

1 Minutes of the regular monthly meeting of the Planning Commission of the
2 County of Henrico held in the County Administration Building in the Government
3 Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. June 12,
4 2014. Display Notice having been published in the Richmond Times-Dispatch on
5 May 26, 2014 and June 2, 2014.
6

Members Present: Mr. Eric S. Leabough, C.P.C., Chairman (Varina)
Mr. Robert H. Witte, Jr., Vice-Chairman (Brookland)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Tommy Branin (Three Chopt)
Mrs. Bonnie-Leigh Jones, C.P.C. (Tuckahoe)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mr. David A. Kaechele,
Board of Supervisors' Representative

Also Present: Ms. Jean M. Moore, Assistant Director of Planning
Mr. James P. Strauss, PLA, Principal Planner
Ms. Rosemary D. Deemer, AICP, County Planner
Mr. Seth Humphreys, County Planner
Mr. Livingston Lewis, County Planner
Mr. John Cejka, County Traffic Engineer, Public Works
Ms. Tiona Johnson, Intern
Ms. Sylvia Ray, Recording Secretary

7
8 **Mr. David A. Kaechele, the Board of Supervisors' representative, abstains**
9 **on all cases unless otherwise noted.**
10

11 Mr. Leabough - I'd like to call this meeting of the Henrico County
12 Planning Commission to order. This is our June 12th rezoning meeting. Thank
13 you for coming out. And as you rise with me for the Pledge of Allegiance, I ask
14 that you mute or silence your cell phones so we do not disturb the proceedings.
15

16 I'd like to recognize Mr. Strong with the Times-Dispatch over in the corner there.
17 Thank you, Mr. Strong. I'd also like to recognize our Board member from the
18 Three Chopt District, Mr. Kaechele. Thank you for being with us here tonight, Mr.
19 Kaechele. We appreciate it.
20

21 Mr. Kaechele - Glad to be here. Okay. I just want to remind
22 everybody that I abstain on votes that subsequently come before the Board.
23

24 Mr. Leabough - Thank you. So noted. We have all commissioners
25 present so we can conduct business. Next I'd like to turn the agenda over to our
26 secretary, Mr. Emerson.
27

28 Mr. Emerson - Thank you, Mr. Chairman. First on your agenda
29 tonight are the requests for withdrawals and deferrals. We do have two this
30 evening, and they will be presented by Mr. Jim Strauss.

31
32 Mr. Strauss - Thank you, Mr. Secretary. We do have two requests
33 for deferral this evening. The first is in the Fairfield District. It's on page one of the
34 agenda. It's REZ2014-00019, Romm Development Company, LLC. The applicant
35 is requesting a deferral to the July 10, 2014 meeting.

36
37 **(Deferred from the May 15, 2014 Meeting)**
38 **REZ2014-00019 Andrew M. Condlin for Romm Development**
39 **Company, LLC:** Request to conditionally rezone from R-4 One-Family
40 Residence District, R-5 General Residence District and O/SC Office/Service
41 (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 782-
42 757-2904, 782-756-3992, -4880, -6562, -6951, -9451,-6636, -4861, and part of
43 Parcel 782-757-3717 containing 5.689 acres, located on the southwest line of E.
44 Parham Road at its intersection with Villa Park Drive. The applicant proposes a
45 residential townhouse development of no more than 49 units. The RTH District
46 allows a maximum density of nine (9) units per acre. The use will be controlled by
47 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive
48 Plan recommends Office and Office/Service.

49
50 Mr. Leabough - Is there anyone here in opposition to the deferral of
51 REZ2014-00019, Andrew M. Condlin for Romm Development Company, LLC?
52 There is no opposition.

53
54 Mr. Archer - There being none, Mr. Chairman, I move for deferral
55 of REZ2014-00019, Andrew M. Condlin for Romm Development Company, LLC,
56 to the July 10th meeting at the applicant's request.

57
58 Mr. Branin - Second.

59
60 Mr. Leabough - Motion by Mr. Archer, a second by Mr. Branin. All in
61 favor say aye. All opposed say no. The ayes have it; the motion passes.

62
63 At the request of the applicant, the Planning Commission deferred REZ2014-
64 00019, Andrew M. Condlin for Romm Development Company, LLC, to its
65 meeting on July 10, 2014.

66
67 Mr. Strauss - The second request for deferral this evening is in the
68 Brookland District. It's on page two of the agenda. REZ2014-00005, Nobility
69 Investments LLC. The applicant is requesting a deferral to the July 10, 2014
70 meeting.

71
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74 **(Deferred from the May 15, 2014 Meeting)**

75 **REZ2014-00005 Andrew M. Condlin for Nobility Investments, LLC:**
76 Request to amend proffered conditions accepted with Rezoning Case C-46C-83
77 on Parcel 768-747-0824 located on the north line of Glenside Drive
78 approximately 385' west of its intersection with Bethlehem Road. The applicant
79 proposes to replace all proffers in order to allow hotels as a permitted use. The
80 existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive
81 Plan recommends Commercial Arterial.

82
83 Mr. Leabough - Is there anyone in the audience in opposition to the
84 deferral of REZ2014-00005, Andrew M. Condlin for Nobility Investments LLC?
85 There is no opposition to the deferral.

86
87 Mr. Witte - Mr. Chairman, I move deferral of case REZ2014-
88 00005, Andrew M. Condlin for Nobility Investments LLC to the July 10, 2014
89 meeting at the request of the applicant.

90
91 Mrs. Jones - Second.

92
93 Mr. Leabough - Motion by Mr. Witte, second by Mrs. Jones. All in
94 favor say aye. All opposed say no. The ayes have it; the motion passes.

95
96 At the request of the applicant, the Planning Commission deferred REZ2014-
97 00005, Andrew M. Condlin for Nobility Investments LLC, to its meeting on July
98 10, 2014.

99
100 Mr. Emerson - Mr. Chairman, that now takes us to requests for
101 expedited items. There are also two of those this evening, and they will be
102 presented by Mr. Jim Strauss.

103
104 Mr. Strauss - Thank you, Mr. Secretary. The first request for
105 approval on the expedited agenda this evening is in the Fairfield District on page
106 one of the agenda, REZ2014-00022, Dominion Youth Services. This is a request
107 to rezone 1.34 acres from the O-1 Office District to the B-1C Business District
108 (Conditional). The applicant proposes classrooms for a private therapeutic day
109 school. Staff is supporting this request, and we are not aware of any opposition.
110 Staff recommends approval with the proffers on page five of the staff report. The
111 proffers are dated May 29, 2014.

112
113 **REZ2014-00022 Joshua Lutz for Dominion Youth Services:**
114 Request to conditionally rezone from O-1 Office District to B-1C Business District
115 (Conditional) Parcel 787-746-8386 containing 1.338 acres located at the
116 northeast intersection of Chamberlayne Road (U.S. Route 301) and Brook Hill
117 Circle. The applicant proposes a private, therapeutic day school. The use will be
118 controlled by zoning ordinance regulations and proffered conditions. The 2026
119 Comprehensive Plan recommends Office.

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Mr. Leabough - Is there anyone here in opposition to REZ2014-00022, Joshua Lutz for Dominion Youth Services? No opposition.

Mr. Archer - Mr. Chairman, I move for conditional approval of REZ2014-00022, Joshua Lutz for Dominion Youth Services, subject to the proffered conditions.

Mrs. Jones - Second.

Mr. Leabough - We have a motion by Mr. Archer, a second by Mrs. Jones. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

REASON - Acting on a motion by Mr. Archer, seconded by Mrs. Jones, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because it would not be expected to adversely affect the pattern of zoning and land use in the area and the proffered conditions will provide quality assurances not otherwise available.

Mr. Strauss - The second request for approval on the expedited agenda this evening is in the Tuckahoe District, page two of the agenda. REZ2014-00025, B. Hunt Gunter. This is a request to rezone .4 acres from the R-5 District to the B-1C District (Conditional) to allow access and parking for an existing shopping center, Crofton Green. Staff recommends approval with the proffers on page four of the staff report. We are not aware of any opposition.

REZ2014-00025 Mark Williams for B. Hunt Gunter: Request to conditionally rezone from R-5 General Residence District to B-1C Business District (Conditional) part of Parcel 732-750-7224 containing .414 acres located on the east line of Gayton Road approximately 1,685' south of its intersection with Ridgefield Parkway. The applicant proposes an access road and parking. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration, Office, and Multifamily Residential.

Mr. Leabough - Is there anyone here in opposition to REZ2014-00025, Mark Williams for B. Hunt Gunter? There's no opposition.

Mrs. Jones - All right, then I would move conditional approval of REZ2014-00025, Mark Williams for B. Hunt Gunter, to be forwarded to the Board with a recommendation for approval with the proffer listed on page four of the staff report.

Mr. Archer - Second.

166 Mr. Leabough - We have a motion by Mrs. Jones, a second by
167 Mr. Archer. All in favor say aye. All opposed say no. The ayes have it; the motion
168 passes.
169

170 **REASON -** Acting on a motion by Mrs. Jones, seconded by Mr.
171 Archer, the Planning Commission voted 5-0 (one abstention) to recommend the
172 Board of Supervisors **grant** the request because it would not be expected to
173 adversely affect the pattern of zoning and land use in the area and it would assist
174 in achieving the appropriate development of adjoining property.
175

176 Mr. Emerson - Mr. Chairman, we now move to the first case on your
177 regular agenda, which appears at the top of page two.
178

179 **REZ2014-00024 Neil P. Farmer for Welford Properties, Inc.:**
180 Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family
181 Residence District (Conditional) Parcels 737-755-5505 and 737-755-4807
182 containing 2.203 acres located on the north line of Church Road at its
183 intersection with Retrievers Ridge Road. The applicant proposes a single family
184 development. The use will be controlled by zoning ordinance regulations and
185 proffered conditions. The 2026 Comprehensive Plan recommends Suburban
186 Residential 2, density should not exceed 3.4 units per acre. The staff report will
187 be presented by Ms. Rosemary Deemer.
188

189 Mr. Leabough - Is there anyone here in opposition to REZ2014-
190 00024, Neil P. Farmer for Welford Properties, Inc.? We have opposition. Before
191 you get into your presentation, Ms. Deemer, I would ask that Mr. Emerson read
192 our rules for speaking at our hearing.
193

194 Mr. Emerson - Yes sir, Mr. Chairman. As you know, the Commission
195 does have guidelines for how public hearings operate and they are as follows:
196 The applicant is allowed ten minutes to present the request, and time may be
197 reserved for responses to testimony. The opposition is allowed ten minutes to
198 present its concerns. Commission questions do not count into the time limits. The
199 Commission may waive the time limits for either party at its discretion. Comments
200 must be directly related to the case under consideration. The ten minutes is a
201 cumulative ten minutes for the opposition.
202

203 Mr. Leabough - All right. Thank you, sir. Ms. Deemer?
204

205 Ms. Deemer - Good evening Mr. Chairman, members of the
206 Commission.
207

208 As the Chairman stated, this request is to rezone 2.203 acres from A-1
209 Agriculture to R-3C One Family Residence District to allow for the development
210 of a residential subdivision. Located on the north line of Church Road at its
211 intersection with Retrievers Ridge Road, the property is surrounded by the

212 Chatham Woods, Coventry, Brandyview, and Hampton Woods subdivisions,
213 which are zoned R-4C, R-3C and R-3AC respectively. A-1 is located directly to
214 the north.

215
216 The applicant is proposing five lots, as shown on this unproffered layout. Though
217 not proffered, the layout is limited due to the narrowness of the subject
218 properties. Marnelan Drive, which has temporary cul-de-sacs to the east and
219 west, would be connected through the site, providing frontage for Lot #5.
220 Brandyview Lane would be extended with a cul-de-sac into the site.

221
222 The applicant has submitted proffers, major aspects of which include:

- 223
- 224 • A minimum house size of 1,800 square feet for two-story dwellings and
225 1,700 square feet for one-story dwellings.
 - 226 • Exterior materials of brick, stone, cultured stone, EIFS, cementitious
227 siding or a combination thereof; vinyl siding is prohibited.
 - 228 • All houses would be constructed on crawl space foundations finished
229 with brick or stone.
 - 230 • All driveways shall be constructed of either cobblestone, brick, asphalt,
231 pre-cast pavers, concrete, exposed aggregate or other similar
232 materials and all houses would have a minimum of a one-car garage.
 - 233 • And recent changes, which were just handed to you dated June 9th,
234 include providing a twenty-five-foot buffer along Church Road and a
235 prohibition that no lots would access Church Road.
- 236

237 The 2026 Comprehensive Plan recommends Suburban Residential 2 at a density
238 not to exceed 3.4 units per acre. At 2.27 units per acre, the request is consistent
239 with the planned density and the Plan's policy to encourage new developments
240 be designed to provide interconnectivity with existing and future developments
241 through the use of stub streets. The proposed use, zoning and density are
242 consistent with the Plan and staff supports this request. I'd be happy to answer
243 any questions you may have.

244
245 Mr. Leabough - Any questions for Ms. Deemer? Thank you, ma'am.

246
247 Mr. Branin - I'd like to hear from the opposition first.

248
249 Mr. Leabough - Sure. Would the opposition please come forward and
250 state your name for the record, as these are recorded proceedings. Yes sir.

251
252 Mr. Spradlin - Good evening. My name is Doug Spradlin. I'm
253 representing the subdivision of Coventry. Our biggest complaint that we have is
254 that this builder, contractor, what have you, wants to remove our cul-de-sac
255 where our homes are. A lot of these people on Marnelan purchased their homes
256 for part of the cul-de-sac. So what Mr. Farmer wants to do dealing with this cul-
257 de-sac, he wants to tear the cul-de-sac down to build one house by removing

258 that cul-de-sac. The reason so, he asked the people that lived on the right,
259 people on the left if they wanted to sell any of their property obviously to get
260 another home.

261
262 So our biggest objective comes into play. There is so much traffic that goes
263 through—cut through, if I may—in Coventry subdivision. Coventry has really
264 gone 360. We've been there twenty-some years. Families have come and gone.
265 Now we have kids back in the neighborhood. I've taken pictures of what these
266 kids do in these cul-de-sacs. They ride their bikes, they shoot basketball, etc.
267 And we now have a petition in the process of taking place of sixty—could be off
268 on the number—62 to 63 homes in Coventry that are totally against this 110
269 percent. For somebody to say that it's on the plan, and it says it's temporary and
270 it was stated that, well we've been there twenty-five years. Define *temporary*,
271 which I question as well as the other people living in Coventry.

272
273 I think we're missing a big point here by removing this cul-de-sac. On
274 Brandyview, they're pushing their cul-de-sac back so he can put four homes on
275 that lot and they keep their subdivision. Now the reason that I heard—because
276 I've talked to several people about this. The reason that I'm hearing is that
277 there's a Marnelan Street on the other side of this cul-de-sac. The way they're
278 saying to me is that they plan to line that up to connect with Marnelan Drive.
279 Again, I went and talked to neighbors in Chatham Woods, especially to the
280 people where this is exactly where their home is. And believe me—and if we
281 have another meeting I'll bring documentation—that again, we can't figure this
282 out.

283
284 And I'm mainly focusing on taking our cul-de-sac away where, again, kids' safety.
285 If the police would come and park their car at the intersection of Clary Preston
286 and Marnelan Drive and just see. Supposedly twenty-five-mile an hour. It doesn't
287 exist. Figure thirty-five to forty. So now we're going to put another road going
288 right through that section. And it's pretty black and white what we're going to get.
289 They cut through. What they're going to do at Chatham Woods, they're going to
290 cut through Chatham Woods, they're going to cut through, and then they're going
291 to continue on out so they don't have to fool with Sunrise or Church Road or all of
292 the above.

293
294 The main thing that we're concerned about is as it is right now with Clary Preston
295 and Marnelan Drive, only horrendous traffic wise. And why the County put stop
296 signs facing the two cul-de-sacs instead of facing the stop signs so that the
297 speeders on Clary Preston do not stop instead of the people on Marnelan. And
298 make it a four-way stop.

299
300 So again, we just feel like—again, speaking for myself, we moved there because
301 it was a cul-de-sac. Temporary? Call it what you will. Did we see it; did we not
302 see it? But being there twenty-five years and now you guys want—or whomever
303 want to come in, dig everything up, make a mess starting in October or

304 whenever. And we just don't understand the logic of it. From what I'm hearing,
305 the people that I've discussed [this with], their logic is well when they built this
306 community they had planned—temporarily—to connect Marnelan Drive to the
307 other section of Marnelan Drive. Well again, twenty-five years of living there and
308 we've got a bunch of kids—like I said, I took pictures—we just don't think it's—we
309 hate it. Everybody hates this. Other than greed and money, what does this do for
310 our community for one house? Some of these people may gain or lose some of
311 the property; don't know.

312
313 Then I was told the only way that we could get out of this is if we buy this area of
314 cul-de-sac for \$75,000. That's the only way that we have any control of this
315 situation. Well again, that's the appalling thing of it. And I keep repeating it, I'm
316 sorry, but to lose our cul-de-sac for one house, what is that going to be? Is that
317 going to be a Coventry or our subdivision? Is it going to be Chatham Woods?
318 What is this one house going to represent other than a non-safe area for our kids
319 to play? So which comes first?

320
321 We don't understand the logic of doing this other than as you all say—not you
322 folks; excuse me—of lining up a road to build one house. So all of the traffic can
323 come right by our homes. Forget the cul-de-sac for a moment. If you could only
324 witness—because I sit on my front porch. I'm right there at Marnelan. The traffic
325 and the speeders on Clary Preston, cutting through Church Road and Sunrise.
326 It's just unbelievable. And now you want to put another road that will go right into
327 the same area as a "T" or a cross-section. Where is the logic, other than
328 somebody's making money? That's what it's all about. The way we look at it.

329
330 Mr. Leabough - Mr. Spradlin?

331
332 Mr. Spradlin - Yes sir.

333
334 Mr. Leabough - Sorry to interrupt.

335
336 Mr. Spradlin - No, no, please.

337
338 Mr. Leabough - Could you please show us with the cursor there
339 where your home is?

340
341 Mr. Branin - I was going to get to that. Hold a minute, Doug. And I
342 can call him *Doug* because I've known Doug for half my life, I think.

343
344 Mr. Spradlin - Yes. You had hair, Tommy. Sorry.

345
346 Mr. Branin - I had that one coming. Ms. Deemer, if you would, can
347 you pull up where it shows not an aerial view but actual—like the zoning map
348 where we can see the lots and the roads so forth a little better? Because of the

349 trees it's hard to—that might do it better. Okay. Doug, if you would, show us
350 which house is yours.

351

352 Mr. Spradlin - Right across in there, Marnelan Drive. That's where I
353 am right there. The stop sign is in my yard. Facing the wrong way. But that's my
354 home right there. And as you continue down, those are my neighbors, of course.
355 I've talked to everybody in our subdivision. We just don't see what's the logic.

356

357 Mr. Branin - Right. And we're going to go through because I'm
358 going to have—I have questions for the developer anyway. And we'll be asking
359 questions of Public Works—or Traffic, especially about the stop sign. I think I
360 know what he's going to say, but I'm going to ask him anyway.

361

362 And I'll get formal with you. Mr. Spradlin, let me explain to you the parameters
363 that we do in planning in Henrico County first. In Henrico County, because of
364 safety and emergency vehicles and pieces of properties being developed over a
365 period of time—5 years, 10 years, 25 years, 50 years—subdivisions, any time
366 that we're doing—at Rowland, like out in the Three Chopt District in the Short
367 Pump area. When they get a new piece of land we say we have to have a stub
368 road in that subdivision with a cul-de-sac, a temporary cul-de-sac. The reason
369 why is for interconnectivity. Do we take into consideration when all that process
370 is going on the possibility of cut-through traffic? Most of the time when you see a
371 design for a neighborhood you see the roads not in a block pattern like a city, but
372 meandering specifically to slow down and reduce cut through.

373

374 I'm going to ask Public Works' opinion of cut-through with this and where the stop
375 sign is. But to answer your question why were the two subdivisions—the one that
376 you live in and the one on the other side of these two gentlemen's property—why
377 were those roads lined up, why were temporary cul-de-sacs put in. Most likely
378 because the two gentlemen that own these properties that are possibly going to
379 be developed now didn't want to sell at the time everybody else did. So we have
380 what is referred to as *infill*. And we know eventually that's going to be developed.
381 And to prevent mismatch or not being able to develop it properly for flow and so
382 forth, we have him put in temporary cul-de-sacs. And we have it put into plots so
383 whoever's on either side of that—the four houses on either side of that—have
384 that temporary cul-de-sac is just that—temporary. Back when these two
385 developments were done they put—I think your cul-de-sac has asphalt curbing in
386 that—

387

388 Mr. Spradlin - Correct

389

390 Mr. Branin - —which is not standard, which even designates it
391 more as a temporary cul-de-sac. So I know twenty-five years is a long time. It
392 could be fifty years. If these gentlemen were a lot younger and said no we're not
393 going to sell until we're very old and now we're going to sell it, and it was fifty

394 years later, it's still a temporary cul-de-sac. It's still on those plots that when this
395 gets developed it's supposed to be connected.

396
397 So that was the plan twenty-five years ago. And I know it's a long time span, but
398 that's always been the plan.

399
400 Mr. Spradlin - Okay. Can I ask a question?

401
402 Mr. Branin - You can ask as many questions—

403
404 Mr. Leabough - Would you please step closer to the microphone?

405
406 Mr. Spradlin - I'm sorry; I keep forgetting—

407
408 Mr. Leabough - That's no problem.

409
410 Mr. Spradlin - —I'm on stage up here. So let me say this, Tommy.
411 Again, all of this is really taking place because of, as you said, the connecting of
412 the roads and tearing that whole cul-de-sac down for the one house. That is
413 really the reason. Not so much the house—

414
415 Mr. Branin - It's not even the house.

416
417 Mr. Spradlin - Exactly. It's the road.

418
419 Mr. Branin - It's the road.

420
421 Mr. Spradlin - Okay. I know what's going to end up happening; I
422 could bet my paycheck. But let's just say this does go through. And I've been
423 after this for ten, fifteen years because of—I'm backing up here—because of
424 Clary Preston and Marnelan Drive and speeders. I've been through subdivisions
425 since this has come about. Say this happens. Is there a way for safety, slow
426 down, or what have you?

427
428 Mr. Branin - Great question, and that will be the next thing we take
429 up with our Traffic guy. If this does go through, if we can't come up with a
430 different means, then what we'll look at doing—and I would ask you to organize
431 it. We would have an information meeting in your neighborhood. We have a
432 traffic-calming process, which the first thing in the process is the \$250 fine signs
433 that go up, which actually do work. People really hate paying \$250 for going over
434 the speed limit. And then if that doesn't work, then we have speed humps that we
435 can put in like over on Bremo Road. And we'll do that in a community meeting.
436 Because whether this goes through or not, you might want to look at that for that
437 road. And if Public Works says, then it would be fine.

438

439 Mr. Spradlin - Point taken. Some of these other communities that I
440 have driven through, they had wide—and they were rubber—I don't know if
441 you've seen these or not—speed bumps. I mean I don't mean to put in these
442 concrete—
443
444 Mr. Branin - No, no, they're not. And the County provides them if
445 your neighborhood decides you want them.
446
447 Mr. Spradlin - Right.
448
449 Mr. Branin - But it has to be—
450
451 Mr. Spradlin - To what percentage?
452
453 Mr. Branin - I'll get that answer for you in a just a minute.
454
455 Mr. Spradlin - Okay. It's going to be a no-brainer.
456
457 Mr. Branin - Let's move on and see what the developer has, and
458 we have some questions for Public Works.
459
460 Mr. Spradlin - Okay. And after you're done with him and I don't
461 agree with something, do I have another opportunity to point-counterpoint?
462
463 Mr. Branin - Depends on what kind of mood I'm in.
464
465 Mr. Leabough - You have a cumulative total of ten minutes.
466
467 Mr. Spradlin - Right, I know that.
468
469 Mr. Leabough - You're already at seven minutes and twenty seconds.
470
471 Mr. Branin - I may say no.
472
473 Mr. Spradlin - Thank you all very much.
474
475 Mr. Leabough - Mr. Cejka, would you please come forward?
476
477 Mr. Cejka - Good evening.
478
479 Mr. Branin - Let's start with the easy one: stop signs. If you look at
480 the zoning map on the screen, and you look at Mr. Spradlin's house, where
481 Mr. Spradlin's house is, the stop signs are stopping people from going onto Clary
482 Preston because Clary Preston is considered what sort of road?
483

484 Mr. Cejka - Clary Preston is considered the main drag, the main
485 street. The cul-de-sacs, Marnelan, would be the minor street, so we would the
486 stop signs to assign the right-of-way to the major street.
487

488 Mr. Branin - Okay. All right. So we would want to stop people from
489 blowing through or going in to a main thoroughfare. So it's for their safety coming
490 out of those side streets.
491

492 Mr. Cejka - That's correct.
493

494 Mr. Leabough - Mr. Cejka, I don't recall you saying your name for the
495 record.
496

497 Mr. Cejka - Oh, I'm sorry.
498

499 Mr. Leabough - No problem.
500

501 Mr. Cejka - John Cejka, traffic engineer.
502

503 Mr. Leabough - Thank you, sir.
504

505 Mr. Branin - All right. Cut-through traffic if these two cul-de-sacs
506 are taken out. County's opinion? Traffic's opinion?
507

508 Mr. Cejka - The County's opinion is that the cut-through traffic
509 would be minimal. I checked the distance between this point here at Chatham
510 Woods and this point on Marnelan. If you went down Church up here it's about
511 200 feet longer, but you don't have a stop sign to go to. If you did the cut-through
512 up Chatham Woods, came over here, you'd have to stop at the stop sign which
513 would delay you. So it would actually be faster to go this way, so I don't think
514 anybody would be doing that.
515

516 I also checked the distance—if people are cutting through to Sunrise, it's actually
517 faster to come up Waterford to Sunrise than to come down here. It's about a
518 thousand feet shorter and you don't stop signs.
519

520 Mr. Branin - That's all the questions I have for Traffic. Does
521 anybody else?
522

523 Mr. Witte - Just out of curiosity, will a four-way stop sign work at
524 that location?
525

526 Mr. Cejka - We don't promote four-way stop signs. If you go by
527 the federal standards, four-way stop signs are used where the traffic at all four
528 approaches is pretty much equal.
529

530 Mr. Witte - I had to go down to the city the other day.
531
532 Mr. Cejka - Yes, the city thinks differently.
533
534 Mr. Witte - And you have to stop every place you go. I don't like
535 them, but I just thought I'd ask.
536
537 Mr. Leabough - So the cul-de-sacs are temporary? Is that correct?
538
539 Mr. Cejka - That is correct.
540
541 Mr. Leabough - Okay, thank you. Any other questions for Mr. Cejka?
542 Thank you, sir. Mr. Branin, I assume you want to hear from the applicant?
543
544 Mr. Branin - I would.
545
546 Mr. Leabough - Would the applicant please come forward and state
547 your name for the record.
548
549 Mr. Farmer - Neil Farmer.
550
551 Mr. Leabough - Thank you, sir.
552
553 Mr. Branin - Mr. Farmer, we've gone through this case a couple of
554 time now, you and I. Quality of construction going in, you've met the square
555 footage of everything that's surrounding you, the two previous developments that
556 you built.
557
558 Mr. Farmer - Yes sir.
559
560 Mr. Branin - And you were the developer of either side of this strip,
561 correct?
562
563 Mr. Farmer - Yes sir. I developed Chatham Woods and Coventry
564 subdivisions. I did not do Brandyview Lane. That was an infill probably ten,
565 fifteen—probably fifteen years ago. So I did Coventry and Chatham Woods,
566 correct.
567
568 Mr. Branin - All right. And what did staff tell you when you were
569 doing these two different subdivisions in regards to connectivity?
570
571 Mr. Farmer - When I did them both the—Marnelan was put there
572 with a temporary cul-de-sac to connect to Coventry with its temporary cul-de-sac.
573 They were both named *Marnelan*, which is complicated. It's my wife's name, my
574 partner's name at the time. So nobody pronounces it right, but it's a combination
575 of a bunch of names. So anyway. So they were supposed to align. They were

576 supposed to connect twenty-six years ago. That was done by the County
577 Planning staff in conjunction with Public Works. And it's kind of always been on
578 the burner. I tried to buy the property that I'm asking to have rezoned twenty-
579 some years ago. Mr. Barker did not want to sell it at the time. He gave me a
580 sewer easement, but he's got two rental houses on it. He gets rental income.
581 He's eighty-six years old now. He approached me a year ago and said he finally
582 wants to sell it. So that's why it's being done now. I tried all those years ago. But
583 to answer your question, Mr. Branin, it's been planned for Marnelan to connect
584 years ago, and they're temporary cul-de-sacs with asphalt—as you pointed out—
585 on both cul-de-sacs.

586
587 Mr. Branin - And I'm glad you mentioned that. Asphalt on both cul-
588 de-sacs. When you remove—if this passes, if it goes through, if it goes through
589 us and goes to the Board and these are removed, that's going to leave gaping
590 holes in both sides' front yards. So it's going to basically affect four homes.
591 Mr. Spradlin is at the other end of the block, but his neighbors are going to be
592 affected. You will be replacing the cul-de-sacs with soil?

593
594 Mr. Farmer - Yes sir. Actually, the four properties in question, they
595 will actually gain some yard because the cul-de-sac is in the radius of their front
596 yards. So I will be ripping that up. I will replace that with soil, grass seed, sod if it
597 takes it, if there are irrigation systems there. I've met with the people. I've told
598 them we're going to be nice neighbors. I'll replace all that. So actually those four
599 people are going to get a bigger yard now. The radius of the cul-de-sacs
600 encroaches into their yards. But as soon as we rip it up, it's going to be—the
601 street is going to be going straight through. So the radius that's in their front
602 yards, as you can see, will actually give them more square footage, a bigger
603 yard. So we will replace it. It's going to be on the plans that the engineer is going
604 to submit with the County that we have to replace their yards and put them back
605 in—

606
607 Mr. Branin - You're not just going to throw some dirt and so okay
608 there you go.

609
610 Mr. Farmer - No, sir.

611
612 Mr. Branin - We're going to have grass grow—

613
614 Mr. Farmer - Grass grows and sodded. Yes, your Public Works
615 Department is going to make sure we do that, erosion sediment. I've told the
616 people when I've met them that I'll do that. And I'm hopefully a man of my word.

617
618 Mr. Branin - I have to tell you, Mr. Kaechele will have my hide if
619 you do that, and I—

620

621 Mr. Farmer - I realize both. Both you guys will have the hides. Their
622 yards will be as nice as they are now. All four of them have nice yards.
623
624 Mr. Branin - I don't have any other questions.
625
626 Mr. Kaechele - Mr. Farmer, just for my information. The lot at the
627 northern end, is that shy of the square footage you need?
628
629 Mr. Farmer - The undeveloped. Yes. I guess, Mr. Kaechele, you're
630 referring to this area right here?
631
632 Mr. Kaechele - Yes, yes.
633
634 Mr. Farmer - Yes. That does not have enough square footage for a
635 lot. I'm just going to keep that for future development at some point in time
636 whether it's me or my children or somebody. It may be if I bought a little sliver of
637 land from this fellow right here I could get the square footage, or if these people
638 right here gave me a little bit of land I could maybe possibly have another lot at
639 some point in time. In the meantime, I'll just pay taxes on it. One of the questions
640 that some of the neighbors have asked me, they said would you sell that to me.
641 And I said yes, it's a possibility I'll sell it to your neighbors if you all just want to
642 use it for something.
643
644 Mr. Kaechele - Okay.
645
646 Mr. Farmer - But I'd rather not talk about that until after it's zoned
647 or after this case. I just don't want to get into that.
648
649 Mr. Kaechele - Okay.
650
651 Mr. Farmer - But that's just reserved for future. It cannot be used
652 for a lot right now for the square footage, but at some point in time if things
653 change. This rezoning I'm asking for is R-3C. Coventry and Chatham Woods are
654 both R-4. And that's why we're having a few of these issues because there is no
655 more R-4 zoning classification anymore.
656
657 Mr. Kaechele - Okay, that's good. Thank you.
658
659 Mrs. Jones - Can I ask a quick question?
660
661 Mr. Branin - Quick one, because I've taken a lot of time.
662
663 Mrs. Jones - Good evening, Mr. Farmer. I just was thinking about a
664 question that Mr. Spradlin brought up. He was asking which neighborhood these
665 homes would be part of? Would you answer that question so that he's clear on
666 what happens to a development like this?

667
668 Mr. Farmer - I would assume on Brandyview, the four lots that
669 would be on Brandyview Lane would be part of the Brandyview subdivision. The
670 one lot, which would be Lot 5, I would think that whether Chatham Woods or
671 Coventry wanted to annex either one—I mean, I don't know. I asked Mr. Spradlin
672 if they have a Coventry association. I would think they would want to take them in
673 as an extra dues-paying person. He indicated to me—and I don't want to be
674 misquoted on this—that Brandyview was not part of Coventry. So I would think
675 those four would be part of Coventry. Lot 5 would probably be part of Coventry
676 unless there is a battle of them between them and Chatham Woods. Or maybe
677 they'll just be by themselves.
678

679 Mr. Branin - I didn't hear your question. Did you ask if there was a
680 homeowners association?
681

682 Mrs. Jones - I was reflecting a question that Mr. Spradlin had
683 asked, and that was which neighborhood would these homes be part of. And I
684 thought he could explain.
685

686 Mr. Branin - And even better, does either neighborhood have a
687 homeowners' association?
688

689 Mr. Farmer - Coventry does. Is that correct?
690

691 Mr. Spradlin - [Off microphone.] Does not.
692

693 Mr. Farmer - Does not. And that's what I was told by somebody. I
694 didn't want to be misquoted. Coventry does not, and I do not think Chatham
695 Woods does.
696

697 Male - [Off microphone.] Chatham Woods does not.
698

699 Mr. Farmer - Chatham Woods does not. So it's—maybe they'll get
700 around to forming one, but they'll just be lone wolves or do everything by
701 themselves. But I would think the four lots would connect with the Brandyview
702 people.
703

704 Mr. Branin - What are you going to bring these houses to market
705 at?
706

707 Mr. Farmer - When I was talking to you I told you—which is an
708 encouraging sign for the Three Chopt District and for Henrico County. I've had
709 three people that want to buy the built houses on three of these five lots, which is
710 a miracle after the last four years that we've been through, but which says a lot
711 for your County and for this district. They want to do it for the schools. And what
712 we're talking about is \$300,000 to \$350,000 houses.

713
714 Mr. Branin - The surrounding area, what are most of the houses
715 going for?
716
717 Mr. Farmer - Most of the houses are in the 250 range. Right around
718 250 is the assessed value when I was pulling up all the comparables.
719
720 Mr. Branin - I'll reflect your proffers state no vinyl siding, all
721 cementitious—
722
723 Mr. Farmer - Correct.
724
725 Mr. Branin - —and brick and stone.
726
727 Mr. Farmer - Correct.
728
729 Mr. Branin - We are actually upping the level of product going into
730 these five lots.
731
732 Mr. Farmer - Yes sir. And this will also be a vast improvement
733 over—Mr. Barker is not here, but what's on the property right now.
734
735 Mr. Branin - What's currently there.
736
737 Mr. Farmer - What's currently there. It will be a County
738 beautification project when I hopefully get this done. They are in need of repair.
739
740 Mr. Branin - Okay.
741
742 Mr. Leabough - I have a question. With your previous rezoning case,
743 did you provide elevations?
744
745 Mr. Farmer - No sir.
746
747 Mr. Leabough - You did not?
748
749 Mr. Farmer - Not from my recollection. I don't believe I did.
750
751 Mr. Leabough - Okay. I'd just be curious to see what the homes would
752 look like. Materials are great.
753
754 Mr. Farmer - I have really not talked to any builders just because I
755 really don't like to do that until I—I don't like to be presumptuous before any
756 zoning. But they will probably be colonial. Every subdivision I've done was kind of
757 a colonial nature, although Brandyview is a little bit of a mixed bag in terms of
758 architectural features. But I've just always done well with colonial structures.

759
760 Mr. Leabough - It will be similar to the existing homes in terms of
761 architecture?
762
763 Mr. Farmer - Yes sir.
764
765 Mr. Leabough - Okay. Is that a proffered condition or are you just—
766
767 Mr. Farmer - I did not proffer that just because I do not have any
768 elevations to proffer. I just would like to state for the record that they would be
769 colonial in elevation and architectural style. There might be a one-story rancher,
770 which will be nice looking. I think what we're going to do—I've talked to two or
771 three builders that called me, and I know their product. I just haven't sold the lots
772 to any builders, but they're going to be \$50,000 to \$75,000 more expensive than
773 the houses that are in, so they'll be of new quality. They're going to be new
774 homes, so they're going to be very nice.
775
776 Mr. Leabough - Thank you. Any other questions for Mr. Farmer?
777
778 Mr. Branin - I have none.
779
780 Mr. Leabough - All right, thank you, sir.
781
782 Mr. Farmer - Thank you.
783
784 Mr. Branin - I'm pretty much done. I'm glad you put your hand up
785 because what I was going to ask is I didn't know that you all were from the
786 neighborhood. You're not in opposition, but if you would like to ask a question or
787 make a statement, I'll think about let—
788
789 Mr. Freitas - My name is Ricardo Freitas. I'm so glad that you're
790 making that project. I live right on Lockton Drive. It's Lot 6 right beside Lot 3 that
791 he's going to build on. I have three kids. And I agree with you in cutting that cul-
792 de-sac and turning it into a street. My kids are seven, ten, and twelve years old.
793 And they play in that neighborhood after 3:00 until 7:00 every day.
794
795 Another question I have is on Church Road you have a buffer. It looks like it's—
796 how many feet is that? Twenty-five foot buffer. This way or this way? This way.
797 And I don't see any buffer behind my property and his property. And just to let
798 you know, every time I wake up in the morning I see all those trees. It's a nice
799 view for us, and we're going to lose that, those trees.
800
801 Also, on Lockton Drive is a temporary cul-de-sac; we don't have any curbs. And
802 my question is what's going to happen on our cul-de-sac? I have some pictures
803 here. Unfortunately my phone, it's almost dead. We don't have any water
804 drainage. And all the leaves and all the trash that comes from their property

805 come right into that cul-de-sac because there are no curbs. I just wanted to ask
806 you guys what you're going to do with that. Thank you.

807

808 Mr. Leabough - Are you in opposition or are you in favor?

809

810 Mr. Freitas - I'm not in opposition; I'm in favor.

811

812 Mr. Leabough - You just have some questions.

813

814 Mr. Freitas - I just have a question about the buffer and the cul-de-
815 sac, you know, if you're going to finish that off or not.

816

817 Mr. Leabough - Okay, thank you. I just wanted to make sure we were
818 clear.

819

820 Mr. Leabough - Yes, no problem. Public Works? Or do you know the
821 answer to the question regarding the cul-de-sac?

822

823 Mr. Branin - If it's developed as proposed, Lockton Drive, nothing
824 will come of it. It's not going to connect. I mean if they wanted to, I'm sure he
825 could probably swing it through there somehow. But I don't think they want
826 connectivity.

827

828 Mr. Witte - I think he was more interested in making a permanent
829 cul-de-sac on Lockton.

830

831 Mr. Branin - I would request one and half to two minutes more.

832

833 Mr. Leabough - Please come forward. You can speak.

834

835 Mr. Spicer - My name is William Spicer, and I live in Lot 7, I
836 believe it is, right beside Ricardo. I've been there for twenty-one years. We've
837 had issues in that cul-de-sac ever since I've been living there with drainage.
838 When they built the Brandywine [sic] development it became worse. So my
839 question at the meeting was for us, we've been told that that's a temporary cul-
840 de-sac. But if they go ahead with this project, then to me that becomes a
841 permanent cul-de-sac. But there are no plans to do anything with that cul-de-sac.
842 I don't see how you can call it a permanent cul-de-sac any longer, if you all
843 approve this plan. So that's my only statement. We could really use some work
844 there, some drainage of some sort, something done to that cul-de-sac at Lockton
845 Drive.

846

847 I do kind of agree with Mr. Spradlin there. It would be a shame to ruin two
848 neighborhoods to build one house.

849

850 That's all I have to say.

851
852 Mr. Leabough - Okay. Thank you, sir. Who can address the drainage
853 question? John? Mr. Cejka, could you please come forward?
854
855 Mr. Cejka - John Cejka, traffic engineer. Unfortunately, I cannot
856 address the drainage problem, but I'm more than happy to get Mr. Spicer's
857 phone number and have somebody with the drainage section give him a call.
858
859 Mr. Leabough - Okay. The question really—
860
861 Mr. Branin - This is more the question to ask. If this is developed
862 as proposed, then we would look at Lockton and say that is now not a temporary
863 cul-de-sac because there will not be connectivity. It's not lined up to. Whose
864 responsibility is it then to make it permanent to address the drainage issues?
865
866 Mr. Cejka - The issue—I've discussed this with other people,
867 Public Works—is that the area that is in the—this temporary area here, that is an
868 easement. And if it becomes a permanent cul-de-sac it'll become right-of-way
869 and it'll become larger. And I don't think the houses would have proper setback
870 from the right-of-way. And I think it would be a Public Works' issue, not the
871 developer's issue.
872
873 Mr. Branin - So what you're saying is if it does get classified as
874 permanent then it becomes a Public Works' project. And Public Works will make
875 it to permanent cul-de-sac specs and code, which is larger than the temporary.
876
877 Mr. Cejka - Which is larger, yes sir. Right now it's a forty-foot
878 pavement. When it becomes permanent it would be a forty-five-foot radius. So it
879 would be a ninety-foot diameter cul-de-sac with the extra five feet around it for
880 the right-of-way.
881
882 Mr. Branin - So theoretically Lot 6 on both sides—how can that be
883 Lot 6 on both sides?
884
885 Mr. Cejka - This Lot 6 and this Lot 6 would lose additional front
886 yard.
887
888 Mr. Branin - Approximately how many feet?
889
890 Mr. Cejka - A five-foot radius around the existing cul-de-sac.
891
892 Mr. Branin - So an additional five feet of yard.
893
894 Mr. Cejka - Yes. And then the right-of-way would extend another
895 five feet beyond that.
896

897 Mr. Emerson - And that would make the homes not conforming to
898 their required setbacks. So it creates a myriad of issues. Certainly they are
899 probably solvable in some way, shape, or form, but there are challenges.

900

901 Mr. Branin - All right. This, of course, will go with recommendation
902 for approval or denial. It goes to the Board of Supervisors, which would probably
903 take place next month?

904

905 Mr. Emerson - July 8th.

906

907 Mr. Branin - July 8th. In that time for the information of the
908 supervisor, Mr. Kaechele, if you could have Public Works go out and check the
909 drainage issue that they're referring to. Get with Mr. Spradlin in regards to having
910 a community meeting with them for traffic calming. And that would be it. We need
911 to know what that drainage issue is.

912

913 Mr. Cejka - Okay.

914

915 Mr. Leabough - I think there was another question for the developer
916 regarding the setback on I guess the eastern side of Lockton. They were asking
917 about the preservation of trees or something like that.

918

919 Mr. Emerson - I can answer that for you. We normally do not require
920 buffering between residential uses.

921

922 Mr. Branin - Right. So you're putting a house up against a house.

923

924 Mr. Leabough - I'm just asking the question that they asked to make
925 sure it got addressed. Okay.

926

927 Mr. Archer - If I may interject and add to what the secretary just
928 said. This comes up often when new communities are being built next to other
929 communities. I don't guess you'd call it a social issue, but we don't like, as a
930 policy, to buffer one neighborhood from another. It's just not neighborly, to be
931 honest with you. And we don't do that to intend to harm anybody. It would be a
932 pretty awful world if we buffered all the neighborhoods one from another. That's
933 why the policy exists. I don't think it's a rule. There's nothing written that says you
934 can't do it, but it's not something we would even like to entertain.

935

936 Mr. Leabough - Mr. Branin, there's another gentleman that would like
937 to speak. I think we extended it for another two minutes. Would you like to extend
938 it further?

939

940 Mr. Branin - One.

941

942 Mr. Leabough - Yes sir, we'll allow you a minute to speak. If you
943 could, please state your name for the record.

944
945 Mr. Misra - My name is Ram Misra and I live in Brandyview on
946 Lot 4. I heard what Mr. Farmer just said about—I'm talking Brandyview right now.
947 But he was talking more about Marnelan. Fixing the yard, the irrigation and
948 whatever it's called, I just want to make sure that that is applicable to Brandyview
949 also.

950
951 Mr. Branin - Absolutely it is. Any time that they're going to take out
952 the cul-de-sac it applies to you as well.

953
954 Mr. Misra - Thank you. That's what I wanted to find out. Thank
955 you.

956
957 Mr. Leabough - Thank you, sir. All right. Any other questions?
958 Mr. Branin?

959
960 Mr. Branin - No, I don't. I'm sure there will be also another—
961 Mr. Kaechele may request a community meeting just to make sure so we can get
962 some more input from the residents of Lockton and also, Doug, your neighbors
963 as well, so we can get more input and get a better feel for it. This road was
964 planned to be connected for twenty-five years with temporary cul-de-sacs. I
965 would like to move that REZ2014-00024, Welford Properties, move forward to
966 the Board of Supervisors with a recommendation for approval.

967
968 Mr. Witte - Second.

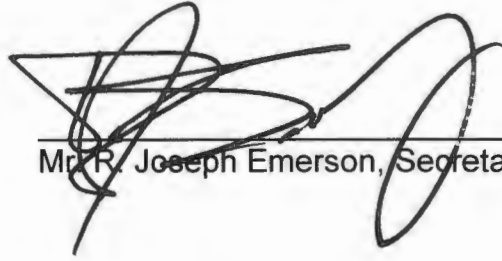
969
970 Mr. Leabough - We have a motion by Mr. Branin, a second by Mr.
971 Witte. All in favor say aye. All opposed say no. The ayes have it; the motion
972 passes.

973
974 **REASON** - Acting on a motion by Mr. Branin, seconded by Mr.
975 Witte, the Planning Commission voted 5-0 (one abstention) to recommend the
976 Board of Supervisors grant the request because it conforms to the
977 recommendations of the 2026 Comprehensive Plan, it would not be expected to
978 adversely affect the pattern of zoning and land use in the area and it would
979 permit infill development with the proper connection for roads and other public
980 facilities.


981
982 Mr. Emerson - Mr. Chairman, we now move to the next item on your
983 agenda, which is the consideration of approval of your minutes from the May 15,
984 2014 meeting. The staff did not receive any comments from the Commission
985 regarding the minutes, so we don't have an errata sheet. But certainly any
986 changes you have we'll make sure those are made if you want to bring them
987 forward now.

988
989 Mr. Leabough - Are there any corrections to the minutes? Hearing
990 none, I'll entertain a motion for approval.
991
992 Mrs. Jones - I move the minutes be approved as presented.
993
994 Mr. Witte - Second.
995
996 Mr. Leabough - We have a motion by Mrs. Jones, a second by
997 Mr. Witte. All in favor say aye. All opposed say no. The ayes have it; the motion
998 passes.
999
1000 Mr. Emerson - Mr. Chairman, if I could, I'd like to take this
1001 opportunity to introduce all of you to our summer intern. Her name is Tiona
1002 Johnson, and she comes to us from that great place out west called Blacksburg.
1003 We just want to welcome her here. Mr. Strauss has her busy working on various
1004 different projects in the comprehensive division.
1005
1006 Mr. Leabough - Welcome. Thank you for joining us.
1007
1008 Mrs. Jones - Welcome.
1009
1010 Mr. Branin - Hokie, huh?
1011
1012 Mr. Leabough - We won't hold that against you.
1013
1014 Mrs. Jones - Have you studied with Dr. Chandler?
1015
1016 Ms. Johnson - [Off microphone.] No I haven't.
1017
1018 Mrs. Jones - Okay. Just wondering.
1019
1020 Mr. Leabough - Is there any other business for the Commission? Any
1021 other business, Mr. Branin?
1022
1023 Mr. Branin - No.
1024
1025 Mr. Leabough - There being none, I'll entertain a motion for
1026 adjournment.
1027
1028 Mr. Branin - So moved.
1029
1030 Mrs. Jones - Second.
1031
1032 Mr. Leabough - All right, meeting's adjourned. Thank you.
1033

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1038
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1048



Mr. R. Joseph Emerson, Secretary



Mr. Eric Leabough, Chairman