staff recommends approval of this application, and I would be happy to answer any questions you may have.

Mr. Archer - Thank you, Mr. Bittner. Are there questions from the Commission?

Ms. Dwyer - Mr. Bittner, I was reading with interest the school report, and they stated that the approval of this request, coupled with other proposed impending residential development in this portion of the County, will put a strain on the existing facilities, and as everyone knows, we've had a bond issue which will fund additional schools, which has been cited in here. I believe the last line is as more residential development continues to be proposed the need for additional facilities will be greatly accelerated. Does that mean beyond school facilities that have been funded through, or will be funded through the bond issue? Does this mean that we are going to be exceeding even the capacity of those new schools that aren't even on line yet?

Mr. Bittner - I don't know. I would have to follow up with schools on that exact question and I was planning on doing that anyway in relation to C-33C-01, which was deferred earlier tonight. We want to get a handle on exactly how much capacity is planned where, what its time schedule is, how many students could be absorbed on an annual basis in relation to that, and, that, of course, would ultimately relate to this case as well.

Ms. Dwyer - Being from a district that has older schools that are in need of renovation, I am becoming alarmed at the fact that even the new schools that are planned and we don't even have yet are apparently filled to capacity and maybe beyond, just by the already approved subdivisions, and, I guess I'd like the answer to that question, because we have older schools that are in desperate need of renovation, and it seems like money continues to be diverted to new schools, because there has been an obvious need for that. I just want to make sure that our older schools are not neglected in the process, and if we are going even beyond the schools that have been approved by the bond issues, then I think we are in some dangerous territory.

Mr. Bittner - We will definitely follow up on that and get you an answer.

Ms. Dwyer - Thank you.

1051 Mr. Archer - All right. Any further questions of Mr. Bittner? All right.
1052 Do we need to hear from the applicant?

1053
1054 Mr. Theobald - Mr. Chairman, ladies and gentlemen. My name is Jim
1055 Theobald and I am here this evening on behalf of H. H. Hunt and with me is George
1056 Moore. This is a very modest expansion of Chappell Ridge at Wyndham Forest. It is
1057 five acres of land, 14 lots, all the same proffers have been brought forward save one, and
1058 in the old case, we had proffered a minimum of 1850 square feet on house size, and we
1059 have increased that to 2300 square feet. And I would be happy to answer any questions.
1060 I will tell you that we have made sure that our long, loyal neighbors, the Parkers and the
1061 Turners, were contacted to make sure they were OK with this request and that is what
1062 resulted in the fence proffer against Mr. Turner's property. I will point out in terms of
1063 impact on schools, generically, that Chappell Ridge at Wyndham Forest was originally
1064 proffered at a density not to exceed 200 lots, for which we now have tentative subdivision
1065 plans for but 131, twenty-one acres of that original site having been sold through a
1066 collaborative effort in providing infrastructure to the County and the schools, to provide a
1067 new elementary school on Chappell Ridge, of which this will be a part. With that, I am
1068 happy to answer any questions.

1069
1070 Mr. Archer - All right. Are there questions of Mr. Theobald?

1071
1072 Mr. Taylor - I would like to add just a bit on Case C-33C-01 which was
1073 deferred because of the mathematics of the educational capacities and the different
1074 schools, and I think as the project at Twin Hickory has developed there has been a
1075 significant amount of attention paid to the schools by the developer and by the County,
1076 and the reason actually for the deferral of Case C-33-01 was to get a picture on behalf of
1077 the developer and the County as the schools. But, I think so far we've kept pretty good
1078 pace and it has been 50 a year. Schools have been developed pretty much at pace with
1079 the development, and the development has been high quality. The construction, the
1080 arrangements have been high quality, and the aesthetics have been high quality. So, we
1081 simply expect the same in C-33C-01 as C-32C-01, so I would look forward to education
1082 being very carefully viewed, as well as the aesthetics and the development to date. I
1083 continue to get strong accolades and raves about the quality of the development and I
1084 think that you should be proud of the development and the progress you have made.

1085
1086 And with that, Mr. Chairman, I move approval of Case C-32C-01, H. H. Hunt
1087 Corporation.

1088
1089 Mr. Jernigan seconded the motion.

1090
1091 Motion by Mr. Taylor, seconded by Mr. Jernigan. All in favor say aye. All opposed say
1092 no. The motion passes. The vote is 5-0. Mr. Kaechele abstained.

1093
1094 REASON: Acting on a motion by Mr. Taylor, seconded by Mr. Jernigan, the Planning
1095 Commission voted 5-0 (one abstention) to recommend that the Board of Supervisors
1096 **grant** the request because it conforms to the recommendations of the Land Use Plan;

1097 because it represents a logical continuation of the one-family residential development
1098 which exists in the area; and it reflects the type of residential growth in the area.
1099

1100 Ms. Dwyer - May I make a request of the Secretary?
1101

1102 Mr. Marlles - Yes, ma'am.
1103

1104 Ms. Dwyer - I appreciate Mr. Bittner's statement today to looking into
1105 the educational piece of it, but I wonder if we could have someone from schools come to
1106 the Commission and talk specifically, giving us some up-to-date numbers on what has
1107 been approved already, in terms of residential development in the County, how that will
1108 be handled by new schools planned for the bond issue since we are already reaching
1109 capacity for those schools.
1110

1111 Mr. Marlles - We can certainly get a report.
1112

1113 Mr. Kaechele - They continue to expand some of the existing schools, as
1114 well. Shady Grove is adding more classrooms. I believe this, maybe it is the elementary
1115 school at the end of Twin Hickory, will serve all of the developments out to Pouncey
1116 Tract Road, and when it develops on the other side, there will be another school required
1117 there, but there is no water and sewer in that area.
1118

1119 Ms. Dwyer - In the northwest part? I guess west of Pouncey Tract?
1120

1121 Mr. Kaechele - Right. That is future. There is no water and sewer in that
1122 area, but that will require perhaps another school. The next middle school is going to be
1123 in between Francistown and Springfield Road. I think that is the extent now in the
1124 western, but as you indicated, the bond issue did address many of the older schools in
1125 refurbishing and bringing them up to date, including a couple of high schools, and, so I
1126 think the School Board as well as the Board of Supervisors is in sync in keeping all of our
1127 older schools well maintained.
1128

1129 Ms. Dwyer - Are the agreements slated for renovation in 2007, I believe.
1130

1131 Mr. Kaechele - It is a long time, it really is.
1132

1133 Ms. Dwyer - So that is a long way away.
1134

1135 Mr. Kaechele - Well, it is in the bond issue.
1136

1137 Mr. Marlles - Ms. Dwyer, just for your information and the
1138 Commission's information, the Planning staff does meet and try to meet with the School
1139 Planning staff on a quarterly basis. In fact, we have a meeting coming up next week
1140 where we do share information on development activity and, of course, they are
1141 interested in looking at it from the school's standpoint and school's projection. Those
1142 meetings are really a good opportunity to communicate with the schools regarding

1143 development activity in the County, and issues they are running into with various
1144 schools, so I just wanted to make sure that the Commission knows that we do have very
1145 good communications with the school administration and school planning over these
1146 types of issues.

1147
1148 Mr. Vanarsdall - I will say that report that Cynthia Owens-Bailey sends out
1149 is in with staffs, and that is where they get their information, and then we have it. If you
1150 read that every month, every time we get it, it is a caution all the time about over-
1151 capacity. Some schools will have like a capacity of 1900 and has already reach 1885,
1152 things like that. So, it is not like we all of a sudden, where did that come from, because
1153 we are being warned all of the time.

1154
1155 Ms. Dwyer - And I guess what is hard for us to grasp is the totality of it.
1156 You read one case and it will say, "This case will add five students to the elementary
1157 school and 10 students, you know" and we know what the individual case will do, but we
1158 don't, at least we don't have an overall sense of when we put all of those different cases
1159 together, what is the impact. So, I guess what I am looking for is an overall picture of the
1160 effect of the development on the schools.

1161
1162 Mr. Marlles - I think next week would actually be an excellent
1163 opportunity, and certainly we could bring that up and make that request.

1164
1165 Mr. Taylor - It is timely, because in Case C-33C-01, when we looked at
1166 the numbers that were in the case, that is exactly the reason that we deferred that, because
1167 of the agreements between the developer and the County, to keep pace with a certain
1168 amount of school, the provision of a certain amount of school space and/or absorption of
1169 school space and the number of units that were built every year, so that there is a certain
1170 number allocated to be built every year and the development school construction can
1171 keep pace, and it is because we want to review those years that we have deferred C-33C-
1172 01 and we can look at the numbers and discuss them and then come back to the
1173 Commission. So we will see a glimpse of that process, at least related to Twin Hickory,
1174 next time. We would have seen it this time, except we really did not have a chance to
1175 confer on the numbers and polish the numbers, and we wanted to make sure that we were
1176 accurate. But, I think there in that particular case, you will see some of the efforts that
1177 the County has gone to and the developers to recognize the impact of development on the
1178 school attendance and making sure we've got adequate provisions in the plans for schools
1179 within the County. So, C-33C-01 next time might give us a little glimpse of that process
1180 in action.

1181
1182 Mr. Vanarsdall - She has the same write up for C-33C-01 as she had for C-
1183 32C-01.

1184
1185 Mr. Archer - All right, Mr. Secretary. We can move right on.

1186
1187 Mr. Marlles - Mr. Chairman, our last case is C-36C-01.

1188

1189 **C-36C-01 Engineering Design & Associates for Paul R. Stanovick:** Request to
1190 conditionally rezone from A-1 Agricultural District to O-2C Office District
1191 (Conditional), part of Parcel 165-A-27, containing 2.307 acres, located at the northeast
1192 intersection of Williamsburg (U. S. Route 60) and Whiteside Roads. An office and
1193 dental laboratory are proposed. The use will be controlled by zoning ordinance
1194 regulations and proffered conditions. The Land Use Plan recommends Office. The site is
1195 also in the Airport Safety Overlay District.

1196
1197 Mr. Marles - The staff report will be given by Mr. Lee Householder.

1198
1199 Mr. Archer - Is there anyone here in opposition to this case, C-36C-01,
1200 Paul R. Stanovick? No opposition. Mr. Householder.
1201

1202 Mr. Householder - Thank you, Mr. Chairman. An office and dental laboratory
1203 are proposed on this triangular shaped property that has frontage on both Whiteside and
1204 Williamsburg Roads. Adjacent to this subject parcel to the north, there are three
1205 residential properties that are buffered by a wooded area. The parcel to the east of this
1206 site, across Whiteside, was recently zoned B-1C, for a veterinary clinic, and POD-90-
1207 2000, was approved in March of this year, but construction has not yet begun on this site.
1208 The 2010 Land Use Plan recommends office for this parcel and the proposed use is
1209 consistent with this designation. The property is also located in the Williamsburg Road
1210 Study Area, and a draft land use plan for this study does continue to designate this
1211 property for office. Also, as a part of this plan, there are guidelines that are being drafted
1212 and developed to improve the quality of development and assure quality of development
1213 along the Williamsburg Road corridor. Since the staff report was written, the applicant
1214 has addressed the following issues that will help minimize potential negative impact of
1215 this proposal. They have revised proffers that were handed out to you this evening. They
1216 were received on Tuesday by the proffer deadline. The applicant has submitted a site
1217 plan but not proffered that shows the preliminary layout for the building on the site. They
1218 have also submitted these elevations to give an idea of the appearance of the structure.

1219
1220 I am going back to the site plan and go over some more of the proffers. They proffered a
1221 20-foot buffer along the northeast property line, which would be this line here, and with
1222 the exception of this courtyard area, they have specified that that could impede into the
1223 buffer area. Also, they have proffered a 15-foot landscape buffer along Whiteside Road
1224 and along Williamsburg Road. They have revised their proffers to address concerns with
1225 lighting, signage and the screening of trash receptacles. The 15-foot landscape buffer
1226 along Williamsburg Road is the only outstanding issue in this case, and staff feels a 35-
1227 foot buffer would be more appropriate in this area and it would adhere to some of the
1228 guidelines that are under development for the corridor, but they have not yet formulated
1229 or adopted, but we are pretty sure is going to be a 35-foot recommendation in this area.
1230 We think this would improve the case. Overall, the case does conform to the Land Use
1231 Plan and staff feels that the proposed use is reasonable and the applicant has addressed
1232 most of the concerns of the quality of this development. Staff does recommend approval
1233 of this request.
1234

1235 Mr. Archer - All right, Mr. Householder. Are there any questions from
1236 the Commission?
1237

1238 Mr. Jernigan - Mr. Householder, I am going to put you on the spot.
1239

1240 Mr. Householder - Oh, great. No one is here.
1241

1242 Mr. Jernigan - As we talked the other day, in your professional opinion
1243 with the shape of this lot being triangular like it is, do you think that building could be re-
1244 designed to look like it does now with a 35-foot setback?
1245

1246 Mr. Householder - I think the building is really large for this area. I think that
1247 for a site of this size, a building of that size may not be appropriate, given the size of that
1248 parcel. If you knew you wanted to build a building that big, you might try and extend the
1249 size of the parcel to accommodate.
1250

1251 Mr. Jernigan - Extend what?
1252

1253 Mr. Householder - Try and extend the size of the parcel if you had an
1254 opportunity to acquire it and make the parcel bigger, if that was an opportunity there; to
1255 me, those two issues could improve the site. Given the size of the parcel, given the size
1256 of the building as presented, I think this is the only way to make it work on the site plan
1257 that they have shown.
1258

1259 Mr. Jernigan - And on that parcel behind there, too, in the memorandum,
1260 that is a battlefield area and there is a house back there pre 1840, so there possibly could
1261 be some historian if they tried to expand back there, and also, as I discussed with you, the
1262 setback, when I called and asked you across the street at Dr. Monasel's, the distance from
1263 the roadway pavement out is 80 feet. That is the property line and then the 15 feet would
1264 be on past that.
1265

1266 Mr. Householder - It is 15 feet from the right of way.
1267

1268 Mr. Jernigan - Yes, sir.
1269

1270 Ms. Dwyer - What is the buffer on the veterinary?
1271

1272 Mr. Householder - The veterinary clinic has a buffer of 15 feet, which matches
1273 the proffer, but you see, in the case of the veterinary clinic, it is setback off of
1274 Williamsburg Road quite a bit. It has this additional area. So, to me, it is more justified
1275 to have a smaller buffer on this site than it would be on this site down here, (referring to
1276 slide). Is that clear?
1277

1278 Ms. Dwyer - What is that area?
1279

1280 Mr. Jernigan - That right there (pointing), there was a berm there right off
1281 of Williamsburg Road, and it has been recently, they've got Simons in there clearing it
1282 out now, and the landowner got permission from VDOT. As you go in there, there is just
1283 a narrow strip of land and then there is a service road. Everybody was dumping trash and
1284 parking back there and the landowner was having to clean it up, so he got permission
1285 from VDOT to have that berm knocked down so the police could see from the road what
1286 was going on.
1287

1288 Ms. Dwyer - VDOT owns property, that section in front of the veterinary
1289 clinic?
1290

1291 Mr. Jernigan - Well, the veterinary clinic goes down Whiteside Road. It is
1292 not, if you run the – it goes down – on down a little bit more (referring to slide) – no the
1293 other way. Come on back up some. You are going too fast. Right there. Right about up
1294 a couple of feet is where the veterinary clinic is.
1295

1296 Mr. Marles - Lee, is the parking that is shown on the plan meet or exceed
1297 our requirements for parking? Is it possible to tell that?
1298

1299 Mr. Householder - With two extra. The applicant has indicated they feel
1300 constrained by the site to meet parking requirements. I thought of another possible
1301 answer, which was in the staff report, regarding your concern about the development.
1302 We originally were concerned about possibly the piece-meal nature of the request, and
1303 we thought that maybe the most appropriate, a probable situation for development would
1304 be to compile all parcels in the area, and that was one idea that staff had at the very
1305 beginning, but the proffers have assured, I think, quality development at the site, with the
1306 exception of the buffer area.
1307

1308 Mr. Jernigan - Well, I spoke to the landowners back there. There are three
1309 houses back there, two of them are owned by people who live in Wyndham now, and the
1310 one other is a pilot for what airline I am not sure. He was OK with it. He didn't say yea
1311 or nay. He said, "What are you all doing in our little neighborhood?" That was it. I
1312 made him aware that the meeting was tonight, and I told him if he had any other concerns
1313 to call me.
1314

1315 Ms. Dwyer - How much – could you go back to the elevations, please?
1316 Have they been proffered?
1317

1318 Mr. Householder - No. Neither the site plan nor the elevations.
1319

1320 Mr. Taylor - Have the building segments been designed or is it just
1321 conceptual elevations?
1322

1323 Mr. Householder - I think the applicant would be better to address this. She
1324 will be able to address that.
1325

1326 Mr. Archer - All right. Any further questions from Mr. Householder?
1327
1328 Ms. Dwyer - One more. There was a statement that 35-foot buffer was
1329 recommended with the guidelines that are being discussed?
1330
1331 Mr. Householder - Yes, the Williamsburg Road Study is under development
1332 right now. There has not been any – you know, they haven't put out a product that is
1333 recommended, but Mark Bittner is working on the project, and I talked with him about
1334 the fact that that is what they are shooting for – for a standard for the corridor, similar to
1335 what West Broad Overlay District Guidelines do. We are kind of starting with that as a
1336 basis and work and see what is appropriate for Williamsburg Road.
1337
1338 Mr. Jernigan - In the study, it is 35 feet and I will concur with that when
1339 we can do it, but I think that this is just, you know yourself, when you are working with a
1340 triangular shaped lot, the constraints are bad.
1341
1342 Mr. Archer - All right. If there is nothing further, I will hear from the
1343 applicant. Good evening, Ms. Isaac.
1344
1345 Ms. Isaac - Good evening. I am Lorraine Isaac, with Engineering
1346 Design, representing Dr. Paul Stanovick. Dr. Stanovick is a dentist whose office is now
1347 in Sandston. He is proposing to build a new office building and move his business just
1348 down the road. The proposed development is consistent with the other development in
1349 this area. The proffers have been revised to include all but one of the staff's
1350 recommendations. The outstanding issue is the 35-foot setback from the property line
1351 that parallels Williamsburg Road. This increased setback is based on a set of
1352 recommendations for the East Williamsburg Road Overlay District that is still evolving.
1353 Never has it been formally presented to this Commission and it has not been subject to a
1354 public hearing. Williamsburg Road is a limited access road, so no direct access from
1355 these parcels are allowed directly onto Williamsburg Road. The right of way width of
1356 Williamsburg Road of the subject property tapers from 250 to 220 feet. On most state
1357 roads, the amount of right of way between travel lanes and property lanes is between 12
1358 and 20 feet. Because of the total right-of-way width along Williamsburg Road, this
1359 property line is 80 feet from the nearest travel lane. We have proffered a 15-foot
1360 landscape buffer along that property line, bringing the distance from the travel lane to the
1361 parking to 95 feet, and the staff wants another 20 feet, bringing the total setback from the
1362 travel lane to 115 feet. I know of no other precedent for this kind of setback in this area of
1363 Williamsburg Road and Whiteside Road. And I do have a comment about the size of the
1364 building. If this lot was square, the total square footage of the building could be
1365 increased approximately 2,000 square feet, so we are not over-building the site. We
1366 request that you approve the plan as it has been submitted.
1367
1368 Mr. Archer - All right. Thank you, Ms. Isaac.
1369
1370 Ms. Isaac - I would be happy to answer any questions.
1371

1372 Mr. Jernigan - Ms. Isaac, if this was approved would you all be willing to
1373 beef up the landscaping along Williamsburg Road?
1374

1375 Ms. Isaac - As far as an increased setback?
1376

1377 Mr. Jernigan - No.
1378

1379 Ms. Isaac - We proffered that the landscape strip would be left in its
1380 natural state to the extent possible. We changed the wording, based upon my
1381 conversations with Mr. Householder.
1382

1383 Mr. Jernigan - OK.
1384

1385 Mr. Archer - OK. Any further questions from Ms. Isaac?
1386

1387 Ms. Dwyer - Is there any reason why the elevations and site plan have
1388 not been proffered?
1389

1390 Ms. Isaac - We have not, we are still refining the architectural plans
1391 and there is a meeting next Monday with the applicant to further review, to nail down
1392 what he wants to do. This plan was drawn from a building that he brought to us, and he
1393 said, "This is what I want my building to look like." I don't know if it gets approved
1394 tonight, we might have something more concrete by the Board meeting, but right now it
1395 is a conceptualization, reflecting what he wants this building to look like.
1396

1397 Ms. Dwyer - I assume the elevations that we saw, that the bottom darker
1398 portion was what was going to be brick.
1399

1400 Ms. Isaac - Yes, with the Dryvit at the top as an accent.
1401

1402 Ms. Dwyer - With no proffered elevation in the proffer, No. 1, saying
1403 that could be brick or stone or block or E.I.F.S.; it seems to me that we, it would be a
1404 good idea to have some commitment to percentage of brick, if that is your intention.
1405

1406 Ms. Isaac - I don't think there is a problem with that. I can definitely
1407 work with the applicant to come up with a percentage, but I know he wants the building
1408 to be brick. Right now I can't say that it is going to be 75% or 80%, but it will be a brick
1409 building with Dryvit accents.
1410

1411 Ms. Dwyer - Because as the proffer is written, it could be all E.I.F.S.
1412

1413 Ms. Isaac - Right. It won't be.
1414

1415 Ms. Dwyer - It wouldn't have to have a single brick on it.
1416

1417 Ms. Isaac - It will be. If you want me to testify to that.

1418
1419 Ms. Dwyer - You just have to work from what is...
1420
1421 Ms. Isaac - Right.
1422
1423 Ms. Dwyer - The other question I had on Proffer No. 6, where it says
1424 rooftop HVAC equipment will be appropriately screened, and I guess I have a question
1425 about what appropriately means. I would recommend taking appropriately out of this
1426 thing. It will be screened.
1427
1428 Ms. Isaac - I have no problem with that, and I will correct "form" to
1429 "from."
1430
1431 Mr. Jernigan - Ms. Isaac, if this is approved, you will have a definite set of
1432 plans before it goes to the Board of Supervisors?
1433
1434 Ms. Isaac - I think we will have something, maybe not final
1435 construction plans, but, like I say, there is a meeting already set up next Monday night to
1436 look at the elevations, to look at the floor plans and to get this further nailed down. So,
1437 we are progressing in that way. It is not something that we have put on the back burner
1438 or the applicant has put on the back burner. We are progressing forward.
1439
1440 Mr. Jernigan- I noticed in the memorandum that the County Attorney had
1441 where we had equivalent permanent architecture, when we come back, that is in Proffer
1442 No. 1, if you are going to have something definite by then, we will pull that out of there.
1443
1444 Ms. Isaac - OK.
1445
1446 Mr. Jernigan- We will put in stone what it is going to be, or brick,
1447 whichever.
1448
1449 Ms. Isaac - Right. I think at that point we will be happy to proffer
1450 something more definite.
1451
1452 Mr. Archer - OK. Any further questions for Ms. Isaac?
1453
1454 Ms. Dwyer - In Proffer No.2, you say that all buildings will be
1455 constructed of the same materials? Are you planning on putting more than one building
1456 on here?
1457
1458 Ms. Isaac - No. Normally, I don't know how other people write their
1459 proffers, but it is kind of a long-term, in case somebody comes along and tears it down
1460 and wants to build two buildings.
1461
1462 Mr. Archer - OK. Anything further? Thank you, Ms. Isaac.
1463

1464 Ms. Isaac - Thank you.
1465
1466 Mr. Jernigan - Mr. Chairman, I guess the only discrepancy we have is the
1467 setbacks. It does fall in line with the 2010 Land Use Plan for office, and it will be an
1468 asset to the community, so with that I am going to make a motion to approve zoning Case
1469 C-36C-01.
1470
1471 Mr. Vanarsdall seconded the motion.
1472
1473 Mr. Archer - Motion was made by Mr. Jernigan and seconded by Mr.
1474 Vanarsdall. All in favor of the motion say aye. All opposed say no. The motion passes.
1475 Approval is recommended. The vote was 5-0. Mr. Kaechele abstained.
1476
1477 REASON: Acting on a motion by Mr. Jernigan, seconded by Mr. Vanarsdall, the
1478 Planning Commission voted 5-0 (one abstention) to recommend that the Board of
1479 Supervisors grant the request because it conforms to the recommendations of the Land Use
1480 Plan and it is appropriate office zoning in the area.
1481
1482 All right, Mr. Secretary, moving right along. We have two sets of minutes.
1483
1484 Mr. Marlles - Yes, we do, Mr. Chairman. The first set of minutes is for
1485 April 12, 2001.
1486
1487 Mr. Archer - Are there any additions or corrections? The April 12
1488 minutes. OK. Do we have a motion to approve?
1489
1490 Mr. Vanarsdall - I move that we approve the minutes for April 12, 2001 as
1491 recorded and written.
1492
1493 Mr. Taylor - Second.
1494
1495 Mr. Archer - We have a motion by Mr. Vanarsdall and a second by Mr.
1496 Taylor. All in favor of the motion say aye. Nobody is opposed. The motion is carried.
1497
1498 Now, we have the May 10, 2001 minutes.
1499
1500 Ms. Dwyer - I have one change, on Page 18, the word "could" line 774
1501 should be "couldn't".
1502
1503 Mr. Taylor - Mr. Chairman, I have a couple of changes. On Page 13, line
1504 551, the sentence reads, "Am I correct in that regard in that regarding in trying to make",
1505 and I believe that is construct, not constr. And on Page 27, on line 1177, the word
1506 "accept" should be "except".
1507
1508 Mr. Archer - These are in May? I only have 22 pages. Any further
1509 corrections? Do I have a motion?

1510
1511 Mr. Taylor - I move approval of the minutes.
1512
1513 Ms. Dwyer - Second.
1514
1515 Mr. Archer - The May minutes have been approved and seconded. All
1516 in favor say aye. All opposed say no. The ayes have it. The minutes are approved.
1517
1518 Mr. Vanarsdall - I move that the meeting be adjourned.
1519
1520 Mr. Marlles - Just one quick announcement. Some of you know that Judy
1521 Thomas, a loyal and longtime secretary, has been in the hospital for a reoccurrence of her
1522 health problem. She has been released and she is home. It is hard to describe her exact
1523 situation right now. She does enjoy people coming and visiting and calling her, but it is
1524 probably a good idea to give her a call before visiting her, but I am sure she would like to
1525 hear from you, and if you'd like to send her a card, we'd certainly provide you with her
1526 address. Jo Ann, I don't know if there is anything else you want to say about Judy's
1527 condition at this point, but she is doing better than what she was last week.
1528
1529 Ms. Hunter - She is better but recovering slowly.
1530
1531 Mr. Archer - Does anyone have her number? I had it.
1532
1533 Mr. Marlles - We will be glad to get it to the Commission.
1534
1535 Mr. Archer - May I have a motion for adjournment?
1536
1537 Mr. Jernigan - Mr. Vanarsdall made a motion. I second it.
1538
1539 Mr. Archer - We have a motion for adjournment by Mr. Vanarsdall,
1540 seconded by Mr. Jernigan. The meeting is adjourned.
1541
1542 There being no further business, acting on a motion by Mr. Vanarsdall, seconded by Mr.
1543 Jernigan, the Planning Commission adjourned its meeting at 8:41 p.m. on June 14, 2001.
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Chris W. Archer, C.P.C., Chairman
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John R. Marlles, AICP, Secretary
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