

1 Minutes of the regular monthly meeting of the Planning Commission of the
2 County of Henrico held in the County Administration Building in the Government
3 Center at Parham and Hungary Springs Roads, beginning at 7:00 p.m. Thursday,
4 June 11, 2009. Display Notice having been published in the Richmond Times-
5 Dispatch on May 21, 2009 and May 28, 2009.
6

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

Members Absent: Mr. E. Ray Jernigan, C.P.C., (Varina)

Also Present: Ms. Jean Moore, Assistant Director
Mr. James P. Strauss, CLA, Principal Planner
Mr. Roy Props, County Planner
Mr. Benjamin Sehl, County Planner
Ms. Jamie Sherry, County Planner
Ms. Lisa Taylor, County Planner
Mr. Mike Jennings, Traffic Engineer
Ms. Kim Vann, Police Division
Ms. Sylvia Ray, Recording Secretary

7
8 **Mr. James B. Donati, the Board of Supervisors' representative, abstains on**
9 **all cases unless otherwise noted.**

10
11 Mrs. Jones - I'd like to call this meeting to order, and ask that you
12 stand for the **Pledge of Allegiance to the Flag.**
13

14 Thank you all; good evening. I welcome you to the June 11, 2009 rezoning
15 meeting for the Planning Commission. Happy to have you with us tonight. It's a
16 somewhat abbreviated agenda, but we're happy to have you here. We will ask
17 as a courtesy to others that you mute or turn off your cell phones at this time,
18 please.
19

20 I would like to turn the meeting over to our secretary, Mr. Emerson, who will take
21 us through the agenda.
22

23 Mr. Emerson - Thank you, Madam Chair. The first item on your
24 agenda tonight is the request for withdrawals and deferrals. Those will be
25 presented by Mr. Jim Strauss.

4

26 Mr. Strauss - Good evening, members of the Commission. Staff is
27 aware of four deferrals tonight. The first one is in the Fairfield District on page 1
28 of the agenda. That would be case C-11C-09 by Wilton Development. This is a
29 request to amend proffered conditions. The applicant is requesting deferral to the
30 July 9th meeting.

31
32 **C-11C-09 Sandra Verna for Wilton Development Corp:**
33 Request to amend proffered conditions accepted with Rezoning Case C-12C-05,
34 on Parcels 804-737-7961, 804-736-0481, and 804-737-1251, located at the
35 northeast intersection of Mechanicsville Turnpike (U. S. Route 360) and Neale
36 Street. The applicant proposes to amend Proffer 1 related to the conceptual
37 plan, Proffer 20 related to architectural treatment, and Proffer 27 related to height
38 limitations. The existing zoning is R-5C General Residence District (Conditional)
39 and B-2C Business District (Conditional). The Land Use Plan recommends
40 Urban Residential, 3.4 to 6.8 units net density per acre, Commercial
41 Concentration, and Government. The site is in the Airport Safety Overlay
42 District.

43
44 Mrs. Jones - Is there anyone with us tonight in opposition to the
45 deferral of C-11C-09, Sandra Verna for Wilton Development Corp? No
46 opposition.

47
48 Mr. Archer - All right, Madam Chair. With that, I will move for
49 deferral of C-11C-09, Sandra Verna for Wilton Development Corp to the July 9,
50 2009 meeting at the request of the applicant.

51
52 Mr. Vanarsdall - Second.

53
54 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Vanarsdall.
55 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

56
57 At the request of the applicant, the Planning Commission deferred C-11C-09,
58 Sandra Verna for Wilton Development Corp, to its meeting on July 9, 2009.

59
60 Mr. Strauss - The next request for deferral is in Three Chopt
61 District, page one of the agenda. This is case number C-8C-09, CP Other
62 Reality, LLC. A carwash is proposed. The applicant is requesting a deferral to
63 the July 9th meeting.

64
65 **Deferred from the May 14, 2009 Meeting**

66 **C-8C-09 James W. Theobald for CP Other Realty, LLC:**
67 Request to conditionally rezone from B-2C Business District (Conditional) to B-
68 3C Business District (Conditional), part of Parcel 735-763-7898, containing
69 approximately 1.680 acres, located on the north line of West Broad Street (U. S.
70 Route 250) approximately 1,650 feet east of N. Gayton Road. The applicant
71 proposes a car wash. The use will be controlled by zoning ordinance regulations

72 and proffered conditions. The Land Use Plan recommends Mixed Use. The site
73 is in the West Broad Street Overlay District.

74
75 Mrs. Jones - Is there anyone here tonight in opposition to the
76 deferral of case C-8C-09, James W. Theobald for CP Other Realty, LLC? No
77 opposition.

78
79 Mr. Branin - Then Madam Chair, I'd like to defer C-8C-09, James
80 W. Theobald for CP Other Realty, LLC, to the July 9, 2009 meeting, per the
81 applicant's request.

82
83 Mr. Vanarsdall - Second.

84
85 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Vanarsdall.
86 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

87
88 At the request of the applicant, the Planning Commission deferred C-8C-09,
89 James W. Theobald for CP Other Realty, LLC, to its meeting on July 9, 2009.

90
91 Mr. Strauss - The next case for deferral is also in the Three Chopt
92 District, page one of the agenda. It's case number C-8C-08

93
94 **Deferred from the April 9, 2009 Meeting**
95 **C-8C-05 G. Edmond Massie, IV for Fidelity Properties, Ltd.:**
96 Request to conditionally rezone from A-1 Agricultural District to RTHC
97 Residential Townhouse District (Conditional), Parcel 746-764-5580, containing
98 approximately 4.54 acres, located on the west line of Sadler Road approximately
99 290 feet south of Wonder Lane. The applicant proposes a residential townhouse
100 development not to exceed six (6) dwelling units per acre. The RTH District
101 allows a maximum gross density of 9 units per acre. The proposed use will be
102 controlled by zoning ordinance regulations and proffered conditions. The Land
103 Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per
104 acre.

105
106 Mrs. Jones - Is there anyone here in opposition to case C-8C-05,
107 G. Edmond Massie, IV for Fidelity Properties, Ltd.? There is no opposition.

108
109 Mr. Branin - They requested July 9th?

110
111 Mr. Strauss - Yes sir, that's my understanding.

112
113 Mr. Branin - Madam Chair, I'd like to move, then, that C-8C-05, G.
114 Edmond Massie, IV for Fidelity Properties, Ltd, be deferred to the July 9, 2009
115 meeting, again per the applicant's request.

116
117 Mr. Vanarsdall - Second.

118 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Vanarsdall.
119 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
120

121 At the request of the applicant, the Planning Commission deferred C-8C-05, G.
122 Edmond Massie, IV for Fidelity Properties, Ltd., to its meeting on July 9, 2009.
123

124 Mr. Strauss - The next request for deferral is also in the Three
125 Chopt District, page two of the agenda. It's case number C-19C-06, Fidelity
126 Properties, Limited, again. Again, a residential townhouse development is
127 proposed, and the applicant is requesting deferral to the July 9th meeting.
128

129 **Deferred from the April 9, 2009 Meeting**

130 **C-19C-06 G. Edmond Massie, IV for Fidelity Properties, Ltd.:**
131 Request to conditionally rezone from A-1 Agricultural District to RTHC
132 Residential Townhouse District (Conditional), Parcels 746-763-2482, 746-763-
133 2896, 746-763-1769, and 746-764-3818, containing 10.79 acres, located on the
134 east line of Glasgow Road, approximately 600 feet north of Ireland Lane. The
135 applicant proposes a residential townhouse development not to exceed six (6)
136 dwelling units per acre. The RTH District allows a maximum gross density of 9
137 units per acre. The proposed use will be controlled by zoning ordinance
138 regulations and proffered conditions. The Land Use Plan recommends Suburban
139 Residential 1, 1.0 to 2.4 units net density per acre.
140

141 Mrs. Jones - Is there opposition to this case, C-19C-06, G.
142 Edmond Massie, IV for Fidelity Properties, Ltd.? There is none.
143

144 Mr. Branin - Madam Chair, I'd like to move that C-19C-06, G.
145 Edmond Massie, IV for Fidelity Properties, Ltd., be deferred to the July 9, 2009,
146 meeting as well, per the applicant's request.
147

148 Mr. Vanarsdall - Second.
149

150 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Vanarsdall.
151 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
152

153 At the request of the applicant, the Planning Commission deferred C-19C-06, G.
154 Edmond Massie, IV for Fidelity Properties, Ltd., to its meeting on July 9, 2009.
155

156 Mr. Strauss - Staff is aware of two cases requested for expedited.
157

158 Mrs. Jones - Before you get to that, let me ask are there any other
159 deferrals from the Commission.
160

161 Mr. Emerson - Madam Chair, the next item on the agenda is Request
162 for Expedited Items. Those will be presented by Mr. Strauss as well.
163

164 Mr. Strauss - Thank you. There are two cases staff is aware of for
165 expedited approval tonight. The first is in Three Chopt District, page two of the
166 agenda. This is P-7-09, CC Short Pump Crossing, LLC. This is a request for a
167 Provisional Use Permit in order to allow outside dining for a restaurant to be
168 called Café Caturra at Short Pump Crossing shopping center. There are
169 conditions recommended for the Commission's approval on page three of your
170 staff report, conditions 1 through 13. Staff has no issues, and recommends
171 approval.

172

173 **P-7-09 Dan Brantingham for CC Short Pump Crossing,**
174 **LLC:** Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120
175 and 24-122.1 of the County Code in order to allow outside dining for a restaurant
176 on part of Parcel 738-760-8449, located on the west line of Pump Road
177 approximately 500 feet north of its intersection with Three Chopt Road (Short
178 Pump Crossing Shopping Center). The existing zoning is B-2C Business District
179 (Conditional). The Land Use Plan recommends Commercial Concentration. The
180 site is in the West Broad Street Overlay District.

181

182 Mrs. Jones - Is there anyone with us this evening in opposition to
183 P-7-09, Dan Brantingham for CC Short Pump Crossing? No opposition.

184

185 Mr. Branin - Madam Chair, I'd like to move that P-7-09, Dan
186 Brantingham for CC Short Pump Crossing, be approved on the expedited
187 agenda with the conditions recommended by staff. Nineteen, correct?

188

189 Mr. Vanarsdall - Second.

190

191 Mrs. Jones - Is that correct?

192

193 Mr. Strauss - That would be 1 through 13.

194

195 Mr. Branin - Thirteen.

196

197 Mrs. Jones - We have a motion by Mr. Branin, seconded by Mr.
198 Vanarsdall. All in favor say aye. All opposed say no. The ayes have it; the
199 motion passes.

200

201 **REASON:** Acting on a motion by Mr. Branin seconded by Mr.
202 Vanarsdall, the Planning Commission voted 4-0 (one absent, one abstention) to
203 recommend the Board of Supervisors grant the request because it is reasonable
204 in light of the surrounding uses and existing zoning on the property and it would
205 not be expected to adversely affect public safety, health or general welfare.

206

207 Mr. Strauss - The next and last case for expedited approval this
208 evening is in the Varina District, page three of the agenda. It is case C-16-09.
209 This is a request to rezone from the RTHC Residential Townhouse District

210 (Conditional) to C-1 Conservation District. There are no issues, and staff is
211 recommending approval.

212
213 **C-16-09 Daniel Caskie, P.E. for Lloyd Poe:** Request to
214 rezone from RTHC Residential Townhouse District (Conditional) to C-1
215 Conservation District, part of Parcel 812-718-6325, containing approximately
216 0.95 acre, located approximately 750 feet east of the east line of Millers Lane
217 approximately 1,100 feet north of its intersection with Gay Avenue. The applicant
218 proposes a conservation district. The Land Use Plan recommends
219 Environmental Protection Area. The site is in the Airport Safety Overlay District.

220
221 Mrs. Jones - Is there anyone here in opposition to case C-16-09,
222 Daniel Caskie, P.E. For Lloyd Poe? All right, Mr. Archer.

223
224 Mr. Archer - I guess since there's no opposition, I'll move that case
225 C-16-09, Daniel Caskie, P.E. For Lloyd Poe, be recommended for approval.

226
227 Mr. Vanarsdall - Second.

228
229 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Vanarsdall.
230 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

231
232 **REASON:** Acting on a motion by Mr. Archer seconded by Mr.
233 Vanarsdall, the Planning Commission voted 4-0 (one absent, one abstention) to
234 recommend the Board of Supervisors grant the request because it conforms with
235 the objectives and intent of the County's Comprehensive Plan.

236
237 Mr. Emerson - Madam Chair, that moves us into the regular agenda
238 with three cases left to be heard. The first cases appear on page two at the
239 bottom of your agenda, and the two cases are related, so they will be presented
240 together and I will call them together. When the Commission votes on them, the
241 votes do need to be separated.

242
243 Mrs. Jones - Thank you. Is there anyone here tonight in opposition
244 to either C-8C-05 or C-19C-06?

245
246 Mr. Emerson - Madam Chair, the next cases are C-13C-09 and P-8-
247 09.

248
249 **C-13C-09 Gloria L. Freye, Esq. for 5215 West Broad St, LLC:**
250 Request to conditionally rezone from B-3 Business District and B-2 Business
251 District to R-6C General Residence District (Conditional), Parcel 772-738-8719,
252 containing 2.31 acres, located on the southeast line of Byrd Avenue between W.
253 Broad Street (U.S. Route 250) and Markel Road. The applicant proposes a
254 mixed use development with commercial uses and a maximum of 45 residential
255 units per companion case P-8-09. The uses will be controlled by zoning

256 ordinance regulations and proffered conditions. The R-6 District allows a
257 maximum gross density of 19.8 units per acre. The Land Use Plan recommends
258 Office. The site is in the Enterprise Zone.

259
260 **P-8-09 Gloria L. Freye, Esq. for 5215 West Broad St LLC:**
261 Request for a Provisional Use Permit under Sections 24-36.1(b), 24-120 and 24-
262 122.1 of the County Code to permit commercial uses within the proposed mixed
263 use development on Parcel 772-738-8719, located on the southeast line of Byrd
264 Avenue between W. Broad Street (U.S. Route 250) and Markel Road. The
265 existing zoning is B-3 Business District and B-2 Business District. The property
266 is the subject of rezoning case C-13C-09, which proposes to rezone the property
267 to R-6C General Residence District (Conditional). The Land Use Plan
268 recommends Office. The site is in the Enterprise Zone.

269
270 Mrs. Jones - I was at the bottom of the wrong page. Thank you
271 very much. That is my not turning the page; my apology.

272
273 Is there anyone with us tonight at is in opposition to cases C-13C-09, Gloria L.
274 Freye, Esq. for 5215 West Broad St, LLC, and P-8-09, Gloria L. Freye, Esq. for
275 5215 West Broad St, LLC? No opposition.

276
277 Mr. Sehl - Good evening, Madam Chair.

278
279 This request would rezone 2.31 acres in order to develop a mixed-use project
280 including multi-family residential uses and commercial space.

281
282 The applicant proposes to develop commercial uses on the ground floor adjacent
283 to West Broad Street and up to 45 residential units on floors above.

284
285 In order to incorporate retail uses in the R-6 District, approval of a Provisional
286 Use Permit is required. Therefore, the applicant has submitted companion case
287 P-8-09.

288
289 Since the staff report was issued, the applicant has submitted revised proffers
290 that are being handed out to you at this time dated June 5, 2009. The revisions
291 commit to developing a building architecturally consistent with this elevation,
292 which had previously been included in the staff report for informational purposes.
293 Building materials would include zinc cladding, stone veneer, glass, and a
294 composite resin material. The applicant has also proffered this conceptual
295 layout, which demonstrates how the proposed development would be oriented on
296 the site.

297
298 Entrances to the parking areas would be provided from Markel Road and West
299 Broad Street. Parking spaces for use by residents of the property would be
300 separated from parking for the commercial portion of the development. The
301 applicant has proffered that this separation would be provided by gates designed

302 to be compatible with the proffered ornamental fencing on the eastern and
303 western boundaries of the property.

304
305 Other significant proffers include: The construction of sidewalks along Market
306 Road, Byrd Avenue, and West Broad Street; all units would be at least 800
307 square feet in size; street trees would be provided along West Broad Street and
308 Byrd Avenue; a number of potentially incompatible uses have been prohibited
309 from the commercial portion of the development; and, trash removal and parking
310 lot cleaning would be prohibited outside of the hours of 7:00 a.m. to 8:00 p.m.

311
312 The site is designated Office on the 2010 Land Use Plan, which is also located in
313 Redevelopment Corridor 1 and the Enterprise Zone. A high-quality, mixed-use
314 development would be in keeping with these designations. The proffered
315 conditions with this proposal are in keeping with other recent developments in the
316 area and would provide for a level of quality not otherwise possible with the site's
317 current zoning. Staff supports the rezoning proposed by C-13C-09.

318
319 In regards to P-8-09, staff also supports this application with the four conditions
320 recommended in the staff report, with the change to Condition #2, which is also
321 being distributed to you this evening.

322
323 That concludes my presentation. I would be happy to answer any questions you
324 might have at this time.

325
326 Mrs. Jones - Are there questions for Mr. Sehl from the
327 Commission?

328
329 Mr. Vanarsdall - I don't have any.

330
331 Mrs. Jones - Mr. Vanarsdall, would you like to hear from the
332 applicant?

333
334 Mr. Vanarsdall - No, I don't believe that's necessary either. I know
335 she'd like to come up here.

336
337 Mrs. Jones - Well, it's certainly whatever is your pleasure.

338
339 Mr. Vanarsdall - We've done everything on this case. I want to thank
340 Ben Sehl for all the work he did on it. I want to thank Gloria for all the
341 suggestions that she took, and Bruce Kay in the audience. I want to thank him. I
342 don't want to make this sound like the Oscars, but I just want to thank everybody
343 that had something to do with this. Of all the cases I've ever handled, this is one
344 of the best and most useful. I remember in the 1960's, this is a hotel which is
345 near Willow Lawn on Broad Street, and it was called the Executive Inn. It was
346 quite an opening. Everybody in Richmond was there. I went with my father after
347 church on Sunday, and it was beautiful. Through the years it went down, down,

348 down. It could not have gotten much poorer when it closed. The Faison School
349 is going to use this, and the Faison School is behind it. It's been a wonderful
350 school there. They took the old Robert Shaw Controls building. We're very proud
351 to be part of this. In the audience tonight is Bruce Kay, who is the Vice President
352 of Markel and head of the Faison School. With him is Wendy Kreuter, who is the
353 Vice President of Faison School. She told me before the meeting that she writes
354 all the checks. I said well there's one way you'll never lose your job with you
355 writing the checks in this downturn.

356
357 With that, I move C-13C-09, Gloria L. Freye, Esq. for 5215 West Broad St, LLC,
358 be recommended for approval to the Board of Supervisors.

359
360 Mr. Branin - Second.

361
362 Mrs. Jones - Motion by Mr. Vanarsdall, seconded by Mr. Branin. All
363 in favor say aye. All opposed say no. The ayes have it; the motion passes.

364
365 **REASON:** Acting on a motion by Mr. Vanarsdall seconded by
366 Mr. Branin, the Planning Commission voted 4-0 (one absent, one abstention) to
367 recommend the Board of Supervisors grant the request because it would permit
368 the redevelopment of the land with uses compatible and consistent with the area
369 and the proffered conditions would provide for a higher quality development than
370 would otherwise be possible.

371
372 Mr. Vanarsdall - Then we have the Provisional Use Permit to go with it.
373 I move P-8-09, Gloria L. Freye, Esq. for 5215 West Broad St, LLC, be
374 recommended for approval to the Board of Supervisors.

375
376 Mr. Branin - Second.

377
378 Mrs. Jones - Motion by Mr. Vanarsdall, seconded by Mr. Branin.
379 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

380
381 **REASON:** Acting on a motion by Mr. Vanarsdall seconded by
382 Mr. Branin, the Planning Commission voted 4-0 (one absent, one abstention) to
383 recommend the Board of Supervisors grant the request because it is appropriate
384 in light of the surrounding uses and is not expected to adversely affect public
385 safety, health or general welfare.

386
387 **C-15C-09 Larry Horton for New Market Village Land Co. LLC**
388 **and New Market Development Co.:** Request to amend proffered conditions
389 accepted with Rezoning Case C-79C-05, on Parcels 812-700-4749 and 812-701-
390 5756, located at the southwest intersection of S. Laburnum Avenue and
391 Darbytown Road. The applicant proposes to amend Proffer 17 requiring sod in
392 the rear yard of lots. The existing zoning is R-5AC General Residence District
393 (Conditional), RTHC Residential Townhouse District (Conditional) and B-2C

394 Business District (Conditional). The Land Use Plan recommends Urban
395 Residential, 3.4 to 6.8 units net density per acre, Office, and Environmental
396 Protection Area. The site is in the Airport Safety Overlay District.
397

398 Mrs. Jones - Is there any opposition to C-15C-09, Larry Horton for
399 New Market Village Land Co. LLC and New Market Development Co.? There is
400 not. Good evening, Mr. Props.

401
402 Mr. Props - Good evening.

403
404 Madam Chair, members of the Commission, this request is to amend Proffer #17
405 accepted with zoning case C-79C-05, which requires sod on all residentially
406 zoned yards. Specifically, the applicant wishes to eliminate the requirement to
407 install sod within the rear yards. The property is located at the southwest
408 intersection of Darbytown Road and S. Laburnum Avenue, and comprises the
409 residential portion of the New Market Village development. The proposed proffer
410 amendment would affect properties zoned R-5AC General Residence District
411 (Conditional) and RTHC Residential Townhouse District (Conditional). All other
412 proffers accepted with C-79C-05 will remain.

413 The 2010 Land Use Plan encourages the promotion of standards that assure
414 quality residential development and site features that enhance the overall
415 development appearance. Rear yard sodding, while not a typical requirement is
416 becoming an increasingly voluntary practice for improving overall quality and
417 appearance, especially for dense, small lot developments.

418
419 The intent of Proffer #17 was to encourage higher quality residential
420 development within a newly developing area of the County. While this request
421 would not significantly change the character of the development, it would amend
422 and remove a quality proffer feature and could potentially set a precedent for
423 altering other quality development elements. Staff believes that the cost savings
424 associated with rear sod elimination is outweighed by the benefit. However, the
425 removal of this one requirement of the proffer, again, would not significantly alter
426 the overall quality of development if all other proffers remain unchanged.

427
428 This concludes my presentation and I would happy to answer any questions.

429
430 Mrs. Jones - Mr. Props, I just wanted to confirm what I understood.
431 Sod is not normally a requirement, but recently there have been more and more
432 folks who have decided to do that for their development.

433
434 Mr. Props - That is correct.

435
436 Mrs. Jones - Any questions for Mr. Props? All right. Mr. Jernigan
437 is not with us this evening, but Mr. Archer, do you think we should bring the
438 applicant forward?
439

440 Mr. Archer - Well, he came all the way up here.
441
442 Mrs. Jones - I know.
443
444 Mr. Archer - I feel like somebody might have a question or two for
445 him. How are you doing, Mr. Horton?
446
447 Mr. Horton - Doing fine, thank you. Good evening, my name is
448 Larry Horton for StyleCraft Homes. I did the original purchase of this, and the
449 original zoning on it, and I just made a mistake. It's not customary to sod. We
450 always sod and irrigate our front yards. In the backyards, it takes away from
451 playgrounds, and swing sets, and grills and things. It's just not customary. I'm
452 not going to say we never do it, but we just don't do it. I just made a mistake on
453 putting sod in the backyards. I did the original case, and I would just like to
454 eliminate it and go back to seed and straw like we typically use in a backyard.
455
456 Mrs. Jones - Sod will be in front and side yards?
457
458 Mr. Horton - Yes ma'am, and irrigated. And that's standard. That's
459 what we do. It's just that in my wording, I had sod in the backyard, and I didn't
460 mean to have that. As I said, I made a mistake.
461
462 Mrs. Jones - All right. Are there other questions for Mr. Horton?
463 Well, from one who certainly makes a mistake from time to time.
464
465 Mr. Archer - Thank you, Mr. Horton.
466
467 Mrs. Jones - Thank you.
468
469 Mr. Archer - Madam Chair, I don't have any more questions. Of
470 course, you know this has to go before the Board, and Mr. Donati heard every
471 word he said, so. With that, Madam Chair, I will move that case C-15C-09, Larry
472 Horton for New Market Village Land Co. LLC and New Market Development Co.,
473 be sent to the Board of Supervisors with a recommendation for approval.
474
475 Mr. Vanarsdall - Second.
476
477 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Vanarsdall.
478 All in favor say aye. All opposed say no. The ayes have it; the motion passes.
479
480 **REASON:** Acting on a motion by Mr. Archer seconded by Mr.
481 Vanarsdall, the Planning Commission voted 4-0 (one absent, one abstention) to
482 recommend the Board of Supervisors grant the request because the changes do
483 not greatly reduce the original intended purpose of the proffers and the proffers
484 continue to assure a quality form of development with maximum protection
485 afforded the adjacent properties.

486 Mr. Emerson - Madam Chairman, that takes us to the next item on
487 your agenda, which is the approval of the minutes for your May 14, 2009
488 meeting.

489
490 Mrs. Jones - Do we have any corrections or additions to the
491 minutes from the Commission? I trust at the size of these minutes, everyone
492 read them. Hearing none, do we have a motion for their approval?

493
494 Mr. Archer - So moved.

495
496 Mr. Branin - Second.

497
498 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Branin. All in
499 favor say aye. All opposed say no. The ayes have it; the motion passes. Those
500 minutes are approved.

501
502 Is there any other business to come before the Commission?

503
504 Mr. Emerson - Madam Chairman, I would just quickly note to you,
505 and I'm sure you're aware the Board held their public hearing on the Draft 2026
506 Comp Plan on Tuesday evening. The hearing was attended by approximately
507 100 people, and roughly 35 to 37 spoke. There was a prevailing
508 misunderstanding regarding the combination of Rural Residential and Prime
509 Agricultural. There seems to be a concept amongst some people that that did
510 away with Agricultural zoning, along with any type of agricultural uses, which is a
511 misconception. In Varina District specifically, there are still 25,000 acres of Rural
512 Residential, Prime Agricultural, which is approximately 4500 acres less than what
513 was in the 2010 Plan.

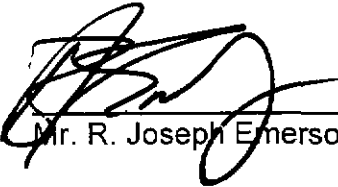
514
515 Now with that said, the Board of Supervisors followed a similar format as the
516 Planning Commission did. They took input from the public. We took the audio
517 recording of the public input and we're having that transcribed. We're going to
518 boil the comments down into categories, as we did for the Commission. We're
519 going to come back to the Board of Supervisors in a work session on July 14th,
520 review with them the comments and staff responses, and then the item of Comp
521 Plan will appear again on the Board's agenda on August 11th for action.

522
523 Mrs. Jones - All right. Thank you for that summary, Mr. Emerson.
524 I'm sure it was a long and very interesting meeting.

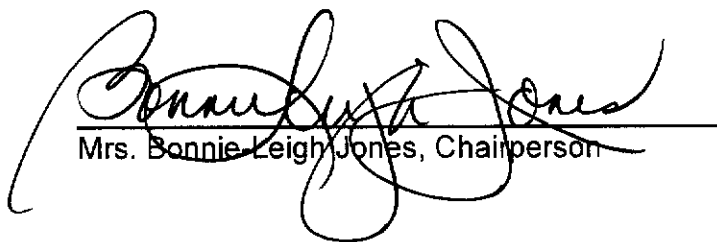
525
526 Mr. Vanarsdall - Quite a long evening, too.

527
528 Mrs. Jones - Is there anything else to come before the Commission
529 this evening?

530

531 Mr. Archer - Madam Chair, I watched it online. It looked very
532 professional.
533 Mrs. Jones - I would expect nothing less. I appreciate all the work
534 that everybody's put into this, coming before the Commission and moving on up
535 to the Board. It's been an amazing process for us to watch. All right.
536
537 Mr. Donati - A lot different than it was in 1995. That was my first
538 one that I had to deal with.
539
540 Mrs. Jones - Was there a lot less input?
541
542 Mr. Donati - Oh yes.
543
544 Mrs. Jones - Well, I appreciate an informed and interested citizen
545 base.
546
547 Mr. Vanarsdall - I think that all in all, it didn't have any more people. I
548 don't mean at this meeting the other night, but in the five districts, you didn't have
549 any more people this time than we did for 2010.
550
551 Mr. Emerson - No sir. For your hearing I don't think you had any
552 more.
553
554 Mr. Vanarsdall - In one sense of the word, people must be happy, be
555 content. Some of them in Varina are very discontent.
556
557 Mrs. Jones - It's all a balancing act. We do the best we can. All
558 right. Is there any other business to come before the Commission?
559
560 Mr. Archer - Madam Chair, seeming to be none, I move for
561 immediate adjournment.
562
563 Mr. Branin - Second.
564
565 Mrs. Jones - Meeting adjourned.
566
567 The meeting adjourned at 7:24 p.m.
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569
570
571
572 
573 _____
574 Mr. R. Joseph Emerson, Jr., Secretary
575
576

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578



Mrs. Bonnie Leigh Jones, Chairperson