

1 Minutes of the work session for the Draft 2026 Comprehensive Plan and the
2 regular monthly meeting of the Planning Commission of the County of Henrico
3 held in the County Administration Building in the Government Center at Parham
4 and Hungary Spring Roads, beginning at 6:00 p.m. Thursday, March 12, 2009.
5 Display Notice having been published in the Richmond Times-Dispatch on
6 February 19, 2009 and February 26, 2009.
7

Members Present: Mrs. Bonnie-Leigh Jones, Chairperson (Tuckahoe)
Mr. Ernest B. Vanarsdall, C.P.C., Vice Chairman
(Brookland)
Mr. E. Ray Jernigan, C.P.C., (Varina)
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

Also Present: Ms. Jean Moore, Assistant Director
Mr. James P. Strauss, CLA, Principal Planner
Ms. Rosemary Deemer, AICP, County Planner
Mr. Benjamin Sehl, County Planner
Mr. Livingston Lewis, County Planner
Ms. Lisa Taylor, County Planner
Mr. Roy Props, County Planner
Ms. Jamie Sherry, County Planner
Mr. Mike Jennings, Traffic Engineer
Ms. Sylvia Ray, Recording Secretary

8
9 **Mr. James B. Donati, the Board of Supervisors' representative, abstains on**
10 **all cases unless otherwise noted.**
11

12 Mrs. Jones - Good evening. I'd like to call to order this meeting
13 tonight, a work session to be followed by the Planning Commission's Zoning
14 meeting. As we are opening this meeting formally, I'd like to call it to order, and
15 also ask that we stand for the Pledge of Allegiance to the Flag.
16

17 I'd like to welcome you all here this evening, and thank you for coming out. This
18 is a work session concerning the 2026 Comprehensive Plan. We appreciate
19 your time and your interest to be here this evening. As a courtesy to others, I
20 would ask that you check your cell phones and make sure they're either muted or
21 off. I'd appreciate that.
22

23 I'd like to turn the meeting over our secretary, Mr. Emerson, who will conduct the
24 work session for us.
25

26 Mr. Emerson - Thank you, Madam Chair. As you've noted, tonight's
27 work session does concern the Draft 2026 Plan, and the results from the public
28 hearing that you held on January the 22nd. As you know, we've met with each of
29 you individually, along with your Board member, to discuss the comments that
30 were made at that meeting. Tonight, we're going to review the entirety of those
31 comments with the Commission, and within the public realm so you can discuss
32 them as a group. The staff presentation will be made by Ms. Rosemary Deemer.

33
34 Ms. Deemer - Good evening.

35
36 As Mr. Emerson said, the purpose of this work session is to provide the Planning
37 Commission a forum to discuss several requests for specific land use changes to
38 the Draft 2026 Future Land Use and Major Thoroughfare Plans, as well as
39 general comments received during the January 22nd public hearing. Staff will
40 provide a brief overview of the process and then present staff recommendations
41 and responses to first the specific requests, and then the general comments.
42 Finally, staff has a brief update and recommendations regarding the
43 telecommunications section of the Plan.

44
45 As you will recall, the Planning Commission held a work session on the Draft
46 2026 Comprehensive Plan on December 11, 2008, and held a public hearing on
47 January 22, 2009 to receive public comment. The Plan was presented during
48 these meetings by Mr. Greg Dale with McBride Dale Clarion, our consultant
49 assisting us with the Plan update.

50
51 Eighty-seven people attended the public hearing, of which 30 spoke and
52 provided comments. All of the comments have been recorded and transcribed,
53 and forwarded to the Commission, and will be summarized tonight. In addition,
54 staff has received additional comments and specific requests for land use
55 changes either by mail, website, or phone.

56
57 Overall, staff has received and evaluated 22 specific requests for changes in land
58 use designations, 2 of which are requests to modify concept roads shown on the
59 Draft Major Thoroughfare Plan. A few changes that are recommended were
60 prompted by recent rezoning activity versus a specific public comment. As you
61 can see from this slide, the majority of the requests are for areas located in
62 Varina. Additionally, there were no requests from Tuckahoe.

63
64 Staff will briefly review each of these requests in the order shown and each slide
65 will show two maps side-by-side. The map on the left-hand side will show the
66 land use designation in the current Draft 2026 Comprehensive Plan, and the map
67 on the right indicates the staff recommendation. In some cases, no changes have
68 been made. These are what the Commission will discuss tonight.

69
70 There are three requests in the Brookland District. The first request includes
71 property located on Staples Mill Road across from Meadow Pond Lane.

72 Because the site will be developed for a new high school, staff recommends the
73 land use designation be changed to Government to reflect this use.

74
75 Mrs. Jones - I think it would probably be very efficient and more on-
76 target for us to have any comments or questions from the Commission after each
77 introduction of a potential change by Ms. Deemer. So, let's just take a moment.
78 Does anybody have questions or comments about this particular proposal? Can
79 we agree that we support this change? *(Planning Commission agreed)*

80
81 Ms. Deemer - Our second request is a site located at the
82 intersection of Staples Mill and Hungary Spring Roads, and is the subject of a
83 pending rezoning case for commercial use. A designation of Commercial
84 Concentration would be appropriate at this location and staff supports this
85 change, as shown on the map on the right, based on the land use trends in the
86 area.

87
88 Mrs. Jones - Are there questions or comments from the
89 Commission about this proposed change? We will then support this change.
90 *(Planning Commission agreed)*

91
92 Ms. Deemer - Our third and final site in Brookland is located along
93 Lucas Road just south of the site that you saw. The request is to change to a
94 non-residential designation, and that could be appropriate. Staff recommends an
95 Office designation, which would provide non-residential uses, while providing an
96 appropriate transition between the school to the south and residences to the
97 west.

98
99 Mrs. Jones - All right. How about comments or questions
100 concerning this?

101
102 Mr. Vanarsdall - I'm okay with it.

103
104 Mrs. Jones - All right.

105
106 Ms. Deemer - In the Fairfield District, there are four proposed
107 changes. The first site is in response to a rezoning case, which rezoned the area
108 shown to Office as part of the Richmond Credit Union property. This would
109 extend the Office designation to the west. Staff believes the SR-2 designation is
110 still appropriate to reduce the potential of further encroachment into the
111 neighborhood. Therefore, staff recommends no change in designation.

112
113 Mrs. Jones - From those of us who were going very carefully over
114 this to see where the change was, thank you for that. Are there questions or
115 concerns about this proposal? We support that. *(Planning Commission agreed)*

116

117 Ms. Deemer - The next property is located at the intersection of
118 Mechanicsville Turnpike and St. Claire's Lane. It was rezoned to permit a place
119 of worship—a Jehovah's Witness church—and staff recommends the designation
120 change to Semi-Public.

121

122 Mrs. Jones - All right. Are there questions or concerns about this
123 change?

124

125 Mr. Archer - We support it Madam Chair.

126

127 Mrs. Jones - We will support this change. (*Planning Commission*
128 *agreed*)

129

130 Ms. Deemer - The third request is located along Cool Lane, east of
131 Mechanicsville Turnpike and south of Interstate 64. The request is to re-
132 designate this property Urban Residential. Due to the close proximity to a high
133 school and an existing, established single-family subdivision, staff believes the
134 current SR-2 designation is appropriate. In addition, Townsend Square
135 Apartments are located across the street, and staff would not support an
136 agglomeration of multi-family residential development in this area. Therefore,
137 staff recommends no change.

138

139 Mrs. Jones - Questions or concerns?

140

141 Mr. Archer - Agree to retain the designation.

142

143 Mrs. Jones - All right.

144

145 Ms. Deemer - Our final site in Fairfield is located at Chuck and
146 Bayard Roads, just north of Nine Mile Road which was rezoned for residential
147 development. Although the proposed use is residential, the project has not
148 moved forward in development and there is opportunity for redevelopment of the
149 abutting commercial uses in a unified manner. Therefore, staff recommends no
150 change.

151

152 Mrs. Jones - Are there questions or concerns? All right, we will
153 support this. (*Planning Commission agreed*)

154

155 Ms. Deemer - There are two requests in the Three Chopt District.
156 The first request includes several small parcels located on Fordson Road just
157 east of Parham Road. Two of the parcels are part of a pending rezoning case for
158 office uses to allow expansion of the adjacent Pembroke Office Park. The
159 neighborhood is under transition and staff recommends the area currently
160 proposed for SR-2 be changed to Office.

161

162 Mrs. Jones - I do have a question here. How is this pending
163 [inaudible]?
164
165 Mr. Emerson - The change in the land use map? This is on the future
166 land use map.
167
168 Mrs. Jones - Right.
169
170 Mr. Emerson - Of course, the Plan is a guide, and this is an area of
171 expanding office development. The case coming forward has a positive
172 recommendation from staff, so we're comfortable with that expansion.
173
174 Mr. Vanarsdall - This is where the Patient First is located on the left
175 side, isn't it?
176
177 Mr. Emerson - Yes sir, it is.
178
179 Mr. Branin - Madam Chair, as you can see, with the expansion of
180 that in the case that's coming up before us this evening, by pushing that a little bit
181 further for the 2026 and squaring it off, it completes it and matches it up
182 consistently with the parking lot that's currently there.
183
184 Mrs. Jones - I just didn't know if there was an order to this that
185 would be—
186
187 Mr. Emerson - No ma'am. I think this would—
188
189 Mrs. Jones - —with the case tonight.
190
191 Mr. Emerson - I think it would be appropriate to consider this change
192 in your 2026 Plan so it will be consistent.
193
194 Mrs. Jones - Okay. Any other questions about this change? We
195 will support that change. *(Planning Commission agreed)*
196
197 Ms. Deemer - The next request in Three Chopt is to consider a
198 realignment of Concept Road #132, specifically between its intersection with
199 Pouncey Tract Road and Gayton Road extended. The future road network in this
200 area has been carefully studied. While the concept road does not indicate the
201 exact alignment, the approximate location is important to support the planned
202 road network so as not to impede on public land uses and services planned in
203 this area. Staff from the Departments of Planning and Public Works
204 recommends no change.
205

206 Mrs. Jones - Are there questions or concerns from the
207 Commission? Fine, thank you. We support this change. (*Planning Commission*
208 *agreed*)

210 Ms. Deemer - There are 13 requests in the Varina District. The first
211 request includes property located along Nine Mile and East Richmond Roads,
212 which are currently designated Office. The request is to change the land use
213 *recommendation from Office to a residential classification.*

214
215 The properties are zoned R-3 and therefore, office use would not occur or be
216 *permitted unless a property owner requested a rezoning change through the*
217 *public hearing process. To be consistent with the adjacent designations and*
218 *potential future uses, staff could consider a residential designation of Urban*
219 *Residential or Multi-Family, but believes these designations would potentially*
220 *have an adverse impact on the single-family homes and character of the area in*
221 *that it would be harder to deter piecemeal development. Because the Draft Plan*
222 *is a guide for the next 20 years and beyond, staff recommends maintaining the*
223 *Office designation in keeping with the current 2010 Plan. This would provide*
224 *better overall protection of the area as well as providing more opportunity for*
225 *adaptive reuse of historic structures if the owners were to pursue rezoning in the*
226 *future.*

227
228 Mrs. Jones - Comments or questions from the Commission?

229
230 Mr. Jernigan - I support staff.

231
232 Mrs. Jones - Any other questions? Okay.

233
234 Ms. Deemer - The next request addresses a site located north of
235 Darbytown Road and east of Randall Avenue, which was recently rezoned from
236 R-5AC to M-2C. Staff recommends the re-designation from UR to a combination
237 of Planned Industrial and SR-2 to match the planned industrial use and proffered
238 restrictions approved for the property.

239
240 Mr. Jernigan - I support staff.

241
242 Mrs. Jones - Any other questions? All right, thank you.

243
244 Ms. Deemer - Our third request is to re-designate property located
245 at the southeast corner of Laburnum Avenue and Audubon Drive from Planned
246 Industrial to Commercial Concentration. Staff believes the current designation of
247 Planned Industrial is appropriate given the substantial amount of land designated
248 for commercial development along Laburnum Avenue and the Williamsburg
249 Road corridor. Staff recommends no changes to the Plan.

250
251 Mr. Jernigan - Support staff.

252
253 Mrs. Jones - Any questions? All right. (*Planning Commission*
254 *agreed*)
255
256 Ms. Deemer - The next request proposes to change several
257 properties along the north side of Elko Road south of Elko Middle School to
258 White Oak Road from SR-1, Single-Family Residence to Rural Residential/Prime
259 Agriculture. Staff can recommend this change.
260
261 Mrs. Jones - Any questions?
262
263 Mr. Jernigan - Recommend staff.
264
265 Mrs. Jones - All right, thank you.
266
267 Ms. Deemer - Our next request would expand the SR-1 designation
268 to include the area adjacent to Almond Creek, Oakland Road, and McCoul
269 Street. In addition, it has been requested this area be included in the Marion Hill
270 Existing Character Protection Area, a focus area recommended in Chapter 7 of
271 the Plan. Staff supports both of these requests with the boundaries depicted in
272 the map.
273
274 Mrs. Jones - All right. Are there questions?
275
276 Mr. Jernigan - We support the change.
277
278 Mrs. Jones - We support it. (*Planning Commission agreed*)
279
280 Ms. Deemer - Our next request is property located along Portugee
281 Road, east of Memorial Drive, which has been requested to be re-designated to
282 Suburban Residential 2. Given the parcel's proximity to the White Oak Industrial
283 Development, the adjacent floodplain, and abutting Industrial and Office
284 designations, staff recommends the designation remain Office, and therefore
285 supports no change.
286
287 Mrs. Jones - Concerns or questions from the Commission?
288
289 Mr. Jernigan - Leave it like it is.
290
291 Mrs. Jones - All right. That is supported. (*Planning Commission*
292 *agreed*)
293
294 Ms. Deemer - The next area is located along the south line of
295 Portugee Road, and is part of the White Oak Industrial Park, and has been
296 requested to be designated Open Space/Recreation. The request has been

297 evaluated previously and staff believes the Planned Industrial designation is
298 appropriate.

299
300 Mrs. Jones - Are there concerns or questions?

301
302 Mr. Jernigan - No change. Support staff.

303
304 Mrs. Jones - All right. That is supported. (*Planning Commission*
305 *agreed*)

306
307 Ms. Deemer - Okay, moving on. During the January 22, 2009 public
308 hearing, several citizens requested the Commercial Arterial designation at New
309 Market and Buffin Roads be modified. This area is included as part of the Varina
310 Village focus area for further study. While commercial uses could be appropriate
311 in this area in the future, until the small area study is completed with additional
312 input from the community, staff recommends the Planning Commission consider
313 a less intense use on the property. Staff recommends this be changed from
314 Commercial Concentration or Commercial Arterial to Office. This would be similar
315 to the current Office designation in the 2010 Plan.

316
317 Mrs. Jones - Questions from the Commission?

318
319 Mr. Jernigan - We support that.

320
321 Mrs. Jones - All right.

322
323 Ms. Deemer - Another issue raised at the public hearing was a
324 request to remove the Suburban Mixed Use designation on property located at
325 the southern end of the County, by Interstate 295. The SMX designation is
326 intended to accommodate future growth in Varina and takes into account the
327 existing transportation network of the area. By accommodating slightly higher
328 density (approximately four units to the acre), and compact development in this
329 area, staff believes this will help relieve development pressures elsewhere in
330 Varina, ultimately allowing for more preservation of land. Staff recommends no
331 change to the Plan.

332
333 Mrs. Jones - Are there questions?

334
335 Mr. Jernigan - No change. Support staff.

336
337 Mrs. Jones - Okay.

338
339 Ms. Deemer - Our next request is a request to remove concept road
340 #248-1 currently on the Major Thoroughfare Plan. The concept road would
341 provide a connection between Strath and Buffin Roads as shown on the map.
342 Because a previous connection to Varina Road to the east was eliminated, the

343 need for this road is not as great and staff from the Departments of Planning and
344 Public Works recommends its removal from the Draft Major Thoroughfare Plan.

345
346 Mrs. Jones - Are there questions about this?

347
348 Mr. Jernigan - Remove it.

349
350 Mrs. Jones - Thank you.

351
352 Ms. Deemer - The next request is to designate the land along
353 Almond Creek to the rear of the County-owned Clarke-Palmore House, east to
354 New Osborne Turnpike and south to McCoul Street, for Open Space/Recreation.
355 While the County owns some of the property within this area, the remainder of
356 the land is held in private ownership and the property owners have not requested
357 this designation. Staff recommends no change at this time.

358
359 Mrs. Jones - Questions?

360
361 Mr. Jernigan - No change.

362
363 Mrs. Jones - Support it. Okay.

364
365 Ms. Deemer - The next request is to designate the land along
366 Turkey Island Creek from Route 5 south to the James River including the flood
367 marker of 1771 to Open Space/Recreation. Similar to the previous request, this
368 property is held in private ownership and the property owners have not requested
369 this re-designation. Staff recommends no change at this time.

370
371 Mrs. Jones - Any questions?

372
373 Mr. Jernigan - No change.

374
375 Mrs. Jones - All right, thank you.

376
377 Ms. Deemer - Okay. Our final Varina request is to designate the
378 property referred to as Runnymede as Open Space/Recreation. The property is
379 owned by the Department of Public Utilities and is designated Government on
380 the Draft 2026 Future Land Use Map. Until the future use of this site is
381 determined, staff recommends no change.

382
383 Mrs. Jones - Questions or comments?

384
385 Mr. Jernigan - No change.

386
387 Mrs. Jones - All right. That is supported. Thank you. *(Planning*
388 *Commission agreed)*

389

390 Ms. Deemer - All right. In addition to property-specific requests,
391 there were several general comments that were made during the public hearing.
392 Eight individuals commented on the need for increased bicycle and pedestrian
393 accommodations. As you recall, after the open houses, staff received over 120
394 comments concerning these topics, and policies were added to the Plan prior to
395 the public hearing, which likely explains why there was a significant decrease in
396 the number of comments. Staff believes these issues were addressed through
397 changes added to Chapter 10.

398

399 Mrs. Jones - Thank you. *(Planning Commission agreed)*

400

401 Ms. Deemer - Several speakers at the public hearing requested the
402 Commission include an historic preservation ordinance and overlay district in the
403 Draft Plan. A Comprehensive Plan does not typically include the drafting of
404 overlay districts or accompanying ordinances, as these are usually reserved for
405 implementation action after the Plan has been adopted. Policies seeking to
406 protect, preserve and conserve historic resources are imbedded in the body of
407 Chapter 9, and further study of ordinances and overlay districts has been
408 included in the Implementation Chapter.

409

410 Mrs. Jones - I think after each topic here, if someone has a
411 question about this particular [inaudible]. Thank you.

412

413 Ms. Deemer - The need to encourage lower density development
414 was raised by eight speakers during the public hearing. Henrico County
415 promotes a wide variety of housing options and it is this variety that helps the
416 County attract prospective businesses because of the ability to house their entire
417 work force. Elimination of any of these options could hinder economic
418 development activities of the County, and a previous proposed ordinance to raise
419 the minimum lot size in the A-1 district was met with considerable opposition.

420

421 Mrs. Jones - All right, thank you. *(Planning Commission agreed)*

422

423 Ms. Deemer - Three speakers requested that stronger language
424 ("should" instead of "could"/"will" instead of "may") be used in the Comprehensive
425 Plan. As several of the initiatives will require further study, it would not be prudent
426 to over-commit to objectives before the initiatives have been prioritized.

427

428 Mrs. Jones - Okay. I think that's talked through. *(Planning*
429 *Commission agreed)*

430

431 Ms. Deemer - Increased public input was another topic of discussion
432 at the public hearing. The Plan Update process was designed to include public
433 participation at the outset and during the process. The efforts to inform and keep
434 the public informed have been extensive, well-documented, and have been

435 submitted to you. To date, the Planning Department has received over 575
436 comments on the Draft Plan, and we continue to receive public input. Staff
437 believes there have been adequate opportunities for public input.

438

439 Mrs. Jones - Okay. *(Planning Commission agreed)*

440

441 Ms. Deemer - The protection of natural resources was encouraged
442 by several speakers and the Draft 2026 Plan has a chapter, Chapter 8, dedicated
443 to the preservation, protection and conservation of the County's natural
444 resources. The Department of Public Works collaborates with state and federal
445 agencies to ensure that development in Henrico County meets or exceeds all
446 applicable regulations.

447

448 Mrs. Jones - Okay. *(Planning Commission agreed)*

449

450 Ms. Deemer - The comment regarding traffic relayed at the public
451 hearing focused on the confluence of choke points at the City/County line,
452 specifically at Route 5. Old Osborne Turnpike, New Market Road, and East Main
453 Street are currently being studied by the Virginia Department of Transportation,
454 the City of Richmond, and Henrico County to determine the future needs of this
455 corridor based on anticipated traffic volumes. In addition to road widening,
456 alternatives to divert some of the traffic off of Route 5 onto adjacent roadways
457 are being evaluated.

458

459 Mrs. Jones - All right. *(Planning Commission agreed)*

460

461 Ms. Deemer - Another speaker at the public hearing requested that
462 the Prime Agriculture land use category be returned to the Plan. Prime
463 Agriculture is still a land use category in the Draft 2026 Plan; it has just been
464 combined with the Rural Residential category. The decision to incorporate these
465 two land use categories into one combined category was made at the beginning
466 of the planning process for the Draft 2026 Plan since they are modeled identically
467 under the Demand and Capacity Analyses.

468

469 During the public hearing, a citizen requested that the Plan require all land use
470 densities have a required open space dedication. Minimum open space
471 requirements were designated primarily for districts where there is a minimum
472 acreage required for the potential use. There may be little benefit in dedication of
473 a small amount of open space in very small projects, and it could potentially be
474 cost prohibitive for a small homeowners' association to maintain.

475

476 Mr. Jernigan - Can I comment on that now?

477

478 Mrs. Jones - Absolutely.

479

480 Mr. Jernigan - There is a situation out there now in a 64-home
481 subdivision where it was clustered. The dues have gone up substantially
482 because they're having to take care of the open space. That's one thing we're
483 going to have to guard against. I think we all like clustering, and we want some
484 open space, but we have to make sure there are enough homes in there to
485 support it. Right now, those people are a little bit upset. We do need to guard
486 against that.

487
488 Mr. Vanarsdall - Isn't it sometimes difficult to figure out who should
489 take care of it?

490
491 Mr. Jernigan - The HOA has to take care of it.

492
493 Mr. Emerson - In a common open space situation, the HOA does
494 normally take care of it, but what Mr. Jernigan's referring to, Mr. Vanarsdall, is
495 the situation we run into on smaller properties whereby there's a great deal of
496 cost to maintain common space because you have to maintain insurance, you
497 have to maintain the property, you have to cut the grass, you have to different
498 things. There's liability associated with it. Larger communities can do that.
499 Smaller communities have difficulty with the HOA dues, which can range—Let's
500 say you have a small piece of property that has to be maintained. I'll use one that
501 I'm very familiar with. It has 31 homes in it, and there's a piece of property being
502 maintained that is dedicated right-of-way for the County for future expansion that
503 the County hasn't taken yet. In order to keep it maintained and mowed in front of
504 this particular development, along with a few other little things that the community
505 does, costs each resident of that community \$375 a year. You would think it
506 would be minor costs, but it takes a lot of money to maintain even a couple of
507 acres of land, and carry liability insurance, and things of that nature.

508
509 Mr. Vanarsdall - I appreciate you explaining that.

510
511 Mr. Jernigan - Mr. Vanarsdall, what happened on one of them in
512 Varina, 52% of the space was open. It was a clustered R-5AC. Their dues have
513 gone, from what I understand, to about \$300 a month to support getting
514 everything straight around there. It's caused a little problem, so they're working
515 on it now.

516
517 Mr. Vanarsdall - Thank you.

518
519 Ms. Deemer - Okay. Another speaker requested that the
520 Commission identify what the fiscal impact was to develop the Plan. It should be
521 noted that the Plan is a guide. When and how much development occurs will be
522 driven by the market. The 2010 Land Use Plan has a stated objective of
523 maintaining a ratio of approximately 65% to 35% residential to commercial
524 balance. By maintaining such a ratio, the County can continue to provide the
525 highest quality public services and facilities that are generated in a balanced

526 manner between residential and nonresidential uses. The land uses proposed in
527 the Draft 2026 Comprehensive Plan support this objective. *(Planning*
528 *Commission agreed)*

529
530 Moving on. The need to complete missing road links was raised by one speaker.
531 Proposed roads on the Major Thoroughfare Plan are often constructed during the
532 development process by the developer of the property. Many of these roads do
533 not become needed until such development occurs. This is the most cost-
534 effective method for road development the County has. Additionally, one of the
535 goals of the Plan is to have a road network that provides multiple routes and
536 intersections to improve traffic circulation and provide alternate routes to avoid
537 congested areas. *(Planning Commission agreed)*

538
539 Mr. Vanarsdall - Madam Chair, can I go back to the last sentence in
540 the fiscal impact plan one?

541
542 Mrs. Jones - Certainly.

543
544 Mr. Vanarsdall - It says the County has a 31% non-residential, 69%
545 residential. I don't think anyone really understands how important that is. That is
546 most important. Sometimes they say another building, more commercial. The
547 City of Manassas, for example, did not stick to that because they didn't want
548 anything but residential. The taxes got so high and the services got so poor that
549 the people started leaving Manassas and going out into the county. I think that's
550 a good ratio. I think they usually try to keep it 40/60 or 30/70, I believe it is.

551
552 Ms. Deemer - Thirty-five/sixty-five.

553
554 Mr. Emerson - Mr. Vanarsdall, if I could add to that. That's one of
555 the reasons, the fact that we have maintained a healthy tax base and good
556 balance, that we're able—And I'm sure everyone has noticed in the paper you
557 see that other communities are laying off employees, they're struggling. While
558 we're not in the best financial situation, we're definitely in a much better financial
559 situation than the communities surrounding us. The other thing I would add on
560 the fiscal impact of the Plan is that following the Plan in the implementation is a
561 Public Facilities document that will also identify the public needs that are
562 generated by the Plan. That has always been planned to be done. We have
563 continually monitored it to make sure that we're maintaining the proper balance
564 of land uses. When we go to implementation, we will produce that document
565 based on those models, and that will come back to this body and to the Board.
566 That will be a policy document more than an adopted document, but it will identify
567 the needs for schools and other things, which, of course, we do balance into the
568 factor of what we do.

569
570 Mr. Vanarsdall - Good.

571

572 Mrs. Jones - Thank you.

573

574 Ms. Deemer - Another citizen at the public hearing suggested that a
575 Special Focus Area be created for the Chickahominy River. The majority of the
576 river is already designated a state scenic river, and the Draft 2026 Future Land
577 Use Map recognizes its intrinsic value with its EPA designation. In addition, the
578 river is afforded extra protection through the County's SPA regulations, as well as
579 the state's Chesapeake Bay Resource Protection and Resource Management
580 Areas.

581

582 Mrs. Jones - I'll just add to that that we have had discussion of that
583 through the Richmond Regional Planning District Commission. There has been a
584 comprehensive look at the watershed and recreational opportunities, and that is
585 really an important and very well-brought-together report. So, I think that's
586 certainly of importance [inaudible] area.

587

588 Comments? All right. *(Planning Commission agreed)*

589

590 Ms. Deemer - One comment was made at the public hearing
591 regarding the lack of opportunities and infrastructure in the New Bridge Area. An
592 area of older residential neighborhoods, commercial structures and civic uses,
593 New Bridge is part of the Nine Mile Road Revitalization/Reinvestment Area
594 identified in Chapter 7. As part of this designation, future studies have been
595 recommended to encourage revitalization and reinvestment efforts in the area,
596 which could include additional County services depending upon the study's
597 recommendations. It should be noted that GRTC currently services this area with
598 the Seven Pines/Route 7 line between Downtown and the airport. *(Planning*
599 *Commission agreed)*

600

601 Staff received a letter requesting that Chapter 7 and Chapter 9 be amended to
602 address scenic byways and various open space elements. The request to
603 change the New Market and River Road Existing Character Protection Areas to
604 include language indicating that visual inventories "must" or "will" be conducted
605 and include an overlay district ordinance is beyond the scope of the Plan. As
606 was noted earlier, staff believes these initiatives will require prioritization and
607 further study, and the enhanced studies will provide specific recommendations
608 for each area on a case-by-case basis. *(Planning Commission agreed)*

609

610 Mrs. Jones - Before we get into anything about
611 telecommunications, are there—

612

613 Ms. Deemer - Actually, I have one additional thing that didn't come
614 up as a bullet on there. That was just that in addition to the information
615 presented, the Planning Commissioners received a letter from the Home Builders
616 Association of Richmond which generally supports the Plan but requests areas
617 be revisited. As the Plan is a guide, as we stated this evening, the policies and

618 recommendations found within it are general in nature and would not preclude
619 the topics HBAR raised in the letter. Staff believes it would be more appropriate
620 to evaluate the merit of the comments on a case-by-case basis during the
621 development phase.

622

623 That concludes the review of public comments and requests for changes.

624

625 Mrs. Jones - I'd like to—Yes. Mr. Emerson, if you could comment
626 on one other communication that we received?

627

628 Mr. Emerson - Yes, Madam Chair, I'll be happy to touch on this
629 quickly before we move into telecommunications.

630

631 The Commission received tonight a two-page document, back and front, Draft
632 2026 Comprehensive Plan Citizens' Concerns, summarized by Envision Henrico.
633 I believe we have addressed these through Ms. Deemer's presentation. The first
634 item regarded fiscal impact; we did discuss that. The updated Demand and
635 Capacity Estimate, actually, we will update the Demand and Capacity element of
636 the Plan. It was run earlier; it will be run again once the final changes are made
637 to the Land Use Map. That is a very expensive undertaking to run that. However,
638 I believe that it actually will show a decrease in density in the Plan, primarily
639 because of the reduction and removal—after the first Demand and Capacity was
640 done—of the Traditional Neighborhood Development designation on Curles Neck
641 Farm, which was over 5,000 acres, and subsequently the designation of a
642 smaller acreage at Varina Farm SMX as a lower density and less acreage. There
643 are other changes that have been made that have lowered the density of the
644 Plan. So, in actuality, I do believe that the Demand and Capacity will show a
645 lower impact than it did before.

646

647 We addressed the transportation issues. We do have a Major Thoroughfare Plan,
648 and we do recognize these issues. I will touch on the planning for bus rapid
649 transit. The MPO is currently examining these with GRTC. The only place it's
650 cost-feasible now for dedicated rapid bus transit coverage is between the city
651 and Short Pump along Route 250, which otherwise is known as Broad Street.
652 That would require a dedicated lane. It's a question—we cannot expand Broad
653 Street—of whether or not dedicating a lane and taking that out of the traffic flow,
654 if people would actually ride it. I would also note that Henrico County, I believe,
655 is one of the few localities that subsidizes GRTC to come into the community.
656 Many of those lines do run into the eastern part of the County. It does cost the
657 County money, as there's not enough ridership. Certainly, we would like to
658 expand it, but there is a cost factor involved there.

659

660 Male: Seven million.

661

662 Mr. Emerson - Seven million? I knew it was a high number. But as
663 the cost of gas goes up, possibly ridership will go up, and subsequently it will

664 become more viable to increase. Also, light rail has been looked at in the future
665 by the MPO. The first viable light rail lines in the distant future would be from
666 downtown to Short Pump, and from downtown to the airport. That's what's
667 considered the most viable options at this time.

668
669 Just touching on the bicycle comments. I note that there is a comment here
670 regarding the MPO bike and pedestrian plan. That's the regional plan, I believe,
671 that's being commented on there. We do recognize that in our transportation
672 chapter and note that, as well as several of the other comments here.

673
674 We responded to the Open Space and Prime Agriculture issues. We responded
675 to, I believe, the Conservation and Open Space issues. We responded to the
676 Historic Resource issues.

677
678 I'll be happy to pass along to the Board of Supervisors the comments regarding
679 the meeting with the constituents. Of course, we did address the public input
680 issues as well.

681
682 So, I believe we've touched on everything.

683
684 Mrs. Jones - All right. Well, I appreciate your going through that
685 point by point. I'd like to make a quick comment, and any other Commissioner is
686 certainly welcome to do so. I just feel that I need to note in a public setting here
687 that while we go through these points that have been raised at the public hearing,
688 and that have been raised throughout the filing of this Draft Plan, we go through
689 them very quickly here. The hours and hours that are represented by each one of
690 these discussion points is really quite mind boggling. One thinks about the staff,
691 the Commissioners, and certainly the Supervisors, and the folks who really take
692 the time to consider every comment and every single question that is raised very,
693 very thoroughly. I know it sounds like we're going quickly through these. We do
694 have restraints of time, but I must thank the project manager. Rosemary Deemer
695 has done an absolutely outstanding job. And she's made an effort that's included
696 everybody in the entire department, and in almost every department throughout
697 the County. I cannot thank you enough for the time that you've put into this. I
698 know not all the answers are what everyone wants to hear, but every single
699 question and comment has been analyzed, thought about, and evaluated. I think
700 in many respects, that's the best courtesy that we can provide. I thank you very
701 much.

702
703 Ms. Deemer - Thank you.

704
705 Mrs. Jones - Anyone else?

706
707 Mr. Vanarsdall - We all echo exactly what she said.

708

709 Mr. Emerson - We do need to move on to the telecommunications
710 discussion.

711
712 Mr. Vanarsdall - Quite an undertaking.

713
714 Ms. Deemer - Thank you, Mr. Vanarsdall.

715
716 Regarding the telecommunication update, at the December 11, 2008 work
717 session, the Planning Commission requested that staff further evaluate the
718 Wireless Communication Technology section of the Comprehensive Plan. The
719 Commission specifically requested staff review the 1996 Telecommunications
720 Act, identify the Plan's policies regarding towers in residential areas and on
721 school properties, and determine ways to proactively plan for future
722 communication infrastructure. Due to the breadth of this topic, staff recommends
723 adding this study to the Implementation chapter of the Plan, and scheduling
724 separate work sessions on the issue.

725
726 Mrs. Jones - Comments, questions?

727
728 Mr. Emerson - As you know, we do think it will take a great deal of
729 work, and we would break this down into separate work sessions to talk about
730 each item. Quite honestly, reviewing the Wireless Communication Technology
731 section I think will take several work sessions, and quite a bit of work. I do think
732 that the community is going to want to weigh in, and the wireless industry is
733 going to want to weight in, as well as the Commission is going to have a lot of
734 interest. Staff has generated a lot of information on this topic already.

735
736 Mrs. Jones - I think we may be dealing with some federal
737 guidelines that could be changing as well.

738
739 Mr. Emerson - Yes ma'am. Regarding the Telecommunications Act,
740 I believe we may very well be.

741
742 Mrs. Jones - Sooner as opposed to later, right?

743
744 Mr. Emerson - I'm not sure exactly when those will come out of the
745 federal government.

746
747 Mrs. Jones - That's true. Why did I even think to ask?

748
749 Mr. Emerson - They've been pending, so we'll see.

750
751 Mrs. Jones - All right.

752
753 Mr. Vanarsdall - One thing I'd like to mention is I think it's probably a
754 long ways off, if ever. But one good thing we do have in every case is, as you all

755 know, if anything ever happens that they don't need the towers, they have a
756 certain length of time to take them down, do away with them. They won't be
757 standing like some buildings are, like when the City of Hopewell when all the
758 plants left. The houses stayed for years.

759
760 Mr. Archer - Madam Chair, if I may make a comment.

761
762 Mrs. Jones - Please.

763
764 Mr. Archer - I think we are approaching the time that wireless may
765 overtake what we call the traditional landline. I know this would probably be a
766 vast undertaking, but it might be incumbent upon the wireless industry, maybe in
767 conjunction with us, to begin to look at having some workshops of their own so
768 that they can educate the public, and also have questions answered that folks
769 may have that we don't have the answers to. It's something that probably would
770 take a while to put together, but I think it would be a wise thing to do. All of the
771 requests that we have for towers come from the wireless industry; they don't
772 come from the public. I think it's probably incumbent upon them to be able to sell
773 their plan, and educate the public and us as well. There could be a couple of
774 sessions where people could ask questions and know what we're up against.
775 The industry is not going to go backwards; we're not going to go back to wire.
776 That's not going to happen. I think as we move forward, we need to know what it
777 is we're moving into, able to provide a way for the public to ask questions about
778 it. I think that's something we should consider at some point.

779
780 Mr. Donati - That's a good point you have as most of the questions
781 do come from industry.

782
783 Mr. Archer - Yes. We've never requested a tower, and nobody in
784 the public has ever asked for one. I think at some point in time we're going to
785 have to do that.

786
787 Mrs. Jones - We'll take that under advisement. I'll pass that along
788 to our secretary.

789
790 Mr. Archer - Okay, thank you, ma'am.

791
792 Mrs. Jones - Ms. Deemer?

793
794 Ms. Deemer - That concludes my presentation, and I'd be happy to
795 answer any questions you may have.

796
797 Mrs. Jones - Are there any questions or comments about any
798 aspect? You have done a wonderful job. This is a project that bodes well for the
799 vision for the future. I thank everyone who's worked on this so long and hard.

800

801 Mr. Emerson - I would also like to thank the Commission. The
802 Commission and the Board have put a lot of time into this document. And
803 obviously after the Commission is completed with it, it moves on to the Board of
804 Supervisors, once you make a recommendation. But along with staff, each one of
805 the Commissioners has put in a great deal of time and effort in considering this
806 document, in considering the original land uses, considering citizens' input, and
807 just trying to balance and weigh out every decision. It's been a gargantuan job on
808 everybody's part. So, thank you for your time as well.

809
810 Mrs. Jones - Well, we are very happy to be at this point. All right.

811
812 Tonight we have the work session to be followed at 7:00 by the Planning
813 Commission meeting. We do have a few minutes. I know there are some
814 members of the public with us tonight who have been very, very vigilant in
815 following the Comprehensive Plan. We do have 10 minutes, which I would be
816 happy to have folks come forward if you have a minute or two of comment.
817 Certainly, we would be happy to hear your thoughts if anyone would like to come
818 forward at this time.

819
820 Mr. Vye: Madam Chairman and members of the Commission,
821 I've been—

822
823 Mrs. Jones - Excuse me. Could you just—

824
825 Mr. Vye - Yes. I'm Lloyd Vye from the Brookland District.

826
827 Mrs. Jones - Thank you.

828
829 Mr. Vye - I'm active in bicycling and pedestrian, and have made
830 some of the comments that we've had in there. From the first draft until where
831 we are now, it's been a tremendous improvement, I think. We are still in this
832 County very, very short of sidewalks. We treat in here what's going to happen on
833 newly developed properties along arterials, and requiring the developer to put a
834 sidewalk in, and that's a tremendous step forward. Somewhere along the way,
835 there has to be some procedure for doing something with a place and an area
836 where the foot traffic has really built up and changed over the years. I cite Wistar
837 Road, which is right near here, West Broad Street, some of these other places.
838 We have a tremendous amount of pedestrian traffic walking along where there
839 are no sidewalks, stepping into the gutter, walking on Wistar Road with roots and
840 rocks and no shoulder. Somewhere along the way, there has to be some way
841 over the years ahead to try to get a sidewalk in there for those people who have
842 no cars and are heading for Broad Street and for Staples Mill Road. It's really
843 criminal to see what they're doing out there, pushing a baby carriage in the dark
844 along Wistar Road. You really can't get off the road because it's all roots and
845 rocks and so on. So, that's my point. We are making progress; I've been pleased
846 to see it as the Plan has evolved over the two or three drafts.

847
848 Mr. Vanarsdall - I didn't catch your name, sir. What is your name?
849
850 Mr. Vye - Lloyd Vye. V-y-e is the last name.
851
852 Mr. Vanarsdall - Okay, Mr. Vye, let me address a little bit of that. I
853 agree with you that sidewalks are for people and streets are for vehicles. I think
854 that's the way it should be, and we do try to do it where needed in the new
855 developments. A few years back, maybe three or four or five, one of the
856 Supervisors asked Public Works to give them a price for putting sidewalks down
857 like you're talking about. The cost was just unbelievable. You can't just lay the
858 sidewalk without having the space and so forth. I think you have a good point,
859 and I appreciate you sharing it with us.
860
861 Mr. Vye - Thank you.
862
863 Mr. Emerson - Mr. Vanarsdall, I can share those costs with you, if
864 you'd like to hear them. To retrofit—And that's where we run into problems. It's
865 recognized that sidewalks are a problem, but we have looked at different
866 sections of the County. One section, for instance, to retrofit runs about \$560 a
867 foot. We have another one that was around \$770 a foot, and then we had some
868 estimates that run as high as \$2,150 per foot, when you get into right-of-way
869 acquisition, if we get the right-of-way acquisition, and then regrading and things
870 of that nature. Our policies do state when we rebuild roads, we're also trying to
871 retrofit those in. The Commission does make every effort with each new
872 development—and there's one that's being deferred tonight in the Tuckahoe
873 District where there's a piece of sidewalk being put in now where it really doesn't
874 connect to anything, but hopefully we'll build it the rest of the way. So, we do
875 make those efforts.
876
877 Mr. Vye - Thank you for your consideration.
878
879 Mr. Vanarsdall - Thank you, Mr. Vye.
880
881 Ms. Goodwin - Good evening, ladies and gentlemen. Thank you so
882 much—and also to staff—for the amazing job that this has turned out to be. I
883 understand that it's very detailed, and it's an amazing amount of information to
884 amass from the public—
885
886 Mr. Emerson - Could you state your name, please?
887
888 Ms. Goodwin - My name's Ashley Goodwin. But ultimately, I must
889 say again patiently that I'm shocked. When I hear you, Mr. Emerson, tell us that
890 you have touched on and answered the Conservation and Recreation comments,
891 and the Historic Preservation comments that were made, I can say for myself
892 that the study that I turned in showing that there is an over 85% loss in historic

893 resources in Henrico between 1998 and 1976 when the first inventory was turned
894 in, has not been made public. It's not been made part of the comments. That
895 was turned in in November, I think on the 22nd, to both you all and the Board of
896 Supervisors. That's not been addressed, and to say that you can plan for the
897 future without trying to come up with some nominal way to deal with that when
898 every other county surrounding Henrico and the City of Richmond all have some
899 kind of planning guidelines to deal with that. We have a much richer and older
900 history than many of those areas, and to say that it'll be dealt with on a case-by-
901 case basis I'm afraid will result in fly-by-night brushing things under the table bit
902 by bit until there's really nothing left but commercial and residential development.
903

904 Part of what makes Henrico special and a wonderful place to live is the pride that
905 we should all show in our heritage, those good and bad things we can learn from
906 things we can look back on. So, I have to comment when I hear you say you
907 believe you've touched on the historic resource issue, because I haven't really
908 heard anything about that, I haven't heard anything about the mass of residents
909 who have come in over and over and asked for PDR possibilities. I did hear
910 Patricia O'Bannon at one point say that some residents in her area had dealt with
911 that by putting conservation easements on their own property. But I've also read
912 in several different publications, the local paper and elsewhere that the change in
913 land use designation will make it impossible for residents to put conservation
914 easements on their property. I don't think that's been addressed.
915

916 Mrs. Jones - Are those the comments? I didn't know if you were
917 finished. Ms. Goodwin, I think all your comments are part of the public record,
918 are part of the transcribed comments about the Plan.
919

920 Ms. Goodwin - Not the study I turned in.
921

922 Mrs. Jones - The study has been available?
923

924 Mr. Emerson - Yes ma'am. That study was provided to the Board of
925 Supervisors.
926

927 Ms. Goodwin - But not to the public as other comments were.
928

929 Mr. Emerson - That's because it wasn't necessarily in conjunction
930 with the Comprehensive Plan, and I don't know that we understood it that way.
931

932 Ms. Goodwin - It was turned in March the—
933

934 Mr. Emerson - Can I speak, please?
935

936 Ms. Goodwin - Yes, you may.
937

938 Mr. Emerson - Ma'am, we did try to address your concerns. I know
939 that Chris Gregson talked with you. I also offered to set up a meeting with you
940 with all department heads—

941
942 Ms. Goodwin - Right in—

943
944 Mr. Emerson - —to discuss your issues in order to understand your
945 terminology because quite honestly, we don't agree with your terminology, and
946 we're not sure that your numbers are correct. We're trying to understand them.
947 But you did not come in to meet with us.

948
949 Ms. Goodwin - No. I told you that I'm homebound caring for an
950 elderly person that takes all my time. My entire social life is coming into these
951 meetings. I rarely leave my house to go anywhere other than to come to these
952 meetings.

953
954 Mrs. Jones - That makes it doubly impressive that you're here.

955
956 Ms. Goodwin - Well, that's very kind of you, but at the same time, the
957 comments that I turned in specifically marked to be made part of the
958 *Comprehensive Plan comments, the public comments, have never been made*
959 *public.*

960
961 Mr. Emerson - Ms. Deemer, would you like to address that?
962 Evidently, they are part of the comments.

963
964 Ms. Deemer - The comments that we received from Ms. Goodwin
965 were received after we prepared the *General Comments Manual*. That was
966 prepared between September and October of 2008. We received her comments,
967 I believe it was probably in November of 2008. Since that time, we have not
968 created an additional document. That is why you're seeing some of these maps
969 here tonight as opposed to in the *General Comments Manual* that all of you
970 received, that are posted online, and that are available at the libraries. So, at this
971 point, we've yet to decide how we are going to take that information that we
972 received subsequent to October of 2008, and post that information. We have it.
973 We have it marked as being public information, but at this time, we've not yet
974 created a third document. We are waiting until it comes through the Planning
975 Commission, and perhaps to get information and input from the Board of
976 Supervisors.

977
978 Mr. Emerson - And also, Parks and Rec is doing a new inventory of
979 architectural sites and historic structures. Through that inventory, we will see
980 whether or not your numbers are correct.

981
982 Ms. Goodwin - That's fine and I appreciate that, but ultimately, I
983 recontacted you—and I can talk to you about it—telling you that I couldn't come

984 in to have a staff head meeting, nor do I want to take staff heads' time to do that.
985 I just wanted some of the questions that I asked to be answered.

986
987 Mrs. Jones - Thank you for your time.

988
989 Ms. Goodwin - Thank you.

990
991 Mr. Vanarsdall - Thank you.

992
993 Mrs. Jones - We have two minutes if anyone else would like to
994 come forward briefly. We are back to two minutes.

995
996 Ms. McNeil - I'm Jeanne McNeil. I live in one of the few nationally
997 registered properties in the County of Henrico. I have just heard that there is
998 some sort of a plan to use my home for adaptive reuse and office services. I
999 think when you tell me that your plan has in it provisions to preserve historic
1000 properties, I'm not hearing that when I hear this response to our request to have
1001 the residential zoning—which, by the way, the Board of Supervisors approved
1002 and supported the change in zoning for that property to go from commercial
1003 zoning to residential zoning. It is stuck on this crazy map that's drawn that is still
1004 office services from 2010. It's not office services anymore. There is going to be
1005 no adaptive reuse of that home. That is a home. It's a historic home and it will
1006 remain a historic home. It will still be a historic home in 2026. This makes no
1007 sense whatsoever. All of our neighbors spent money and came to the Zoning
1008 Board, and came to the Board of Supervisors, and we were told that the rezoning
1009 was appropriate to be residential. And yet you don't seem to see that on this
1010 map. No one has yet explained to me why that is.

1011
1012 Mrs. Jones - Your request is received and it was thoroughly
1013 evaluated. As Ms. Deemer concluded, the existing designation was deemed
1014 appropriate.

1015
1016 Ms. McNeil - I would like for someone to explain to me how that is.
1017 *That is the simple question I have asked over and over again, and I have not*
1018 *received an answer.*

1019
1020 Mrs. Jones - Thank you.

1021
1022 Ms. McNeil - I guess I will not receive an answer.

1023
1024 Mr. Jernigan - Ms. McNeil, you'll get an answer. We discussed that.
1025 As a matter of fact, that was the first topic that came in when Mr. Donati and I
1026 met the other day. We're at 7:00 right now, and by law, we have to start our
1027 hearing. If you would like to contact me, or I will contact you, and I'll explain that
1028 to you. Okay.

1029

1030 Mrs. Jones - At this time, I would like to conclude the work session
1031 and begin our Rezoning meeting for March 12, 2009.

1032
1033 Mr. Emerson - Thank you, Madam Chairman. On your agenda
1034 tonight you have several withdrawals and deferrals. We'll begin with the
1035 presentation of those, which will be presented by Mr. Jim Strauss.

1036
1037 Mr. Strauss - Good evening. Are we ready to proceed?

1038
1039 Mrs. Jones - Yes. I guess I should say good evening to you, and
1040 welcome to everyone here at the Rezoning hearing. For those of you who
1041 weren't here for the work session, I did ask that everyone please mute or turn off
1042 their cell phones. Thank you. Yes sir.

1043
1044 Mr. Strauss - Staff is aware of two deferrals tonight. The first one is
1045 on page 1 of the agenda and it's in the Tuckahoe District. This is a request to
1046 rezone conditionally from the B-1 District to B-2C District conditional. This
1047 involves the reconstruction of the existing restaurant, the McDonald's, with a
1048 drive through service. The applicant is requesting deferral to the April 9, 2009
1049 meeting.

1050
1051 **C-7C-09 Roger G. Bowers for McDonald's Corporation:**
1052 Request to conditionally rezone from B-1 Business District to B-2C Business
1053 District (Conditional), part of Parcel 753-747-8509, containing approximately
1054 1.037 acres, located on the west line of N. Parham Road, approximately 230 feet
1055 north of Starling Drive. The applicant proposes to redesign and reconstruct the
1056 existing restaurant (McDonald's) with drive through service. The use will be
1057 controlled by zoning ordinance regulations and proffered conditions. The Land
1058 Use Plan recommends Commercial Concentration.

1059
1060 Mrs. Jones - Is there anyone in the audience who is opposed to the
1061 deferral of C-7C-09, Roger G. Bowers for McDonald's Corporation? Seeing no
1062 opposition, I move that C-7C-09, Roger G. Bowers for McDonald's Corporation,
1063 be deferred to the April 9th meeting at the request of the applicant.

1064
1065 Mr. Vanarsdall - Second.

1066
1067 Mrs. Jones - Motion by Mrs. Jones, seconded by Mr. Vanarsdall.
1068 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

1069
1070 At the request of the applicant, the Planning Commission deferred C-7C-09,
1071 Roger G. Bowers for McDonald's Corporation to its April 9, 2009 meeting.

1072
1073 Mr. Strauss - The second request for deferral is in the Fairfield
1074 District. This is P-5-09, Chet Russell. This is a request for a Provisional Use

1075 Permit to allow a culinary training center. The applicant requests deferral to the
1076 April 9, 2009 meeting.

1077

1078 **P-5-09 Chet Russell:** Request for a Provisional Use Permit
1079 under Sections 24-55(d), 24-120 and 24-122.1 of Chapter 24 of the County Code
1080 in order to allow a culinary training center, on Parcel 784-753-7530, located at
1081 the southeast intersection of Brook Road (U. S. Route 1) and Brookside
1082 Boulevard. The existing zoning is B-2C Business District (Conditional) and B-1
1083 Business District. The Land Use Plan recommends Commercial Arterial. The
1084 site is in the Enterprise Zone.

1085

1086 Mrs. Jones - Is there any opposition to the deferral of P-5-09, Chet
1087 Russell? No opposition.

1088

1089 Mr. Archer - Madam Chair, I move for deferral of P-5-09, Chet
1090 Russell, to the April 9th meeting at the applicant's request.

1091

1092 Mr. Vanarsdall - Second.

1093

1094 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Vanarsdall.
1095 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

1096

1097 At the request of the applicant, the Planning Commission deferred P-5-09, Chet
1098 Russell, to its April 9, 2009 meeting.

1099

1100 Mr. Strauss - Those are all the deferrals that staff is aware of at the
1101 moment.

1102

1103 Mrs. Jones - Are there any other deferrals from the Commission?

1104

1105 Mr. Branin - Mrs. Chairman, I have one that I would like to defer to
1106 the April 9th meeting.

1107

1108 Mr. Vanarsdall - What page is it on, Mr. Branin?

1109

1110 Mr. Branin - It would be on page 2, and the case would be C-8C-
1111 09. There are still some outstanding issues that I would like to address with staff
1112 and the Supervisor before we hear this.

1113

1114 **C-8C-09 James W. Theobald for CP Other Realty, LLC:**
1115 Request to conditionally rezone from B-2C Business District (Conditional) to B-
1116 3C Business District (Conditional), part of Parcel 735-763-7898, containing
1117 approximately 1.680 acres, located on the north line of West Broad Street (U. S.
1118 Route 250) approximately 1,650 feet east of N. Gayton Road. The applicant
1119 proposes a car wash. The use will be controlled by zoning ordinance regulations

1120 and proffered conditions. The Land Use Plan recommends Mixed Use
1121 Development. The site is in the West Broad Street Overlay District.

1122
1123 Mrs. Jones - Is there any opposition to deferral of case C-8C-09,
1124 James W. Theobald for CP Other Realty, LLC? No opposition. Mr. Branin.

1125
1126 Mr. Branin - Madam Chair, I'd like to move that C-8C-09, James
1127 W. Theobald for CP Other Realty, LLC, be deferred to April 9th per Commission
1128 request.

1129
1130 Mr. Vanarsdall - Second.

1131
1132 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Vanarsdall.
1133 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

1134
1135 At the request of the Commission, the Planning Commission deferred C-8C-09,
1136 James W. Theobald for CP Other Realty, LLC, to its April 9, 2009 meeting.

1137
1138 Mr. Emerson - Madam Chairman, that now takes us to the expedited
1139 agenda, which will also be presented by Mr. Jim Strauss.

1140
1141 Mr. Strauss - Thank you, Mr. Secretary. There is one item on the
1142 expedited agenda today. It is on page 2 of the agenda and in the Three Chopt
1143 District. This would be P-19-08, Towne Center West, LLC. This is a request for a
1144 Provisional Use Permit to allow outside dining and extended hours of operation
1145 for a proposed restaurant in the Towne Center West shops. Staff is aware that
1146 the extended hours do not apply to the outside dining area. There are conditions
1147 on page 3 and 4 of your staff report. Staff is recommending approval.

1148
1149 **Deferred from the February 12, 2009 Meeting.**
1150 **P-19-08 Brian Revere for Towne Center West, LLC:**
1151 Request for a Provisional Use Permit under Sections 24-58.2(d), 24-58.2(a), 24-
1152 120 and 24-122.1 of the County Code in order to allow outside dining and
1153 extended hours of operation for a proposed restaurant in the Towne Center West
1154 Shoppes, on part of Parcel 735-764-7344, located approximately 660 feet north
1155 of West Broad Street (U. S. Route 250) approximately 1,200 feet west of its
1156 intersection with N. Gayton Road. The existing zoning is B-2C Business District
1157 (Conditional). The Land Use Plan recommends Mixed Use Development. The
1158 site is in the West Broad Street Overlay District.

1159
1160 Mrs. Jones - Is there anyone here in opposition to P-19-08, Brian
1161 Revere for Towne Center West, LLC?

1162
1163 Mr. Branin - Just for a quick review, Madam Chair. If there are
1164 any questions, the outside dining would be permitted until 10:00. The extended

1165 hours are for the inside so it will be conscious of the neighborhood, the
1166 apartment buildings behind it.

1167
1168 With that, I'd like to move that P-19-08, Brian Revere for Towne Center West,
1169 LLC, be approved on the expedited agenda and move forward to the Board.

1170
1171 Mr. Vanarsdall - Second.

1172
1173 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Vanarsdall.
1174 All in favor say aye. All opposed say no. The ayes have it; the motion passes.

1175
1176 **REASON:** Acting on a motion by Mr. Branin seconded by Mr.
1177 Vanarsdall, the Planning Commission voted 5-0 (one abstention) to recommend
1178 the Board of Supervisors **grant** the request because it is reasonable in light of
1179 the surrounding uses and existing zoning on the property and it would provide
1180 added services to the community.

1181
1182 Mr. Emerson - Madam Chairman, that completes the expedited
1183 agenda as I understand it, and takes us to the first case to be heard this evening.

1184
1185
1186
1187
1188 **Deferred from the February 12, 2009 Meeting.**

1189 **C-5C-09 Guy Blundon for Brook Run Somerset LLC:**
1190 Request to amend proffered conditions accepted with Rezoning Case C-33C-04,
1191 on Parcels 784-749-1627 and 784-748-0982, located on the west line of Brook
1192 Road (U.S. Route 1), approximately 875 feet south of its intersection with Hilliard
1193 Road (State Route 161). The applicant proposes to amend Proffer 2 related to
1194 age restrictions. The applicant proposes to reduce the minimum age restriction
1195 from 62 to 55 and delete Proffer 3 related to enforcement of age restrictions. The
1196 total number of units would remain the same. The existing zoning is R-5C
1197 General Residence District (Conditional). The Land Use Plan recommends
1198 Commercial Concentration and Environmental Protection Area. The site is in the
1199 Enterprise Zone.

1200
1201 Mrs. Jones - Mr. Sehl.

1202
1203 Mr. Sehl - Good evening, Madam Chair.

1204
1205 This is a request to amend a proffer number 2 and remove proffer 3 accepted
1206 with rezoning case C-33C-04. These proffers deal with the age-restricted aspect
1207 of an under-construction multifamily development. Specifically, the applicant is
1208 requesting to remove the requirement that all residents within the apartment
1209 development be at least 62 years of age. The applicant is instead proposing to
1210 reduce the minimum age of residents to 55.

1211
1212 Since this request was deferred by the Commission at its February meeting, the
1213 applicant has submitted revised proffers, which were included in your staff report.
1214 The revised proffers address staff's previous concerns regarding the possibility of
1215 units being leased to those under the age of 55.

1216
1217 The revised proffer also addresses the Department of Public Works' concern
1218 regarding access points for the development. The applicant has limited the
1219 number of units able to be leased to those between the ages of 55 and 62, which
1220 allows the first phase of the development, which is substantially complete at this
1221 time, to continue to operate on one point of access. An emergency access to
1222 Brook Road, located at this location, would be provided at this time.

1223
1224 In conclusion, the requested amendments would provide for a larger pool of
1225 residents and would be consistent with other age-restricted developments in the
1226 county. Staff supports this request. This concludes my presentation. I'd be
1227 happy to answer any questions you have.

1228
1229 Mrs. Jones - I did neglect to ask if there was anyone in the
1230 audience who is in opposition to case C-5C-09, Guy Blundon for Brook Run
1231 Somerset, LLC. Questions for Mr. Sehl from the Commission? All right. Mr.
1232 Archer, would you like to hear from the applicant?

1233
1234 Mr. Archer - Madam Chair, I don't think it's necessary. Mr.
1235 Thornton and I have met with him, along with staff, and he has given the things
1236 that we've requested.

1237
1238 Mrs. Jones - I will tell you this is one case that required reading
1239 over the specifics of the age designations until it was clear exactly what was
1240 being proposed. This is a difficult one.

1241
1242 Mr. Archer - It is, but I think with the new proffer and removing
1243 proffer #3 answers—at least it answers it to my satisfaction that we won't have
1244 applicants under the age of 55. It also gives the applicant a broader opportunity
1245 to have spaces occupied.

1246
1247 Mrs. Jones - I hope it's very successful.

1248
1249 Mr. Archer - We hope so, too.

1250
1251 Mrs. Jones - Any other questions or comments?

1252
1253 Mr. Archer - Madam Chair, with that, I will move that case C-5C-
1254 09, Guy Blundon for Brook Run Somerset, LLC, be sent to the Board with a
1255 recommendation for approval.

1256

1257 Mr. Branin - Second.

1258

1259 Mrs. Jones - Motion by Mr. Archer, seconded by Mr. Branin. All in
1260 favor say aye. All opposed say no. The ayes have it; the motion passes.

1261

1262 **REASON:** Acting on a motion by Mr. Archer seconded by Mr.
1263 Branin, the Planning Commission voted 5-0 (one abstention) to recommend the
1264 Board of Supervisors **grant** the request because the changes do not reduce the
1265 original intended purpose of the proffers and the proffers continue to assure a
1266 quality form of development.

1267

1268 **Deferred from the February 12, 2009 Meeting.**

1269 **C-6C-09 James W. Theobald for 8516 Fordson, LLC:**
1270 Request to conditionally rezone from O-1C Office District (Conditional) and R-3
1271 One-Family Residence District to O-2C Office District (Conditional), Parcels 756-
1272 750-3871 and 756-750-5679 and part of Parcel 756-751-2001, containing
1273 approximately 2.272 acres, located at the northeast intersection of N. Parham
1274 and Fordson Roads. The applicant proposes an expansion of Pembroke Office
1275 Park. The use will be controlled by zoning ordinance regulations and proffered
1276 conditions. The Land Use Plan recommends Office and Suburban Residential 1,
1277 1.0 to 2.4 units net density per acre.

1278

1279 Mrs. Jones - Do we have anyone in the audience in opposition to
1280 C-6C-09, James W. Theobald for 8516 Fordson, LLC? All right. What we'll do is
1281 have the staff report presented, and then our secretary will explain how
1282 discussion with opposition goes along. Okay? Thank you.

1283

1284 Mr. Vanarsdall - Good evening, Mr. Props.

1285

1286 Mr. Props - Good evening. Madam Chair, members of the
1287 Commission, this request is to rezone two parcels totaling 2.272 acres from O-1C
1288 Office District (Conditional) and R-3 One-Family Residence District to O-2C
1289 Office District (Conditional) to permit expansion of the Pembroke Office Park.
1290 The parcels, designated Office and Suburban Residential 1 on the 2010 Land
1291 Use Plan are surrounded by a church, single-family residences, and a Park-N-
1292 Ride facility.

1293

1294 The 2010 Land Use Plan recommends Office on the western parcel and
1295 Suburban Residential 1 on the eastern parcel. The proposed office use, while not
1296 entirely consistent with the 2010 Plan designation of Suburban Residential 1,
1297 would provide for a unified development and be a logical continuation of existing
1298 office uses.

1299

1300 The applicant has proffered a conceptual site plan for a 36,200 square-foot office
1301 building which would face the existing office park and Parham Road, and
1302 includes parking areas to the east and a second point of access to Fordson

1303 Road. Landscape areas consistent with the existing Pembroke Office Park
1304 have been proffered. Additional compatibility and quality assurance features
1305 have been proffered and include: Use restrictions which prohibit banks, savings
1306 and loan establishments, funeral home and undertaking establishments and child
1307 care centers; parking lot lighting limited to a maximum height of 13 feet,
1308 residential in character and restricted foot candles; screening of all mechanical
1309 equipment and meters; and prohibition of outside public address, paging and
1310 speaker systems, and restricted hours of trash pickup, parking lot cleaning, leaf
1311 blowing, and construction.

1312
1313 *Proffered elevations indicate exterior wall surfaces would be predominantly brick*
1314 *with alternate decorative features of EIFS, vinyl, wood, or cementitious siding.*
1315 *This is in keeping with the adjacent office development and would continue*
1316 *appropriate quality assurances established with rezoning case C-46C-91.*

1317
1318 While this request is not entirely consistent with the 2010 Land Use Plan, it does
1319 reflect current land use trends and would provide a logical extension of the
1320 adjacent office development. Also, the submitted proffers provide assurances for
1321 a quality development that mitigates potential impacts on adjacent residential
1322 properties. Staff supports this request. As discussed earlier tonight, these
1323 parcels, as well as several others, have been recommended for re-designation to
1324 Office on the Draft 2026 Comprehensive Plan.

1325
1326 This concludes my presentation and I would be happy to answer any questions.

1327
1328 Mrs. Jones - Are there questions from the Commission? How
1329 would you like to proceed, Mr. Branin?

1330
1331 Mr. Branin - How about we listen to the opposition.

1332
1333 Mrs. Jones - Okay. There are folks here who would like to raise
1334 some opposition to this. If you would go over our procedures, please, Mr.
1335 Emerson.

1336
1337 Mr. Emerson - Yes ma'am, Madam Chair. Under public hearings,
1338 the Commission does set certain time limits in regards to comment and
1339 response. The applicant is allowed 10 minutes to present the request, and time
1340 may be reserved for responses to testimony. In this case, Mr. Branin has
1341 indicated the public will speak first and the applicant will come afterwards.
1342 Opposition is allowed 10 minutes to present its concerns. Commission questions
1343 do not count into the time limits, and that's questions of either party. The
1344 Commission may waive the time limits for either part at its' discretion.

1345
1346 Mrs. Jones - Do you have one person who would like to come
1347 forward, or would you all like to speak? If you don't mind, when you come to the

1348 microphone, please state your name. These comments are being recorded. All
1349 right.

1350

1351 Mr. Cather - My name is John Cather, and I live right across the
1352 street from where this new building is going to be going up. I haven't had a
1353 whole lot of time to prepare to really say anything other than a few concerns
1354 which are major concerns. I've raised five kids in that house. It's a quiet
1355 neighborhood other than maybe some speeding that goes up and down Fordson
1356 Road from time to time. There's quite a bit of traffic that goes up and down
1357 through Fordson Road. That's one of my main concerns. I still have kids that get
1358 on the bus, and it's one busy road. My concern is not only are you going to
1359 increase traffic on Fordson Road, but all the way through the entire
1360 neighborhood—Anoka, Skipwith—where people will be coming from the back
1361 side rather than going through the heavy traffic on Parham Road. Like I said, we
1362 already have a problem on that street now with people exceeding the speed limit.
1363 If I was a traffic cop, I'd be a rich police officer because I could write many tickets
1364 up and down that way.

1365

1366 There are just a lot of things to be concerned about. Waking up every morning to
1367 this huge building right in front of my house is just going to depreciate the value
1368 of my home. It's just going to make my home go up. I've heard a couple say
1369 that, that it will make the value of the home go up. I don't see how that's possible,
1370 but I guess it is. It's just a concern that you're going to have to deal with
1371 construction probably for over a period of a half a year. Right there where the
1372 cars are going to be going in and out, and it's going to be right in front of my
1373 driveway. You have to be very careful when you're backing out and coming out
1374 of my driveway because of the little bit of a hill that comes from the west—As
1375 you're turning off Parham and you're coming up, there's a hill there. If you're not
1376 quick getting out, you could have an accident because people exceed the speed
1377 limit, that's on that road, of 35 miles an hour. Like I said, I have teenagers that
1378 are beginning to drive now. I have a wife, I have myself. It's obvious that there is
1379 going to be more increased traffic in that neighborhood. I just don't understand
1380 how you would build a building so far into a neighborhood.

1381

1382 The Park-N-Ride is here, and then I have a neighbor beside me, and then a
1383 couple other houses, and then you have the two homes—one house that's not
1384 being lived in and has been vacant probably for about a year or two. Then you
1385 have another house, and then you have the rest of the (office) medical buildings
1386 right there. The way they're talking about bringing that building all the way down,
1387 it's going to go past my house. This is a neighborhood, it's not an office. If I
1388 wanted to live in an office complex, I would have moved into a place where I
1389 wouldn't have minded. But this is ridiculous. You have to wake up to this huge
1390 three-story building every day. You're going to have trash pickup; you're going to
1391 have maintenance going there. I don't know if there's going to be traffic going in
1392 there on Saturdays. I mean, Monday through Friday is bad enough, but Saturday
1393 is your weekend. It's going to be more congestion on weekends. It just concerns

1394 me. I have a right to be concerned because I have a family, you know, and I pay
1395 my taxes in Henrico County just like anybody else does. I just don't see the
1396 tangibles of this taking place. It just doesn't make any sense to me. I don't have
1397 anything against progress, you know, and creating jobs, but to have this right in
1398 front of my house.

1399
1400 Mrs. Jones - All right.

1401
1402 Mr. Cather - It's just insane to me. I'm going to have to wake up
1403 every morning and look at this three-story building and a parking lot. I have a
1404 good mind, I guess, to put my house up for sale, if I could even sell it. Are these
1405 people going to be able to guarantee me that I could—if I put a "For Sale" sign in
1406 front of my house that I'm going to be able to sell that house? Is that going to be
1407 a deterrent for me being able to sell my house? Or am I going to be stuck in there
1408 forever. Tell me. Can you guarantee me that I'm going to be able to put my
1409 house up for sale? If I need to sell that house, am I going to be able to move it?
1410 Is it going to depreciate the value of my home?

1411
1412 Mrs. Jones - I think you've raised some very specific points. We'll
1413 have someone respond to that from the applicant. If there's someone else who'd
1414 like to bring some comments up, we have some time for you as well.

1415
1416 Ms. Hammond - This is the newspaper real estate section from—

1417
1418 Mrs. Jones - Excuse me. Could you state your name, please?

1419
1420 Ms. Hammond - Oh, my name is Pat Hammond. From the 22nd of
1421 February. I don't know if you all read the Sunday paper or not, but it's talking
1422 about it's worse than anybody expected for commercial, and it's going to get
1423 worse. Before this came out, I went to CBRE and picked up this brochure,
1424 because I wanted to know exactly how much office space was sitting vacant in
1425 this County before they put another building up on my street. I don't want the
1426 building up—period. In the sublease column, it shows you how much is
1427 available, and this is for the last quarter of '08. That doesn't even take into
1428 consideration now. It's getting worse, and it's going to get worse than it is. We do
1429 not need another office building in Henrico County. This is out of a national
1430 magazine saying that the home mortgage is going to spill over into commercial. I
1431 don't know if anybody reads national magazines or not, but I have it right here. I
1432 don't know if Dr. Cametas is the only person in the County that you people care
1433 about, but I pay my taxes like he pays his, and all these people here. This is a
1434 residential neighborhood, and we are as mad as we can be. You got that? I ask
1435 this man here, Three Chopt District, Tommy Branin, I asked him at the last
1436 meeting how much space was available in Henrico County, and he said, "Oh, not
1437 much." So, I set out to prove that there is a lot of space available. Do you people
1438 not care about the people that already own these buildings that are trying to rent
1439 this space? They're having to come down on their rent. That's been in the paper,

1440 too. So, you know, you can put the building up there if you want to, because I
1441 know you all have the power. But it is not right.

1442
1443 Mrs. Jones - Thank you.

1444
1445 Ms. Hammond - It is not right to the people that already have a
1446 standing building, empty, and have to lower their rate so they can rent it out.
1447 Suppose you owned that building?

1448
1449 Mrs. Jones - Thank you, Ms. Hammond. What we'll do is have the
1450 folks who are proposing this address some of your points as well.

1451
1452 Male - How much time is left?

1453
1454 Mr. Emerson - It should be about three minutes, but it's been running
1455 as people come up and down.

1456
1457 Mr. Brooking - My name is Charlie Brooking. I live next door to the
1458 site.

1459
1460 Mrs. Jones - I'm sorry, sir, I didn't hear your name.

1461
1462 Mr. Brooking - I'm Charlie Brooking. I live next door to the site. I
1463 kind of canvassed the neighborhood just to get a feel for the neighbors on our
1464 street, and the one behind it. I have 40 people here that signed a paper against
1465 it—I don't know whether that would help—if you'd like to see it. Would you like
1466 to?

1467
1468 Mrs. Jones - You're welcome to have a staff member bring it up.
1469 Okay. Would you like to make some points—

1470
1471 Mr. Brooking - Out of everybody there, there was maybe less than
1472 5% against it—I mean for it. It's like 90% of the people that I went to the door,
1473 there were only two people that wanted it.

1474
1475 Mrs. Jones - Do you have several points you want to make about
1476 what their objections were?

1477
1478 Mr. Brookings - No, I just wanted to tell you all, that they were all the
1479 neighbors around there.

1480
1481 Mrs. Jones - All right. Thank you. Is there anyone else who would
1482 like to make a comment about the project? Before we have the applicant come
1483 up to address some of the concerns, I do want to assure you that the proposals
1484 that come before us are given all due consideration for all sides of the issue. It is

1485 our job to consider every project that's put before us in light of its impact, and in
1486 light of its potential. I just want to assure you that is how we try to operate here.

1487
1488 Female - [Off mike – inaudible.]

1489
1490 Mrs. Jones - Not at the moment.

1491
1492 Mr. Vanarsdall - *We don't need that.*

1493
1494 Mrs. Jones - Mr. Branin, how would you like to proceed? Would
1495 you like to hear from the applicant?

1496
1497 Mr. Theobald - Fred, is that PowerPoint at the bottom? There we go.
1498 Thank you, sir. Chairman, ladies and gentlemen, my name is Jim Theobald and
1499 I'm here this evening on behalf of 8516 Fordson LLC, the principals of which are
1500 Dr. John Cametas, Stephanie Cametas, and Greg Koontz, who is here also as
1501 our engineer and can perhaps also answer any questions. It's a request to
1502 rezone to O-2 classification. A portion of the property is already zoned O-1, and
1503 a portion R-3. It doesn't seem to be advancing here for some reason. There we
1504 go. Okay.

1505
1506 This is the existing office park, Pembroke Office Park. It was originally
1507 constructed and zoned in 1986. It's one of the best examples of suburban office
1508 buildings in Henrico County. It's been very popular. You're aware of the Georgian
1509 brick appearance of those buildings, and the properties we're dealing with tonight
1510 are basically next door in this area. As you will see, there is already office zoning.
1511 There's a Patient First site over here, and an office building. But by far, the
1512 largest impact on this area is this Park-N-Ride lot in here behind these homes.

1513
1514 You see the plan, and we've taken care to turn this building so that the shorter
1515 side actually faces Fordson Road and these homes over here, rather than the
1516 long side. The long side has been turned internally into the property. As a result
1517 of the comments raised both at the meeting and prior to the meeting by citizens,
1518 *we have moved this building further back from Fordson Road, and further to the*
1519 *west away from the property owners over here.*

1520
1521 You've seen the elevations. We've proffered that this is predominantly brick,
1522 which is what you see before you. The idea is to make these consistent with the
1523 buildings that are already there. A great deal of care has been taken with the
1524 architecture—pitched roof, et cetera. It was designed to blend in with the existing
1525 office park.

1526
1527 You've heard the proffers summarized, and I won't go back through those again.
1528 I will tell you that since the meeting, however, we have moved the building back
1529 and over, we've increased the setback from the eastern property line to 90 feet.
1530 We've reduced the height of the proffered building from 45 feet to 35 feet, and we

1531 have committed to landscaping and lighting restrictions, as well as hours of
1532 construction, trash removal, et cetera. We do have support of the Trinity Lutheran
1533 Church. You should have a copy of that letter that Mr. Props has passed out to
1534 you. So, we've attempted to mitigate the proposed impacts of this office building
1535 on the neighborhood. It's been my experience that rather than devaluing
1536 properties in the area, that office buildings in a suburban setting like this have
1537 actually increased value, and have been found to be very desirable transitional
1538 neighbors. Witness Innsbrook, the Arboretum in Chesterfield, and a host of
1539 others which often include an office component next to residential. In fact, keep
1540 in mind the transitional buffer requirements of Henrico County between
1541 residential and office are but ten feet, which we have exceeded very significantly
1542 with regard to this case.

1543

1544 Dr. Cametas is very optimistic about proceeding with building this building. This
1545 is, obviously, a multi-million dollar investment, and he's making a commitment
1546 and betting on the fact that people want to be in his complex, and is prepared to
1547 not only seek these approvals, but to move forward.

1548

1549 I'm very happy to answer any questions you might have. I would respectfully ask
1550 that you recommend approval of this case to the Board of Supervisors.

1551

1552 Mr. Branin - I have no questions for Mr. Theobald. I do have one
1553 for Traffic.

1554

1555 Mrs. Jones - Well, Mr. Theobald, don't leave.

1556

1557 Mr. Theobald - Yes ma'am.

1558

1559 Mrs. Jones - I did have a question. You did address home value.
1560 Would you please mention the specifics of the construction issues?

1561

1562 Mr. Theobald - Yes ma'am.

1563

1564 Mrs. Jones - How you've tried to mitigate some of those.

1565

1566 Mr. Theobald - We have included proffer #12 that limits the hours of
1567 exterior construction including the operation of bulldozers and earth-moving
1568 equipment to the hours between 7:00 a.m. and 7:00 p.m. Monday through
1569 Saturday, except in certain emergencies like if you're in the middle of a concrete
1570 pour, et cetera. No construction whatsoever on Sundays. We have agreed to
1571 post those restrictions in both English and Spanish to make sure that all workers
1572 are aware of it. So, we've tried to be respectful of the neighborhood in that
1573 regard.

1574

1575 Mrs. Jones - Just so that folks are clear, there are restrictions as
1576 well that are ongoing once the complex would be built, as for trash pickup—

1577
1578 Mr. Theobald - Trash removal is limited to the hours of between 7:00
1579 a.m. and 8:00 p.m. Monday through Friday, and 9:00 a.m. to 8:00 p.m. on
1580 Saturday. No trash pickup on Sundays. Parking lot cleaning and any leaf
1581 blowing are limited to 7:00 a.m. to 8:00 p.m. exclusive of snow removal.

1582
1583 Mrs. Jones - All right. There was also a question raised, if you
1584 wouldn't mind addressing it. Why is it necessary to have any more office space
1585 built when there are vacancies available? I think that's a question the public
1586 thinks about a lot, and I think it deserves an answer from the perspective of your
1587 client.

1588
1589 Mr. Theobald - I'm happy to answer that. Obviously, that's not one of
1590 the factors that can be taken into account when considering a rezoning request in
1591 that we have the ability still to build things without demonstrating necessarily the
1592 need. I can promise you Dr. Cametas is not a person who over his career has
1593 been willy-nilly about investing money. To the contrary, he's invested millions of
1594 dollars in the office buildings that are there, and millions more in this. And while
1595 there are vacancies, for instance, in Innsbrook, they are largely the result of a
1596 major corporation moving—the Land Americas, the Circuit City's, the Genworth's
1597 of the world. And while certainly the economy has impacted smaller tenants,
1598 these buildings are for smaller users. These are the kinds of people—the
1599 insurance companies and the office users—who just need a little bit of space.
1600 This is not going to be rented out to a Capital One, so that he's exposed, if you
1601 will, to a single tenant coming in and out. Just think about other small office
1602 buildings in all of your districts. Those small complexes for offices, whether
1603 they're flex space or general office, they're actually doing pretty good. It's the big
1604 ones that are getting kind of wiped at the moment. So, that's my take.

1605
1606 Mrs. Jones - The only other question I have that was raised by the
1607 citizens that I didn't hear you touch on is to come out of the front door and to see
1608 an office building. How does your client propose to soften that effect for the
1609 residents?

1610
1611 Mr. Theobald - Well, the building has been turned so that the narrow
1612 side is here (pointing to concept plan), and we've been asked to provide some
1613 streetscape along Fordson Road. We've agreed to provide that. It'll be planted to
1614 a transitional buffer 10 standard. It was not as much designed to screen as it was
1615 to provide some aesthetics in that area. So, that has been committed by proffer.
1616 This will replace two rental homes that are currently on these properties.

1617
1618 Mrs. Jones - Thank you.

1619
1620 Mr. Theobald - You're welcome.

1621
1622 Mrs. Jones - Traffic generation?

1623
1624 Mr. Branin - Traffic and speeding.
1625
1626 Mr. Jennings - Good evening. I'm Mike Jennings, Traffic Engineer for
1627 Henrico County.
1628
1629 Mr. Branin - Mr. Jennings, when this case had a neighborhood
1630 meeting, we spoke shortly after and I asked a couple of different things. Speed
1631 counts, speeding tickets, how we can increase patrols out there and is that
1632 possible. Also, a U-turn sign that was on Parham that's no longer on Parham;
1633 that was brought up at the meeting. Can you address traffic, what traffic this
1634 building will generate for the neighborhood, and the U-turn sign for me?
1635
1636 Mr. Jennings - Okay. This additional building will generate about 800
1637 vehicles per day, which will mean we'd be using the intersection of Parham and
1638 Fordson. To look at their concerns about speeding in the neighborhood and cut-
1639 through traffic, we do have a traffic calming program in the County. I can work
1640 with the citizens. It's a several-phase program where we can look at slowing
1641 people down. That is a good approach to this area. Last time we actually did
1642 speed counts on that street was back in 2005, and they were going above the
1643 posted speed limit at that time. There wasn't a lot of cut-through traffic at that
1644 time, but we can do more recent studies and see what's happening out there.
1645
1646 The "No U-Turn" sign that you addressed, we took that sign down in May of
1647 1986. Since that time, it has not been a problem. There is adequate sight
1648 distance. I'm concerned about putting that sign back up, which would cause more
1649 congestion and U-turn movements on Fordson, and also additional cut-through
1650 traffic through the neighborhood to get over to the church and the Lansdowne
1651 area residences. So, my recommendation is to leave it not restricted to allow the
1652 U-turns.
1653
1654 Mr. Branin - From what I understand from the people that live on
1655 Fordson, what that is creating is actually traffic backup, because as they are
1656 trying to come onto Parham from Fordson, with all the U-turns, it's backing the
1657 Fordson traffic up and not allowing it to flow freely.
1658
1659 Mr. Jennings - That probably will happen at certain times of the day,
1660 maybe during a church service or something, but for the most part, like any
1661 intersection, a U-turn on the major movement has the right-of-way.
1662
1663 Mr. Branin - Does Henrico—
1664
1665 Mr. Jennings - I honestly think it would be more of a problem with
1666 people attempting the U-turns on Fordson, or continuing through the
1667 neighborhood. It would generate more cut-through traffic, which, you know, they
1668 were against. Yes sir?

1669
1670 Mr. Branin - I'd like to sit down and discuss that, and possibly do it
1671 in the neighborhood because I hear you and I understand what you're saying, but
1672 for people that have lived in that neighborhood for 20 or 30 more years, and
1673 they're saying we have more issues now that the sign is gone than we did prior to
1674 the sign, I would have to lean more towards their opinion than us coming out one
1675 afternoon and looking.
1676
1677 Mr. Jennings - I have never received a complaint within my
1678 department, but I can look at it with you, and I can do some further studies, and
1679 actually make some counts and some observations out on the road.
1680
1681 Mr. Branin - Mr. Cather, there was a gentleman, a young
1682 gentleman that lived on Fordson. Do you know his name? He was at the
1683 meeting, the neighborhood meeting. No, no, no. The real young guy, probably—
1684 [unintelligible] in any fashion, nor would I ever claim that. But no, he was
1685 probably like 23.
1686
1687 Mr. Cather - [Off mike.] Probably Jason [inaudible].
1688
1689 Mr. Branin - Okay. I was hoping to see him because he said he
1690 was very interested in being active in the traffic calming. So, can I ask a favor of
1691 you, because this is my traffic-calming guy (Mike Jennings). If he gives you a
1692 card, could you pass that on so he can give him a call, and they can get the e-
1693 mail thing, and help generate, because it has to be a community-activated thing.
1694 We can't activate it.
1695
1696 Mr. Cather - [Off mike.] [Inaudible] U-turn [inaudible].
1697
1698 Mr. Branin - And you all know a lot better, and that's why we're still
1699 going to address that. You're going to get a notification probably in the next
1700 month that I'd like to meet at possibly the church where we met before and
1701 address traffic. If you wouldn't mind. I'd appreciate it.
1702
1703 Mr. Cather- [Off mike.] Yes sir.
1704
1705 Mr. Branin - That's all I have on traffic. Madam Chair?
1706
1707 Mrs. Jones - Has there been—I'm sorry, Mr. Jennings. Have there
1708 been complaints generated about the office traffic? Not necessarily just
1709 speeding, but office traffic in general from the already-developed part of the office
1710 park? Has that ever been a problem?
1711
1712 Mr. Jennings - I have not received any complaints on that.
1713
1714 Mrs. Jones - All right Thank you.

1715

1716 Mr. Vanarsdall - Before you have your motion, I'd like to say a few
1717 words. For those of you in opposition tonight, I understand your opposition really
1718 well. For the lady who dressed us down and we have the power—we have the
1719 authority and the obligation and the duty. That's the power we have. As far as the
1720 empty buildings all over the county and then we're building more? That's called
1721 free enterprise. Free enterprise has its drawbacks just as longevity has its
1722 drawbacks. But we would never want to do away with it. Now, here is what I
1723 would suggest to do if you ever have another house. Find out before you buy
1724 that house what the land is zoned around it, and what the comprehensive plan is
1725 of the county. Just like tonight, we had a meeting before you came in. That's
1726 what it's all about. Every city, town, village, and county has a planning
1727 commission. The Planning Commission is to take the politics out of zoning. We
1728 have an obligation; we don't legislate. The Board legislates. We make
1729 recommendations. We have the obligation to do that the way we see it. An
1730 individual or a company who owns property has the right to develop it according
1731 to the way they want it, and according to the laws of the land. This property on
1732 the Comprehensive Land Use Plan is designated Office. I know you don't want
1733 it, and what I'm telling you won't keep you from seeing the building, but it might
1734 just make you understand it a little bit better. You should keep up, you should
1735 come to meetings when we have the Comprehensive Plan, and whenever you
1736 can, check out what you're moving next door to, across the street, and so forth. I
1737 think it will help. I'm just trying to help you. That's where we are tonight. We
1738 forward this to the Board of Supervisors with a recommendation, either denial or
1739 approval. They take it from there. So, 30 days from now, I suggest you come
1740 before the Board, if you wish, and see what they say about it. We're not trying to
1741 put a hardship on anybody. I have things around my home I wish weren't there. I
1742 have no control over that either. Thank you.

1743

1744 Mrs. Jones - Are there any other questions or comments from the
1745 Commission?

1746

1747 Mr. Branin - Again, Mr. Jennings, if you could set up a meeting in
1748 the next couple of weeks, please. Madam Chair, I'd like to move that C-6C-09,
1749 James W. Theobald for 8516 Fordson, LLC, move forward with a
1750 recommendation for approval to the Board of Supervisors.

1751

1752 Mr. Vanarsdall - Second.

1753

1754 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Vanarsdall. All
1755 in favor say aye. All opposed say no. The ayes have it; the motion passes.

1756

1757 **REASON:** Acting on a motion by Mr. Branin seconded by Mr.
1758 Vanarsdall, the Planning Commission voted 5-0 (one abstention) to recommend
1759 the Board of Supervisors grant the request because it would not adversely affect
1760 the adjoining area if properly developed as proposed, the proffered conditions will

1761 provide appropriate quality assurances not otherwise available and the proffered
1762 conditions should minimize the potential impacts on surrounding land uses.

1763

1764 Mr. Emerson - Madam Chair, that takes us to the next item on your
1765 agenda, which is at the top of page three. This is a discussion item regarding the
1766 consideration of a resolution recommending the Draft 2026 Comprehensive Plan
1767 with the changes that you approved tonight to the Board of Supervisors. I did
1768 just pass out a resolution, which is entitled Resolution 2026 Comprehensive Plan
1769 PCO 1-09. It reads as follows:

1770

1771 Whereas Section 15.2-2223 of the Code of Virginia requires local planning
1772 commissions to prepare and recommend a comprehensive plan for the
1773 physical development of the territory within their jurisdictions, and whereas
1774 in preparation of the 2026 Comprehensive Plan, the Department of Planning
1775 staff conducted a series of studies, including existing growth trends,
1776 probable future needs, and desirable services to enhance the quality of life
1777 for the County's residents and business, and whereas, the Plan includes
1778 goals, objectives and policies to provide guidance to those making land-use
1779 decisions, and whereas the Plan with its supporting appendices is
1780 comprehensive in scope in addressing future land use, community
1781 character, special focus areas, natural resources, recreation, parks, open
1782 space, and cultural resources, transportation and public facilities and
1783 utilities, and whereas, County staff has incorporated extensive public
1784 outreach and public participation through the process, including a
1785 community survey, a dedicated website for Plan updates, a series of open
1786 houses and work sessions with the Planning Commission and the Board of
1787 Supervisors, and whereas, the Planning Commission held a public hearing
1788 on January 22, 2009, and subsequently reviewed public comments on the
1789 Plan, and whereas, the Planning Commission finds that the Plan meets all
1790 requirements set forth in the Code of Virginia, and will serve as an important
1791 planning tool to guide the physical development of Henrico County in a
1792 manner that is fiscally responsible, and will promote the health, safety, and
1793 welfare of its citizens. Now therefore be it resolved that the Henrico County
1794 Planning Commission recommends the Plan be forwarded to the Board of
1795 Supervisors for adoption.

1796

1797 Of course, this is following your earlier work session. Assuming that you're
1798 comfortable with what you've done thus far, the staff would like you to consider
1799 this resolution.

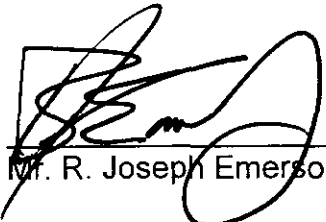
1800

1801 Mr. Vanarsdall - I'll speak for me. I don't know of anything else that
1802 can be done. I think it should be moved forward to the Board. I think you told me
1803 the other day the Board could take it up in May if we send it on now.

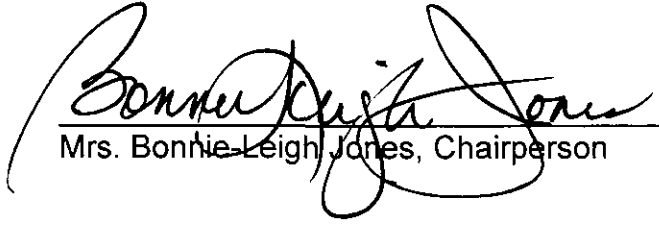
1804

1805 Mr. Emerson - Yes sir, that's possible, depending upon their
1806 availability.

1807
1808 Mr. Vanarsdall - If no one has any objection, I move that we
1809 recommend it to the Board of Supervisors for approval.
1810
1811 Mr. Branin - Second.
1812
1813 Mrs. Jones - We do have a motion for the resolution by Mr.
1814 Vanarsdall. We have a second by Mr. Branin. All in favor say aye. All opposed
1815 say no. The ayes have it; the motion passes. The resolution is adopted.
1816
1817 Mr. Emerson - Thank you very much. Now more work comes, so just
1818 be prepared. Quite a bit coming your way.
1819
1820 Mrs. Jones - It's still not finished now.
1821
1822 Mr. Vanarsdall - Oh, I'm sorry.
1823
1824 Mrs. Jones - Do you have a comment?
1825
1826 Mr. Vanarsdall - No. I have one for misses—I keep calling her
1827 Clooney because it's Rosemary. Rosemary Clooney.
1828
1829 Mrs. Jones - You may make your comment. Ms. Deemer.
1830
1831 Mr. Branin - Make your comment to Ms. Clooney.
1832
1833 Mr. Vanarsdall - I know you're saying your prayers tonight—thank
1834 God. It's not over yet, though, is it.
1835
1836 Mr. Emerson - Not by a long shot. Madam Chair, you do have
1837 another item, actually two items including your adjournment motion, on your
1838 agenda. You do have minutes to approve for the CIP Presentation of February
1839 12th, and also the regular Planning Commission meeting of February 12th.
1840
1841 Mrs. Jones - Let's take these one at a time. Do we have any
1842 additions or corrections to the CIP Presentation of February 12th? I am
1843 embarrassed that I haven't read them.
1844
1845 Mr. Branin - I have to admit I only read mine.
1846
1847 Mrs. Jones - All right.
1848
1849 Mr. Jernigan - I only read mine once.
1850
1851 Mrs. Jones - Do I have a motion that we approve the minutes of
1852 the CIP Presentation?

1853
1854 Mr. Archer - So moved, Madam Chair.
1855
1856 Mrs. Jones - All right. Mr. Archer has moved.
1857
1858 Mr. Jernigan - Second.
1859
1860 Mrs. Jones - Mr. Jernigan has seconded. All in favor say aye. All
1861 opposed say no. The ayes have it; the motion passes.
1862
1863 Do we have corrections or additions to the Planning Commission minutes for
1864 February 12th? I'll entertain a motion.
1865
1866 Mr. Branin - I move for approval.
1867
1868 Mr. Archer - Second.
1869
1870 Mrs. Jones - Motion by Mr. Branin, seconded by Mr. Archer. All in
1871 favor say aye. All opposed say no. The ayes have it; the motion passes.
1872
1873 Unless there is any new business—
1874
1875 Mr. Emerson - None that I have. I guess I would like to clarify. Mr.
1876 Donati, I assume you want to be reflected as an abstention on the resolution.
1877
1878 Mr. Donati - Absolutely, yes.
1879
1880 Mrs. Jones - Any other business to come before the Commission?
1881
1882 Mr. Archer - Madam Chair, there being none, I move for
1883 adjournment.
1884
1885 Mr. Branin - Second.
1886
1887 Mrs. Jones - Motion by Mr. Archer, second by Mr. Branin. All in
1888 favor say aye. All opposed say no. The ayes have it; the motion passes.
1889
1890 The meeting adjourned at 7:49 p.m.
1891
1892
1893
1894
1895 
1896 _____
1897 Mr. R. Joseph Emerson, Jr., Secretary
1898

1899
1900
1901
1902
1903
1904
1905



Mrs. Bonnie-Leigh Jones, Chairperson