

1 Minutes of the regular monthly meeting of the Planning Commission of the
2 County of Henrico held in the County Administration Building in the Government
3 Center at Parham and Hungary Spring Roads, beginning at 7:00 p.m. Thursday,
4 October 14, 2010. Display Notice having been published in the Richmond Times-
5 Dispatch on September 23, 2010 and September 30, 2010.

6
Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairman (Brookland)
Mr. C. W. Archer, Vice Chairman C.P.C. (Fairfield)
Mr. Tommy Branin (Three Chopt)
Mr. E. Ray Jernigan, C.P.C., (Varina)
Mrs. Bonnie-Leigh Jones (Tuckahoe)
Ms. Jean Moore, Assistant Director of Planning,
Acting Secretary
Mr. David Kaechele, Board of Supervisors Representative

Member Absent: Mr. R. Joseph Emerson, Jr., Director of Planning

Also Present: Mr. James P. Strauss, CLA, Principal Planner
Ms. Rosemary Deemer, AICP, County Planner
Mr. Livingston Lewis, County Planner
Mr. Roy Props, County Planner
Ms. Lisa Taylor, County Planner
Mr. Ben Blankinship, Principal Planner
Mr. Mike Jennings, Traffic Engineer, Public Works
Ms. Sylvia Ray, Recording Secretary

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

10
11 Mr. Vanarsdall - Good evening everyone and welcome to the Henrico
12 County Planning Commission. I welcome the Planning Commissioners, and Mr.
13 Kaechele. Welcome to you.

14
15 Mr. Kaechele - Thank you.

16
17 Mr. Vanarsdall - Is anyone from the press here? There usually isn't.
18 Now I would like to ask everyone to stand and pledge of allegiance to our Flag.

19
20 Thank you. Good evening to staff over on the right. I'll turn the meeting over now
21 to our secretary, Ms. Jean Moore.

22
23 Ms. Moore - Yes sir. Thank you, Mr. Chairman. We do have all the
24 members of the Planning Commission present this evening and we do have a full
25 quorum. We also have a few deferrals and Mr. Strauss will be going over those
26 with you.
27

28 Mr. Vanarsdall - Good evening, Mr. Strauss.

29

30 Mr. Strauss - Good evening. The first order of business would be
31 deferrals and withdrawals. Staff is aware of one deferral this evening; it's on page
32 two of the agenda. It is case P-11-10 in the Varina District, SS Acquisitions, LLC.
33 This is a request for a provisional use permit for extended hours of operation for
34 a proposed restaurant and a 24-hour operation. The applicant is requesting a
35 deferral to the November 10, 2010, meeting. You will need to take action on that
36 item.

37

38 **P-11-10 Glenn R. Moore for SS Acquisitions, LLC:** Request
39 for a provisional use permit under Section 24-58.2(a) of Chapter 24 of the County
40 Code for extended hours of operation on Parcel 816-714-1137 containing
41 approximately 1 acre located along the west line of S. Laburnum Avenue,
42 approximately 300 feet north of its intersection with Williamsburg Road (U.S.
43 Route 60). The applicant proposes a restaurant with 24-hour operations. The
44 existing zoning is B-2 Business District and B-3 Business District. The Land Use
45 Plan recommends Commercial Concentration. The site is in the Airport Safety
46 Overlay District and the Enterprise Zone.

47

48 Mr. Vanarsdall - Any opposition to the deferment of P-11-10, Glenn R.
49 Moore for SS Acquisitions, LLC? No opposition.

50

51 Mr. Jernigan - Mr. Chairman, with that I will move for deferral of case
52 P-11-10, Glenn R. Moore for SS Acquisitions, LLC, to November 10, 2010, by
53 request of the applicant.

54

55 Mr. Branin - Second.

56

57 Mr. Vanarsdall - Motion by Mr. Jernigan, second by Mr. Branin. All in
58 favor say aye. All opposed say no. The ayes have it; the motion passes.

59

60 At the request of the applicant, the Planning Commission deferred P-11-10,
61 Glenn R. Moore for SS Acquisitions, LLC, to its meeting on November 10, 2010.

62

63 Ms. Moore - Mr. Secretary, next is the consideration of expedited
64 items on the agenda. These are items that are minor in nature and the staff
65 report is clean. Therefore staff has no concerns and we have no indications of
66 concerns from any residents or businesses. Mr. Strauss has one of those, I
67 believe.

68

69 Mr. Strauss - Yes. Staff is aware of one request for expedited
70 approval this evening and it's in the Brookland District on page two of the
71 agenda. This is case C-6C-10, Kneading Therapy, Inc. This is located at the
72 southeast intersection of Springfield Road (State Route 157) and Huron Avenue.
73 It's a request to amend proffered conditions accepted with rezoning case C-36C-

74 92 on parcel 755-758-3580. This is a request for amendments to Proffer 1(a)
75 related to landscape buffers, Proffer 5(a) related to permitted uses, and Proffer 6
76 related to hours of operation. The amendments to Proffer 1(a) would allow an
77 ingress/egress point on Old Springfield Road. The amendments to Proffer 5(a)
78 would allow a certified massage therapist to practice where originally only a
79 bridal apparel shop and O2 uses were allowed. And finally, the amendment to
80 Proffer 6 allow businesses to open at 8 a.m. instead of 9 a.m. Monday through
81 Saturday, and Sunday 9 to 5. Staff is not aware of any opposition and we are
82 recommending approval.

83
84 **(Deferred from the July 15, 2010 Meeting)**

85 **C-6C-10 Carol LeRoy for Kneading Therapy, Inc.:** Request
86 to amend proffered conditions accepted with Rezoning Case C-36C-92 on Parcel
87 755-758-3580, located at the southeast intersection of Springfield Road (State
88 Route 157) and Huron Avenue. The applicant proposes to amend Proffer 1(a)
89 related to landscaped buffers, amend Proffer 5(a) related to permitted uses, and
90 amend Proffer 6 related to hours of service. The existing zoning is B-2C. The Land
91 Use Plan recommends Commercial Arterial.

92
93 Mr. Vanarsdall - Any opposition to the case C-6C-10, Carol LeRoy for
94 Kneading Therapy, Inc.? It gives me great pleasure to recommend this to the
95 Board of Supervisors. Mrs. Carol LeRoy of Kneading Therapy is in the audience
96 tonight. We've been trying a long time to get this done. So with that, I recommend
97 C-6C-10, Carol LeRoy for Kneading Therapy, Inc., be recommended to the Board
98 of Supervisors for approval.

99
100 Mr. Branin - Second.

101
102 Mr. Vanarsdall - Motion by Mr. Vanarsdall, second by Mr. Branin. All in
103 favor say aye. All opposed say no. The ayes have it; the motion passes.

104
105 **REASON:** Acting on a motion by Mr. Vanarsdall seconded by Mr.
106 Branin, the Planning Commission voted 5-0 (one abstention) to recommend the
107 Board of Supervisors **grant** the request because the change in business use is
108 consistent with the Land Use Plan recommendations and it is not expected to
109 adversely impact surrounding land uses in the area.

110
111 Mr. Strauss - That completes the expedited agenda for this evening.

112
113 Ms. Moore - Mr. Chairman, that brings us to the first item of you
114 agenda on page one in the Varina District.

115
116 **C-16C-10 Robert M. Atack for KCA/Camp Hill Investments,**
117 **LC:** Request to amend proffered condition accepted with Rezoning Case C-18C-
118 05, on Parcels 833-686-7681 and 832-688-9219 and part of Parcels 833-686-
119 5297 and 829-681-6852 located along the north line of New Market (State Route

120 5) and Long Bridge Roads between the east line of Turner Road and the west
121 line of Yahley Mill Road. The applicant proposes to amend Proffer 25 to alter the
122 timing of construction for recreational amenities. The existing zoning is R-2AC
123 One-Family Residence District (Conditional). The Land Use Plan recommends
124 Suburban Residential 1, density not to exceed 2.4 units per acre. A portion of the
125 site is in the Airport Safety Overlay District.

126

127 Mr. Vanarsdall - Any opposition to C-16C-10, Robert M. Atack, for
128 KCA/Camp Hill Investments? Good evening, Mr. Sehl.

129

130 Mr. Sehl - Good evening Mr. Chairman, members of the
131 Commission. This request is to amend Proffer 25 accepted with rezoning case C-
132 18C-05, which rezoned the subject property to R-2AC to allow a single-family
133 residential development. Other property within the proposed development was
134 rezoned C-1C, A-1C, and B-2C as part of that request.

135

136 The proffers accepted with C-18C-05 required the Manor House —shown in the
137 slide here—to be constructed within 12 months of the first certificate of occupancy
138 on the property. The proposed pools and cabana house are required to be
139 constructed by the time the 200th certificate of occupancy is issued. Timing for
140 other amenities, such as recreational fields and tot lots, is not specified in the
141 proffers.

142

143 The applicant proposes to amend the timing for the construction of the Manor
144 House. Instead of being built within one year of the first CO, construction would
145 instead follow the same timeline as the pools and cabana house. The Manor
146 House would therefore be constructed prior to the issuance of the 200th CO on the
147 property.

148

149 Because the level of amenities is not being reduced, and because the timeline
150 proposed for the Manor House is consistent with the timing specified for other
151 amenities in the proffers accepted with C-18C-05, staff supports this request.
152 However, staff does note the amendment could mean no amenities are
153 constructed within the community for an extended period of time, and the applicant
154 is encouraged to provide some level of amenities for early residents of the
155 development as soon as economically feasible.

156

157 I'd be happy to answer any questions you might have.

158

159 Mr. Vanarsdall - Any questions for Mr. Sehl by Commission members?

160

161 Mr. Jernigan - I don't have any, Mr. Chairman.

162

163 Mr. Vanarsdall - Mr. Jernigan?

164

165 Mr. Jernigan - I don't need to hear from the applicant. I fully
166 understand this. When this case came through, times were really good and a lot
167 of building was going on. This just throws the Manor House in line will all the
168 other amenities that will be built. With that, I will move for approval of case C-
169 16C-10, Robert M. Atack, for KCA/Camp Hill Investments, to send it to the Board
170 for their approval.

171
172 Mr. Branin - Second.

173
174 Mr. Vanarsdall - Motion by Mr. Jernigan and second by Mr. Branin. All
175 in favor say aye. All opposed say no. The ayes have it; the motion passes.

176
177 **REASON:** Acting on a motion by Mr. Jernigan seconded by Mr.
178 Branin, the Planning Commission voted 5-0 (one abstention) to recommend the
179 Board of Supervisors grant the request because the changes do not greatly
180 reduce the original intended purpose of the proffers and it was determined to be
181 reasonable.

182
183 **C-17C-10 Larry Horton for New Market Village Development**
184 **Company, LLC:** Request to amend proffered conditions accepted with Rezoning
185 Case C-79C-05, and amended with C-15C-09, on Parcels 812-701-4052, -3753,
186 -3355, -3156, -2757, -5849, -5450, -5150, -8519, -8623, -8726, -8830, -8233,
187 -8130, -8026, -7923, -5542, -5438, -5335, -5232, -3133, -3237, -3340, -3443,
188 -3547, -5027, -4923, -4820, -4717, -5312, -5415, -5519, -5622, -7615, -7512,
189 -7409, -7305, -8108, -8211, -8314, -2146, -3371, -3578, -3785, -4192, -6095,
190 -7391, -8385, -9958, -4979, -6277, -6874, -7572, -8069, -8766, -7760, -6565,
191 -5967, -5268, -4569, -7581, 813-701-0279, -0878, -0164, 812-700-8596, and part
192 of Parcel 812-700-4749 located along the south line of Darbytown Road
193 approximately 300 feet west of its intersection with S. Laburnum Avenue. The
194 applicant proposes to amend Proffers 1, 3, and 17 related to roofing shingles,
195 house size, and sod and irrigation systems. The existing zoning is RTHC
196 Residential Townhouse District (Conditional) and R-5AC General Residence
197 District (Conditional). The Land Use Plan recommends Urban Residential and
198 Environmental Protection Area. The site is in the Airport Safety Overlay District.

199
200 Mr. Vanarsdall - Is there any opposition to case C-17C-10, Larry
201 Horton for New Market Village Development Company, LLC? No opposition.

202
203 Mr. Props - Good evening Mr. Chairman, members of the
204 Commission. This is a request to amend proffers accepted with rezoning case
205 C-79C-05, and further amended by case C-15C-09. Generally bounded by South
206 Laburnum Avenue, and Wilson and Darbytown Roads, the site is currently being
207 developed as New Market Village with both zero lot line homes and townhomes.
208 Thirteen recorded lots have been excluded from this request because they have
209 either been sold or are being developed.

210

211 The applicant is proposing to amend Proffer 1 to add 30-year dimensional
212 shingles to all residential units and Proffer 17 reinstates sod and irrigation
213 requirements for the back yards of the RTHC units. As proposed, Proffer 3
214 would reduce the minimum finished floor area for R-5AC homes from 2,000 to
215 1,800 square feet and for RTHC units from 1,900 to 1,600 square feet. RTHC
216 units have also been proffered to a new minimum width of 28 feet. All other
217 proffers accepted with C-79C-05 and C-15C-09 have been restated and would
218 remain in force.

219

220 The 2026 Comprehensive Plan recommends the site for Urban Residential and
221 Environmental Protection Area. The requested proffer amendments would not
222 affect the use or density of the development.

223

224 The proposed reduction in townhome size and widths could be incongruous with
225 the original intent of the proffers, including proffered elevations, as well as
226 existing and developing residential units not part of this application. Overall, staff
227 believes the amendments to Proffers 1 and 17 would contribute to a higher
228 quality development and are therefore supportive of the proposed changes.

229

230 However, while the proposed reduction in finished square footage would not
231 greatly influence the quality or value of surrounding residential development, staff
232 has concerns regarding the proposed 4-foot townhome width reduction and
233 recommends that the current 32-foot unit width be maintained. If the applicant
234 were to address this issue, staff could be more supportive of this request.

235

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

237

238 Mr. Vanarsdall - Any questions for Mr. Props?

239

240 Mrs. Jones - I have a quick one. Do you have revised elevations
241 from the applicant?

242

243 Mr. Props - No ma'am.

244

245 Mr. Jernigan - I do. It's basically like it was. The homes that they're
246 building now, they still had pads out there to built at 32 feet. They don't have
247 elevations for new ones because they don't know that they're going to do that
248 yet. But in the event that does come up, they want to be able to build them at 28
249 feet. But I have the elevations.

250

251 Mrs. Jones - That would answer one of staff's questions.

252

253 Ms. Moore - For clarification, he's still tied because the proffer
254 amendment is not being substantially amended for Proffer 1. So the original
255 elevations that were originally approved stand with the case. Staff is not aware
256 and has not received any revised elevations. I will note that staff does have

257 concerns that altering—these are essentially attached single-family. It would be
258 difficult to reduce those without altering, but I think that's something that could be
259 addressed at POD because they are proffered elevations.

260

261 Mr. Vanarsdall - Any more questions for Mr. Props?

262

263 Mr. Jernigan - I don't have any.

264

265 Mr. Vanarsdall - Do you want to hear from the applicant. Mr. Jernigan?

266

267 Mr. Jernigan - No, Mr. Chairman. I've talked to Mr. Horton quite a
268 few times about this and we've been over this. I'm okay with it.

269

270 Mr. Vanarsdall - All right. Then I'll entertain a motion.

271

272 Mr. Props - If I could interrupt. There is someone here from the
273 community. I don't know whether she desires to speak or not.

274

275 Mr. Jernigan - Ma'am, did you want to speak?

276

277 Mr. Vanarsdall - You have to come to the microphone. I apologize; I
278 didn't see your hand.

279

280 Ms. Robinson - I hadn't anticipated speaking. I'm Andrea Robinson
281 and I'm the owner of 106 New Harvest Drive. I just came here to pretty much get
282 a feel of what's going on, what's going to happen to our community. I'm kinda
283 concerned that the development is not going to be finished. I know they had
284 originally planned to have like a couple phases or what have you. Now with the
285 economy the way it is, we're looking like we're not going to have many homes
286 over there. I was just concerned about our value decreasing and what's going to
287 happen to us as homeowners.

288

289 Mr. Jernigan - Everybody's slow. It's all over. Nobody's doing
290 anything. What we're doing here is we're not decreasing any values here. We're
291 not cheapening things up. That's the reason that you see they're putting a better
292 roof, and putting sod and irrigation in the backyard. It was a tradeoff. That's what
293 I negotiated Mr. Horton. They wanted to be able to get the square footage down
294 a little bit because they're having trouble selling them at 1800 and 1900 square
295 feet. I agree with that. It's not that they're being cheapened, just because the
296 square footage is less. You don't base a house on the square footage. You can
297 take a 1200- or 1400-square-foot home and put a lot of nice things—brick, stone,
298 different things that you use on the porches and things like that to make them
299 nice. This isn't anything that's going to devalue your property.

300

301 Ms. Robinson - Are there going to be fewer homes over there now?

302

303 Mr. Jernigan - No, it's still laid out for the same amount.
304
305 Ms. Robinson - The same; okay.
306
307 Mr. Jernigan - They have the same number of lots. There was no lot
308 reduction. Some of the townhomes do not have pads out there currently and
309 they'll still be 32 feet. The units they build after this may still be 32 feet, but they
310 have the option that they can make them 28 feet wide rather than 32 and have
311 them longer. They'll have the garage and everything else.
312
313 Ms. Robinson - Okay. Thank you.
314
315 Mr. Jernigan - Thank you so much.
316
317 Mr. Vanarsdall - Thank you, Ms. Robinson.
318
319 Mr. Jernigan - All right. Mr. Chairman, with that I will move for
320 approval of case C-17C-10, Larry Horton for New Market Village Development
321 Company, LLC, and send it to the Board of Supervisors for their approval.
322
323 Mr. Archer - Second.
324
325 Mr. Vanarsdall - Motion by Mr. Jernigan, second by Mr. Archer. All in
326 favor say aye. All opposed say no. The ayes have it; the motion passes.
327
328 **REASON:** Acting on a motion by Mr. Jernigan seconded by Mr.
329 Archer, the Planning Commission voted 5-0 (one abstention) to recommend the
330 Board of Supervisors **grant** the request because the reduction in minimum house
331 size and required finished space would not greatly influence the quality or value
332 of residential development in the area and the proffers would maintain a level of
333 quality compatible with surrounding development.
334
335 **C-19-10 Robert M. Atack for KCA/Laburnum, LLC:** Request
336 to rezone from RTHC Residential Townhouse District (Conditional) to A-1
337 Agricultural District, Parcel 808-731-7728 containing approximately 10.33 acres,
338 located at the southeast intersection of N. Laburnum Avenue and Watts Lane.
339 The A-1 District allows a minimum lot size of 43,560 square feet and a maximum
340 gross density of 1.0 unit per acre. The use will be controlled by zoning ordinance
341 regulations. The Land Use Plan recommends Urban Residential; density should
342 range from 3.4 to 6.8 units per acre. The site is in the Airport Safety Overlay
343 District.
344
345 Mr. Vanarsdall - Is there any opposition to C-19-10, Robert M. Atack
346 for KCA/Laburnum, LLC? No opposition. Good evening, Ms. Deemer.
347

348 Ms. Deemer - Good evening, Mr. Chairman, members of the
349 Commission. This request is to rezone 10.33 acres from RTHC Residential
350 Townhouse District (Conditional) to A-1 Agricultural District. Located at the
351 southeast intersection of N. Laburnum Avenue and Watts Lane, the property was
352 rezoned via case C-68C-03 to permit a residential townhouse development.

353
354 The 2003 rezoning allowed up to 78 townhouse units to be developed on the
355 property. Proffers accepted with the case provided high quality development
356 standards and a commitment to make improvements to extend Watts Lane to
357 Harvie Road. A Plan of Development was approved in 2004 for the Villas at
358 Laburnum but the property remains undeveloped and the applicant now wishes
359 to rezone the property to A-1 Agriculture. The 2026 Comprehensive Plan
360 recommends Urban Residential for the subject property.

361
362 The request would be inconsistent with the future land use recommendation, but
363 would be in keeping with the zoning of surrounding parcels to the south, east and
364 west. In addition, rezoning to A-1 would not necessarily hinder future
365 development envisioned for the area.

366
367 Staff does believe the improvements to Watts Lane are important to support the
368 recent and future developments in the area and to provide an adequate road
369 network. Staff believes the dedication, if not the actual improvements for this
370 portion of the road, should be provided. If the applicant could address these
371 issues, staff would support this request.

372
373 That concludes my presentation. I'd be happy to answer any questions you may
374 have.

375
376 Mr. Vanarsdall - Any questions for Ms. Deemer by Commission
377 members? Mr. Archer?

378
379 Mr. Archer - I'd like to hear from the applicant.

380
381 Mr. Atack - Mr. Chairman, members of the Planning Commission,
382 my name is Bob Atack. I'm the applicant this evening.

383
384 Mr. Archer - How are you doing, Mr. Atack?

385
386 Mr. Atack - Pretty good, Mr. Archer.

387
388 Mr. Archer - Good to see you, sir.

389
390 Mr. Atack - Thank you.

391

392 Mr. Archer - I guess the biggest question, of course, that staff has
393 concern with is about the dedication of Watts Lane. Are you opposed to that or is
394 it something you can see in the future at a later development time?

395
396 Mr. Atack - To sort of rewind the tape a little bit, Mr. Archer, and
397 explain this: our desire to rezone from multi-family to agricultural is a major
398 demarcation break, particularly for a developer such as ourselves. It's a
399 reflection of unfortunately what's going on in the marketplace. We rezoned this
400 property in 2003. We had an approved POD. Unfortunately, this property just
401 suffers from what is going on in the economy and there is not a market for these
402 townhouses. Our desire to rezone the property all the way back down to
403 agricultural is so that we can re-evaluate this property at a more appropriate date
404 for development and leave it at its most flexible. Specifically regarding Watts
405 Lane, Watts Lane is a condition of the zoning case that was applicable to the 78
406 townhouses and I think made a lot of sense. We voluntarily accepted that
407 suggestion when we rezoned the property. But under an A-1 classification, I don't
408 think it would be necessary for us to continue that proffered condition. As staff
409 mentioned, if this property is ever rezoned to a higher use, it would be
410 appropriate to revisit at that time. Under the most conservative of scenarios, if
411 this property was zoned based under it's A-1 classification, it would have to go
412 through the standard subdivision process and that would probably be a
413 stipulation as well.

414
415 Mr. Archer - So as of this moment, you don't really have any plans
416 for it?

417
418 Mr. Atack - No sir.

419
420 Mr. Archer - All right. Anybody else have any questions for Mr.
421 Atack? Mr. Atack, it is a rare occasion for us to see multi-family go down to
422 agriculture, so I suppose that kind of lights the meter up a little bit.

423
424 Mr. Atack - As well myself in 35 years.

425
426 Mr. Archer - I've never seen you do it.

427
428 Mr. Atack - I've never seen it done in Henrico County.

429
430 Mr. Archer - Well at least we'll have a piece of farmland if
431 somebody wants to do some farming.

432
433 Mr. Atack - Thank you.

434
435 Mr. Archer - Thank you, sir. There are, I think, some valid reasons
436 behind staff wanting to accomplish that dedication. But on the other hand, I can
437 also see some merit to rezoning this back to A-1, bearing in mind that no

438 rezoning ever has to be permanent. There is activity going on in that area that
439 think we need to be cognizant of. In this instance, it would reduce the amount of
440 un-built multi-family inventory that we already have in the County. And also with
441 the pending opening of the new rec center on Laburnum Avenue, this would
442 reduce what I perceive could be an overcrowding that could occur just from one
443 neighborhood by having so much multi-family. There is other multi-family around
444 there also. It would lessen the traffic impact, and that's certainly a concern
445 always of the neighborhood down there. And Mr. Atack, I suppose the Board
446 might have questions also about the rezoning and you can address that at that
447 time. But as for now, I will move to send this along to the Board with a
448 recommendation for approval.

449

450 Mr. Jernigan - Second.

451

452 Mr. Vanarsdall - Motion by Mr. Archer; second by Mr. Jernigan. All in
453 favor say aye. All opposed say no. The ayes have it; the motion passes.

454

455 **REASON:** Acting on a motion by Mr. Archer seconded by Mr.
456 Jernigan, the Planning Commission voted 5-0 (one abstention) to recommend
457 the Board of Supervisors **grant** the request because it would not be expected to
458 adversely affect the pattern of zoning and land use in the area.

459

460 Mr. Atack - Thank you.

461

462 Ms. Moore - Mr. Chairman, that concludes our rezoning requests
463 on the agenda tonight. That moves us to our discussion item. This is simply to
464 allow the Planning Commission to discuss scheduling a work session. We're
465 suggesting November 10, 2010, to review potential amendments to the County
466 Code regarding public street frontage requirements for family subdivisions.
467 We're tentatively held the County Manager's Board Room for that and we
468 suggest at 5:30 prior to your regular time of public hearing.

469

470 Mr. Vanarsdall - We will have a meal with that, I imagine, since it's
471 5:30.

472

473 Ms. Moore - We can arrange that.

474

475 Mrs. Jones - What was the date again?

476

477 Ms. Moore - November 10th. That was changed from your earlier
478 version of the agenda.

479

480 Mr. Branin - The 10th is a Wednesday.

481

482 Mr. Vanarsdall - Everybody in agreement with the 5:30?

483

484 Mr. Jernigan - Yes.
485
486 Mr. Branin - Okay.
487
488 Mrs. Jones - Five thirty on the tenth.
489
490 Mr. Branin - Yes, I'm okay with it.
491
492 Ms. Moore - So is there a motion for that?
493
494 Mrs. Jones - I so move.
495
496 Mr. Branin - Second.
497
498 Mr. Vanarsdall - Mr. Branin made the motion.
499
500 Mr. Archer - I'll second.
501
502 Mr. Vanarsdall - And Mr. Archer seconded.
503
504 Ms. Moore - So the motion was made by Tommy Branin,
505 seconded by Mr. Archer. Okay. November 10th at 5:30. Thank you.
506
507 Mr. Vanarsdall - Mr. Blankinship, I wanted to ask you. This came
508 before us one time and I believe that the Board sent it back for distance, road
509 distance or something?
510
511 Mr. Blankinship - Well, there were several issues that changed after the
512 draft that the Planning Commission recommended approval. The most significant
513 is who would be reviewing family divisions. In the past, they were done by
514 variance through the Board of Zoning Appeals. So we as staff took the
515 conservative approach, drafted an amendment that would make the least change
516 that would solve the problem, and would still take it to the Board of Zoning
517 Appeals just as a conditional use permit. The Board of Supervisors looked at it
518 differently and decided that because the Planning Commission is the body that
519 normally reviews and approves subdivisions, you're more versed in that field and
520 would be the more appropriate body to review family divisions with no public
521 street frontage. So they asked us to rework the amendment. While we were
522 redrafting it, there were some other changes that were proposed. So all of that
523 would be brought back to you at the work session on November the 10th.
524
525 Mr. Jernigan - I have a question. What you're going to present to us
526 on the 10th, is it going to go back to what we originally approved or what got
527 massaged after the Board worked it over?
528

529 Mr. Blankinship - It's a work session, so I don't know what will come out
530 of that work session; that will be up to you. What will be brought to you is the
531 latest version that includes changed recommended by the Board, by the County
532 Manager, by the Director of Public Works, and others.
533

534 Mr. Jernigan - Mr. Donati called me and asked me about this. I met
535 with Ben last week. When this originally left us, the road distance was 800 feet. I
536 think Mr. Blankinship said it went to the Board and it was first proposed the way
537 that we had approved it. They didn't like that, so it went back and everybody
538 worked it over a little bit and it went back to the Board again. Well, that road went
539 from 800 feet to 1300 feet. And it went to 24 feet wide with two inches of gravel
540 and asphalt. Mr. Donati's question to me was how is anybody going to afford to
541 build a house when the road's going to cost you \$130,000. I'm not putting you on
542 the spot, but I want everybody to know that that case grew after it left here. He
543 did tell me what happened. When they first presented it to the Board, it was what
544 we had approved. But when it came back for the second run—
545

546 Mr. Vanarsdall - Twenty feet?

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548 Mr. Jernigan - Twenty-four foot.

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550 Mr. Vanarsdall - Was it 24 when we had it?

551
552 Mr. Jernigan - No. It was 12, wasn't it?

553
554 Mr. Blankinship - I believe it was 18 wide, the gravel.
555

556 Mr. Jernigan - Anyway, they bumped it to 24. Not the Board, the
557 DPW.
558

559 Mr. Blankinship - It had been a 12-foot gravel surface—
560

561 Mr. Jernigan - That's what I was thinking.
562

563 Mr. Blankinship - A 12-foot surface and a 20-foot easement.
564

565 Mr. Jernigan - That would have thrown up a flag to me when you
566 have to put a 24-foot road, two inches of gravel and all asphalt going up there.
567 That's an expensive road. I just wanted to let everybody know what happened
568 on that, not that I'd put you on the spot; you didn't do anything.
569

570 Mr. Vanarsdall - One of the good changes is leave the BZA out of it
571 altogether.
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573 Mr. Jernigan - Yes, right. And we need to handle that. So we'll be
574 looking forward to this.

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Mr. Vanarsdall - Any more questions for Mr. Blankinship? Okay.
Thank you, Ben.

Ms. Moore - We're moving on to our last item, which is the approval of minutes from the Planning Commission's September 9, 2010, meeting.

Mrs. Jones - I move the minutes be accepted as presented.

Mr. Archer - And I second.

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

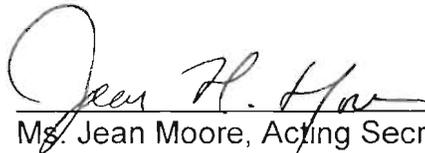
Ms. Moore - Do I have a motion for an adjournment?

Mr. Archer - So moved.

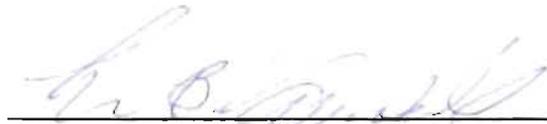
Mr. Branin - Second.

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

The meeting adjourned at 7:30 p.m.



Ms. Jean Moore, Acting Secretary



Mr. Ernest B. Vanarsdall, Chairperson